



United States
Department of
Agriculture

Forest
Service

Alaska Region

P.O. Box 21628
Juneau, AK 99802-1628

11.5.9

Reply to: 1590 Oil Spill

Date: August 5, 1994

Nancy K. Swanton
IMS/EIS Project Manager
U.S. Department of the Interior
949 E. 36th Ave., Room 603
Anchorage, AK 99508-4302

*Entered in transmittal
sheet, copy then file
as pkg.*

Dear Ms. Swanton:

We have reviewed the June, 1994 Draft Environment concerning the proposed Institute of Marine Science Improvement Project at Seward, Alaska. Personnel from the Forest Service have attended several meetings concerning the proposed infrastructure improvement project and have provided specific comments to Livingston Slone Inc., the contract designers and to representatives from the Seward Association for the Advancement of Marine Science (SAAMS). Thus, our comments in this letter will be more general in nature.

In the second floor space needs, there are identified space needs for ecosystem modeling and oceanography. What duplication exists in the 1994 Trustee Council funded work in Prince William Sound for these two activities? The Trustee Council specifically funded ecosystem modeling and oceanographic work with the University of Alaska and the Prince William Sound Science Center in 1994 and more is proposed in 1995.

In several locations throughout the document, the statement is made that revenue from public education and visitation would be used to help offset the operation costs of the proposed improvements. Several times at Trustee Council meetings, it has been presented that revenue from the project would provide complete funding for future operation and maintenance costs and that the Trustee Council would just be committing to initial construction costs. Has this premise changed? An additional consideration is the scenario that the project is not self-sufficient. Does SAAMS presently or will a yet to be determined operating board be organized to cover any shortfalls in operating and maintenance costs if they occur?

Which Trustee Council agencies have committed to participate in either the research or rehabilitation activities at the IMS facility? It would seem that if Trustee Council Agencies committed to conducting research or monitoring activities at the facility, perhaps existing overhead costs for floor space, etc. presently included in projects funded by the Trustee Council could be reduced.





United States
Department of
Agriculture

Forest Service • Alaska Region

P.O. Box 21628
Juneau, AK 99802-1628

11.5.9

Reply to: 1590 Oil Spill

Date: August 5, 1994

Nancy K. Swanton
IMS/EIS Project Manager
U.S. Department of the Interior
949 E. 36th Ave., Room 603
Anchorage, AK 99508-4302

Dear Ms. Swanton:

We have reviewed the June, 1994 Draft Environmental Impact Statement concerning the proposed Institute of Marine Sciences (IMS) Infrastructure Improvement Project at Seward, Alaska. Personnel from the Forest Service have attended several meetings concerning the proposed infrastructure improvement project and have provided specific comments to Livingston Slone Inc., the contract designers and to representatives from the Seward Association for the Advancement of Marine Science (SAAMS). Thus, our comments in this letter will be more general in nature.

In the second floor space needs, there are identified space needs for ecosystem modeling and oceanography. What duplication exists in the 1994 Trustee Council funded work in Prince William Sound for these two activities? The Trustee Council specifically funded ecosystem modeling and oceanographic work with the University of Alaska and the Prince William Sound Science Center in 1994 and more is proposed in 1995.

In several locations throughout the document, the statement is made that revenue from public education and visitation would be used to help offset the operation costs of the proposed improvements. Several times at Trustee Council meetings, it has been presented that revenue from the project would provide complete funding for future operation and maintenance costs and that the Trustee Council would just be committing to initial construction costs. Has this premise changed? An additional consideration is the scenario that the project is not self-sufficient. Does SAAMS presently or will a yet to be determined operating board be organized to cover any shortfalls in operating and maintenance costs if they occur?

Which Trustee Council agencies have committed to participate in either the research or rehabilitation activities at the IMS facility? It would seem that if Trustee Council Agencies committed to conducting research or monitoring activities at the facility, perhaps existing overhead costs for floor space, etc. presently included in projects funded by the Trustee Council could be reduced.

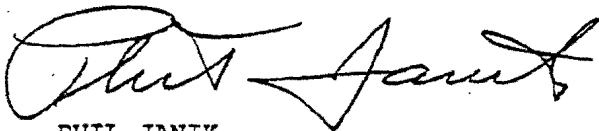


The two-person research submersible and the associated 130-foot research vessel/tender proposed to be purchased as part of the project seems to be very costly. It would perhaps be more cost efficient to lease the use of a submersible and tender vessel. Leasing would eliminate the initial investment costs, the operation and maintenance costs, and the need to find other contractual uses for the vessels when not in use.

If the project is funded by the Trustee Council and other funding obtained from private sources for construction, coordination and integration with other existing research facilities will be essential, such as with the Auke Bay Laboratory and the Prince William Sound Science Center.

If you have any questions, please contact Dave Gibbons at (907) 586-8784.

Sincerely;



PHIL JANIK
Regional Forester

cc: Trustee Council



Sierra Club
241 East Fifth Avenue, Suite 205
Anchorage AK 99501
(907) 276-4048; fax (907) 258-6807

August 8, 1994

Ms. Nancy Swanton
EIS Project Manager
IMS Infrastructure Improvement Project
U.S. Department of the Interior
949 East 36th Avenue, Room 603
Anchorage AK 99508

RE: Proposed IMS Infrastructure Improvement Project, Seward,
Alaska -- Draft Environmental Impact Statement, June 1994

Dear Ms. Swanton,

Thank you for the opportunity to comment on the DEIS for the proposed Institute of Marine Science Infrastructure Improvement Project in Seward. The Sierra Club favors Alternative III, the "No Action" alternative.

Exxon Valdez Oil Spill Restoration Funding Not Justified

Most of the planned funding for the proposed project is to come from Exxon Valdez Oil Spill (EVOS) restoration funds. However, the need for this project to restore oil spill injuries has not been demonstrated.

The "Memorandum of Agreement and Consent Decree" between the United States and the State of Alaska (March 13, 1991) states "The Governments shall jointly use all natural resource damage recoveries for purposes of restoring, replacing, enhancing, rehabilitating or otherwise acquiring the equivalent of natural resources injured as a result of the Oil Spill and the reduced or lost services provided by such resources" (Section V-A, page 12). The "Agreement and Consent Decree" with Exxon Corporation further describes the legal uses of the settlement, including the most relevant portion "(5) to reimburse or pay costs incurred by the United States or the State or both after March 12, 1991 to assess injury resulting from the Oil Spill and to plan, implement, and monitor the restoration, rehabilitation, or replacement of Natural Resources, natural resource services, or archaeological sites and artifacts injured, lost, or destroyed as a result of the Oil Spill, or the acquisition of equivalent resources or services;" (Paragraph 10, pages 9-11).

The construction of this facility does not meet these definitions of restoration. Further research into EVOS injuries, recovery and restoration are clearly legal uses of restoration funds.

However, using EVOS restoration funds to construct a research facility would be legal only if the facility is found to be necessary to conduct essential EVOS research. There has been no such finding. In fact, there is no clear tie between the facility and any particular research. Any advantages of such a facility for conducting non-EVOS related research does not justify expenditure of EVOS funds.

Need for Facility Not Demonstrated

In fact, the need for this facility has not been demonstrated at all -- neither for Exxon Valdez Oil Spill research, nor for any research. The appropriate approach to expenditure of funds would have been as follows: 1) plan the needed research; 2) assess the available facilities for conducting the needed research; 3) assess any gaps in necessary facilities; and 4) decide the most cost effective way to fill these gaps. This proposed facility took the exact opposite approach. First a tourist attraction was planned. When funding proved unavailable, the facility promoters next sought EVOS funds, and eventually redesigned the plans to be more appealing to the EVOS Trustees. The need for the facility -- either for EVOS research or for other research -- was never demonstrated. The facility is a solution to a non-existent problem. Alaska already has marine research facilities in Kodiak, in Cordova, and at its University campuses. There is no explanation of what research needs cannot be filled using these existing facilities. There are no alternatives in the DEIS which examine the possibility of expanding any of these other existing facilities.

Revenue Projections Overly Optimistic

The proposed institute's plans for financial self-sufficiency are based on a long list of rosy assumptions. If one or more of these assumptions does not prove correct, the State will have a white elephant on its hands. Some examples:

Visitation: Operating funds would plummet if the cruise ship lines decide not to patronize the facility. (Even if they do patronize it, they would have the power to demand extraordinary cuts in the cost of tickets for their passengers.) Also, the proposed visitation rate from South Central Alaska residents seems highly inflated.

Animal rehabilitation: Contracts for spill response capacity certainly cannot be assumed. Mobile units are far more appropriate for spill response in Alaska than a facility that is fixed in one place -- a place that may prove to be very far away from an actual spill. The DEIS acknowledges that "Because these sources of revenue are somewhat speculative at this time, an income estimate of \$150,000 estimate [sic] for wildlife rehabilitation programs was used. It is clearly possible and

probably that this number could be higher when a certified facility is in place." It is clearly possible, also, that it could be lower or non-existent.

Animal rehabilitation is extremely expensive per animal, and could prove very costly to facility operations. Rehabilitation during the Exxon Valdez oil spill cost \$80,000 per otter. Evidence indicates that fewer than half these released otters survived the first winter. Release of rehabilitated animals is also very risky to wild animal populations. Evidence strongly indicates that the otters rehabilitated during the Exxon Valdez oil spill introduced disease to wild populations in Prince William Sound. Survival rates for birds and their effect on wild populations is completely unknown.

Combining animal rehabilitation with research and tourist facilities also provides a strong potential for abuse. The demands for animals for research and for public display could put considerable pressure on facility operators to keep rehabilitated animals at the facility rather than release them.

Research: The construction of this proposed facility would create a large and permanent demand for grants from the Trustee Council -- both to justify the use of EVOS funds for construction, and to pay for operation and maintenance. Strong political pressure on the Trustees to fund the Institute's research projects is likely.

What happens if revenues from visitors or animal rehabilitation fall short of the optimistic projections? The answer is that the facility operators will turn even more desperately to the EVOS Trustee Council -- and also to the State Legislature. The facility will be under severe internal pressure to capture more funds from the EVOS Trustee Council, no matter how limited the value of further EVOS research. Operational appropriations from the State Legislature would likely come at the expense of operating funds for the University and other existing facilities.

Alaska has a history of boom and bust economies. The State has spent billions of dollars on capital projects which will be very difficult or impossible to maintain and operate as oil revenues decrease. Existing University of Alaska facilities are in a precarious long-term financial position. It does not make sense to use public funds to subsidize this large and risky new capital expansion.

Sincerely,

Pamela Brodie

Pamela Brodie
Alaska Rainforest Coordinator





ALASKA CENTER *for the* ENVIRONMENT

519 West 8th Avenue, Suite 201 • Anchorage, Alaska 99501
(907) 274-3621 • fax: 274-8733

August 1, 1994

Ms. Nancy Swanton
EIS Project Manager
IMS Infrastructure Improvement Project
US Dept. of the Interior
949 East 36th Avenue, Room 603
Anchorage, AK 99508-4302

re: DEIS Comments (*Infrastructure, Seward*)

Dear Ms. Stanton:

On behalf of Alaska Center for the Environment, I am providing comments on your DEIS. At ACE we feel that this project does not merit dollars that are so desperately needed to protect waters that were damaged in the Spill.

We support Alternative III (No Action) and believe that there are many other projects and ways that the money can be better spent. We would be happy to furnish you with a list of these if you wish.

Sincerely,

Caryl Boehnert

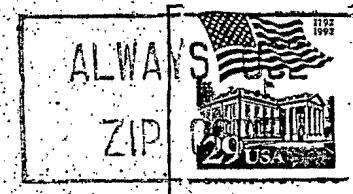
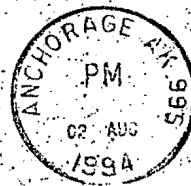
Caryl Boehnert
Western Gulf Coordinator
Alaska Rainforest Campaign

cc: Trustee Council





Alaska Center for the Environment
519 West 8th Avenue, Suite 201
Anchorage, Alaska 99501



Ms. Nancy Swanton
EIS Project Manager
IMS Infrastructure Improvement Project
US Dept. of Interior
949 E. 36th Ave.
Room 603
Anchorage, AK 99508-4302

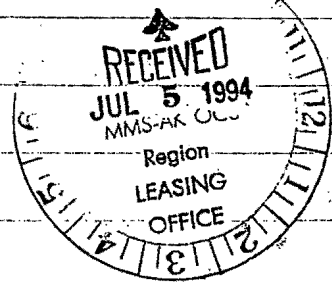


100% post-consumer waste recycled paper

JUNE 24, 1994

TO: Ms NANCY SWANTON

FROM: RICHARD A. LINK,



HAVING just completed READING THE DRAFT ENVIRONMENTAL Impact Statement on THE PROPOSED IMS INFRASTRUCTURE IMPROVEMENT PROJECT, AND LISTENING to MY CO-WORKERS COMMENTS. I HAVE come to THE CONCLUSION, THAT in NO WAY SHOULD WE BE SPENDING 25 million DOLLARS to REHABILITATE A FEW SEA BIRDS OR MAMMALS. THIS MONEY COULD BE put to A LOT BETTER USE in OUR EDUCATION system, Hiring MORE TEACHERS (so that THE TEACHER/STUDENT ~~RATIO~~ RATIO isn't OVER 30 AS in some CLASSROOMS THIS YEAR.)

YOU PEOPLE HAVE A GOOD IDEA in A MARINE STUDIES FACILITY but I'm not willing to SPEND millions taking care of OILY BIRDS OR MAMMALS which will HAVE A HIGH MORTALITY ANYWAY.

I AM THEREFORE OPTING FOR ALTERNATIVE III "NO ACTION"

RICHARD A. LINK
P.O. BOX 3178
NORTH IN ALASKA

THANK YOU

Richard A. Link
P.S. PLEASE KEEP ME INFORMED

R.A. Link
P.O. Box 3178
SOLDOTNA, AK 99669

6-28-94

Raymond & Wanda

Williamson

19941 2 up st

Anderson, CA 96007

EVOS Oil Spill Public Info Center

645 g street

Anchorage, AK 99501

JUL 05 1994

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

Gentlemen:

After studying the draft EIS
for proposed INS Infrastructure
Improvement Project, Seward, we
recommend alternative II.

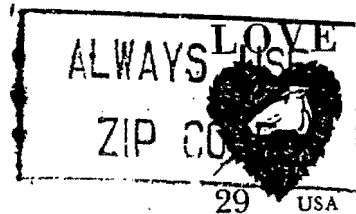
We are land owners in Alaska
and have closely studied all
proposals concerning rehabilitation
of areas affected by the accidental
oil spill.

We do not believe it is in
the public interest to enhance
prior existing conditions at
the expense of the public or
Exxon Corporation by initiating
new projects at public/Exxon
expense. The incident was an
accident.

Sincerely,

Raymond & Wanda Williamson

MR. & MRS. RAYMOND WILLIAMSON
Linger Longer Lane
19941 Loop Street
ANDERSON, CA 96007



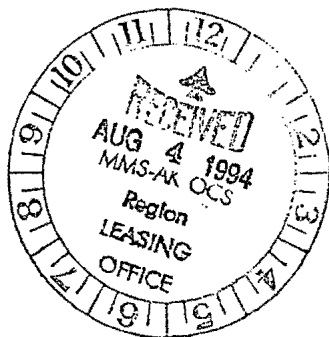
EROS oil spill Remedial
center
645 g street
Anchorage, AK 99501

Aug 3, 1994

Dear Persons:

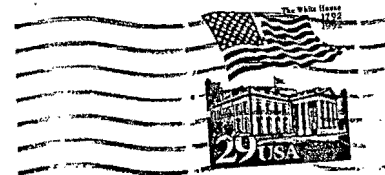
I want to see the Alaska Sea Life Center built in Seward. This facility should be built with focus on research and consideration for education.

The balance of the Exxon Spill monies should be spent for land acquisition in the impact area.



Sincerely,
Jerry L. Olfon
Biologist M.A.
Seward, AK

JERRY AND DEBORAH DIXON
PO BOX 1058
SEWARD ALASKA 99664



Nancy Swanton
US D.I.
949 E 36th Ave
ANC, AK 99508



ANDERSON TUG & BARGE CO.

BOX 1315 • SEWARD, ALASKA 99664
(907) 224-5506

RECEIVED

SEP 12 1994

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

September 08, 1994

Exxon Valdez Oil Spill Trustee Council
645 G St., Suite 401
Anchorage, AK 99501-3451

Dear Sirs:

I highly recommend and endorse the Alaska SeaLife Center for full funding from the 1995 restoration program. The triad of research, rehabilitation and teaching/education will be a valuable addition to the restoration of the food chain and habitat of the Prince William Sound/North Gulf of Alaska regions.

Policies regarding Fisheries Management, Oil and Gas Exploration, Forest Management and the impact of Tourism on our marine life and habitat should be based on sound data and not emotional reactions. The Alaska SeaLife Center would provide a "home-port" for this information.

Please include the SeaLife Center in your funding.

Thank you.

Sincerely,

Sharon E. Anderson

1
RECEIVED
OCT 03 1994

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

South Street
Chesterfield, MA 01012

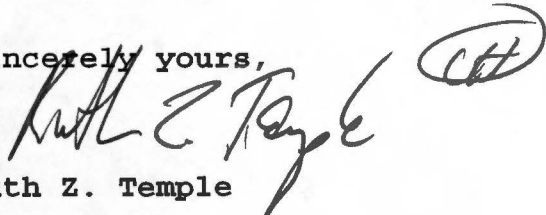
September 28, 1994

Exxon Valdez Oil Spill Trustee Council
Restoration Office
645 G Street
Anchorage, AK 99501

Dear Council members:

The Alaska Sea Life Center would be an ecological disaster. To support this would be compounding your sins against Alaska.

Sincerely yours,


Ruth Z. Temple

RECEIVED
OCT 04 1994

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

Exxon Valdez Oil Spill
Trustee Council
Restoration Office
645 G Street
Anchorage, AK 99501

Gentlemen and Ladies:

The Alaska Sea Life Center, thinly disguised by its promoters as a "research and rehabilitation center," has been characterized by its critics as "Sea World North." These individuals are concerned lest, in an effort to attract tourist dollars, the center will capture from the wild (ostensibly for "research") more and larger marine mammals.

I appreciate the wisdom of the Oil Spill Trustee Council in its refusal to fund the center. It seems unlikely that the place will evolve into a serious research facility to benefit sea life; the temptation to capitalize on the tourist trade will be too great to resist.

Sincerely yours,


Marcel Jeanty
P.O. Box 0221
Miami, FL 33152

RECEIVED
SEP 19 1994

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

68 Mill Road Extension
Woodcliff Lake, NJ 07675

September 6, 1994

Exxon Valdez Oil Spill Trustee Council
Restoration Office
645 G Street
Anchorage, Alaska 99811-0001

Dear Sirs:

Thank you for your wisdom in refusing to contribute to the construction of the Alaska Sea Life Center, described by some as "Sea World North." As the film Free Willy pointed out, marine animal containment centers are interested in one thing, and the welfare of the animals they hold captive is not it. The excuse that the center is being constructed for scientific reasons is a fairly old lie. Japan has used it to justify its whaling expeditions. However, even if this park was being constructed for scientific reasons, this would still be no excuse to remove animals from their natural habitats. Scientific curiosity is no more morally significant than public curiosity. Frankly, just the fact that Governor Hickel endorses this plan is proof enough that the interests of animals are being compromised, based on his record on animal issues. If you are interested in protecting marine mammals, I would suggest contributing to an organization that works in their defense, such as the American Cetacean Society, PO Box 2639, San Pedro, CA 90731. As for land animals, the Alaska Wildlife Alliance, PO Box 202022, Anchorage, AK 99520-2022 struggles to defend Alaska's embattled wild animals, and could undoubtedly use the funding. I hope you find these suggestions useful and choose to support one or both of these excellent organizations.

Sincerely,


Adam Weissman

September 12, 1994

RECEIVED

SEP 22 1994

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

Exxon Valdez Oil Spill Trustee Council
Restoration Office
645 G Street
Anchorage, AK 99501

Re: Sea Life Center

Dear Sir/Madam:

I am writing to state my objection to the Sea Life Center project that Governor Hickel of Alaska and others are trying to push forward with the help of funding from the Trustee Council.

Their efforts to try and open this center under the guise of a marine mammal research and rehabilitation center is outrageous. Put simply, the plan is a fake and the real intention of the center is just to capture and exploit wild sea mammals. At the present time, there are dozens of day cruises that roam the waters in Alaska allowing the public to see orcas, sea otters, sea lions and the rest of the animals planned for this center. There is absolutely no need to further disrupt their lives as they are still desperately trying to recover from the oil spill.

In addition, a study of the feasibility of this project performed by the Alaska Industrial Development and Export Authority show that the center would need \$4 million tourist dollars a year just to break even.

Please do what is necessary to ensure that this center does not get the funding from the Council. Although Exxon is responsible for the oil spill and all the pain and suffering that followed, they now have a chance to make a decision that will eliminate further suffering for the animals by refusing to fund such a hypocritical theme park.

Thank you very much for your time and consideration.

Sincerely,

Kathy C. Peirce

Kathy C. Peirce
46 Dubuque Street
Manchester, NH 03102

K. Baxter
P.O. Box 243660
Anchorage, Alaska 99524

Ms. Nancy Swanton
EIS Project Manager
IMS Infrastructure Improvement Project
U.S. DOI
949 East 36th Ave, Room 603
Anchorage, AK 99508-4302

Dear Ms. Swanton,

28 July '94

This letter is in response to the draft EIS prepared to evaluate the proposed IMS facility in Seward. While I believe that your analysis captures most of the potential impacts that may result from the new IMS facility, I am concerned about your analysis of the socio-economic aspects and with the gloss-over of impacts caused by acquiring a research vessel that will belong to the facility. The DEIS states that a vessel may be acquired, and I know that there have been lengthy discussions and campaigns to ensure that a vessel and submersible are acquired. Given that there is a strong likelihood that such a vessel would be acquired, it seems appropriate to discuss the effects. The analysis of effects should consider that the acquisition of such a vessel will be in direct competition with boat operators in south-central Alaska. There are several vessels that regularly compete for contracts to take agency scientists into PWS or the AK Peninsula and even the Alutians to do their research. A vessel owned by IMS would be in direct competition with these small businesses and would have adverse economic effects. I assume that the specifications of the desired vessel are not immediately available in Seward, however, it is also reasonable to assume that there are vessel operators willing to acquire or modify vessels to meet the need - it would be in their benefit to do so. To summarize this point, your analysis should show the effects of acquiring or not acquiring (which would show additional economic effects that you have overlooked) a research vessel as IMS property.

Similarly, there is another economic impact that will be caused by the expanded facility to other research institutes such as Prince William Sound Research Center or the Auke Bay laboratory that must compete for Oil Spill funded projects or NFS contracts. The analysis fails to discuss the potential impact to the other research facilities, and their communities, that regularly conduct research in Alaska.

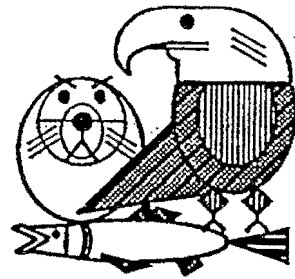
Thank you for the opportunity to comment. I do not wish to be placed on a mailing list. I will have access to a final document through other sources and am anxious to see a more complete analysis.

Sincerely,

K. Baxter

RECEIVED
AUG 23 1994

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL
ADMINISTRATIVE RECORD



Investment Options

Trustee Agencies

State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation
United States: National Oceanic & Atmospheric Administration, Departments of Agriculture and Interior

UNITED STATES COURTS
SOUTHERN DISTRICT OF TEXAS

HOUSTON DIVISION

FTS FAX No.: (713) 250-5812
COMMERCIAL FAX No.: (713) 250-5812



TRANSMITTAL COVER SHEET

TO: Ms. June Sinclair

FROM: Michael Milby

SUBJECT: Exxon Valdez Settlement Funds

TOTAL NUMBER OF PAGES: 20

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
OFFICE OF THE CLERK
P. O. BOX 61010
HOUSTON, TEXAS 77208

MICHAEL N. MILBY
CLERK OF COURT

August 11, 1994

Ms. June M. Arkoulis-Sinclair
Administrative Officer
Exxon Valdez Oil Spill Trustee Counsel
645 "G" Street
Anchorage, AK 99501

Dear Ms. Sinclair:

It has been a pleasure working with you, on a new Court Registry Investment System (CRIS) fund for the Exxon Valdez Settlement Funds. I believe that the CRIS fund can meet the long term investment needs for the Exxon Valdez Settlement Funds. As we discussed, implementation of the new investment fund will require that a court order establishing the fund be entered by Chief Judge Norman W. Black, as well as, an order from the presiding judge in Alaska to deposit the funds into the newly created account. These orders can be prepared once we determine the investment parameters of the new fund. I prepared the following information to assist the Trustee Council in its review of the CRIS alternatives.

As you know, we currently perform a very similar service with the CRIS - Term Fund for the Boesky, Milken and Drexel settlement funds. The Term Fund has a maximum maturity of 18 months and an average maturity of 365 days. In this fund a portion of the portfolio matures each quarter to meet projected cash needs. The proceeds from a maturing security can be used to meet disbursement requirements or rolled over into another 18 month security. In effect the Term Fund provides quarterly liquidity with a 365 day yield. For your information, attachment A depicts the CRIS - Term Fund yield verses the one year Treasury Bill.

Since the CRIS invests only in U. S. Treasury securities through the Federal Reserve Bank, no default risk, credit risk or collateral requirements exist. Therefore, the key investment decision becomes one of matching liquidity needs to investment maturities. When these variables are matched, yield increases through the purchase of longer maturities and market risk (interest rate risk) reduces since securities are held to maturity.

The following theoretical portfolios illustrate the reduced market risk exposure achieved through the matching of maturities to cash needs, and through the staggered purchase of securities.

Portfolio I

Strategy: Laddered quarterly maturities...December '94 to March '96.

Estimated Yield: 5.61%

If rates rise 100 basis points in the first three months, the market value of the portfolio remains higher than the original cost. Each quarter approximately \$2 million in principal is available to reinvest or disburse.

Portfolio II

Strategy: Fixed three year maturity.

Estimated Yield: 6.50%

If rates rise 100 basis points in the first three months, the market value of the portfolio falls below the original cost. No funds are available to invest until the single security matures.

Portfolio III

Strategy: Laddered maturities with one year to five year maturities.

Estimated Yield: 6.41%

If the rates rise 100 basis points in the first three months, the market value of the portfolio plus cash flow received in the first three months is higher than the original cost. Under this scenario approximately \$2 million in principal is available each year to reinvest or disburse.

Of course Portfolio II maybe the optimum choice if we know we will not need funds for three years.

The CRIS building blocks assure a safe, efficient portfolio for the reserve account. The only task that remains is to determine the most likely scenario for disbursement out of the fund. With this projection, the portfolio's investment horizon can be established to match liquidity need and minimize the portfolio's exposure to market risk. There are many possible strategies that could be employed to match liquidity to the disbursement horizon. A few follow:

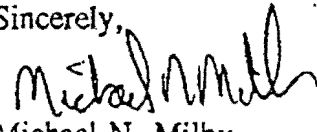
- If the council knows with certainty that there will be no disbursements until the year 2002, then the first \$12 million deposit could mature in the year 2002, the second \$12 million deposit could mature in the year 2003, (etc). In 2002 the principal plus interest from the first \$12 million could be reinvested in a staggered portfolio with quarterly liquidity or placed into the CRIS liquidity fund.

- Alternatively, we could break the first \$12 million into \$4 million blocks. One block would mature every quarter of 2002.

- As still another option, we could begin immediately to create a portfolio with an average maturity 2 to 4 years. The first \$12 million dollars could be staggered throughout this range to provide a weighted maturity of three years.

I trust the above will assist the council in determining the best method of investing its projected \$108 million reserve account. Attachment B includes sample orders and procedures that would govern the operation of the fund. Please do not hesitate to call me at (713) 250-5400 if I may provide any further information.

Sincerely,



Michael N. Milby
Clerk of Court

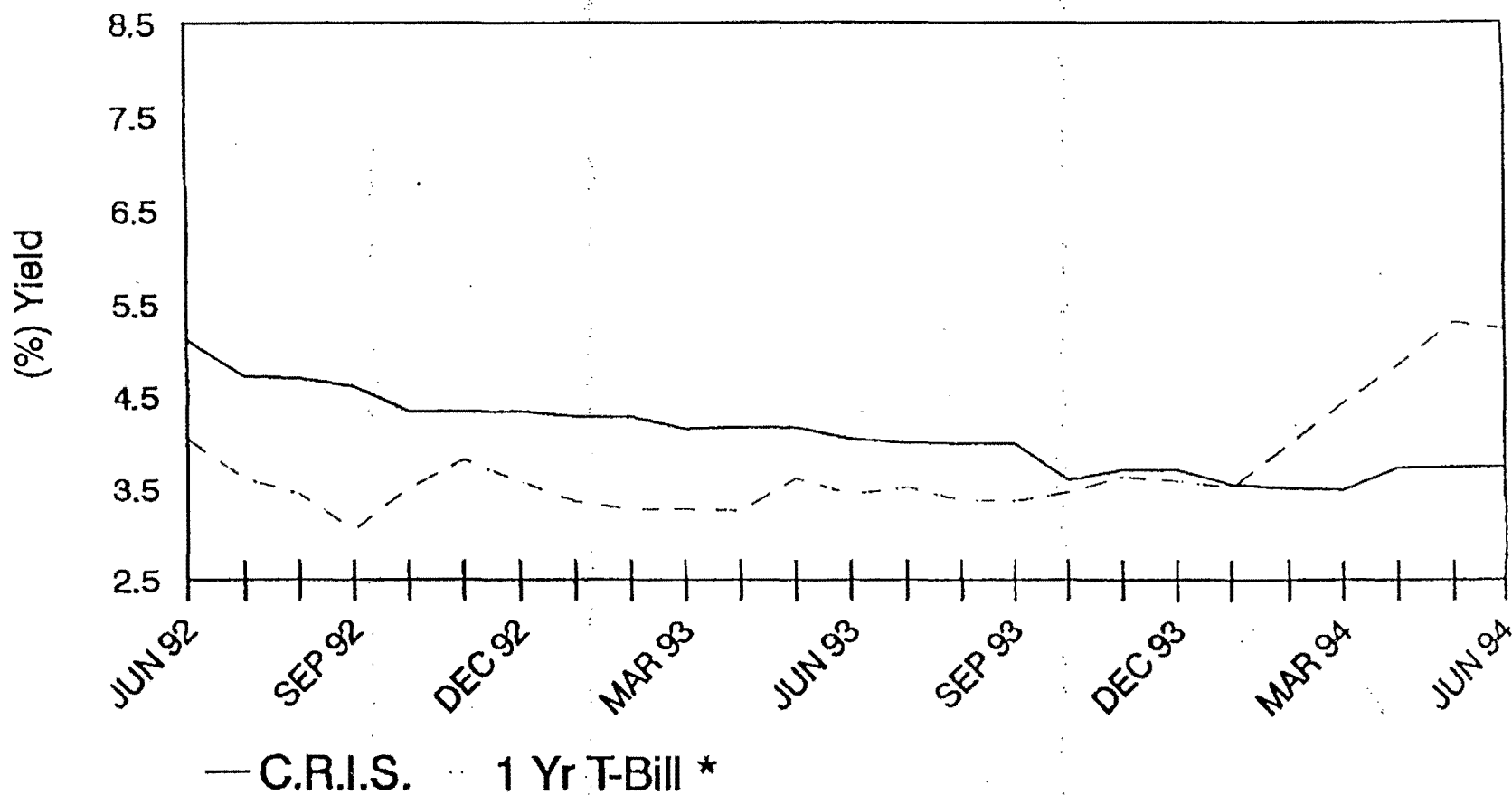
Attachment A

COURT REGISTRY INVESTMENT SYSTEM
YIELD ANALYSIS

Court Registry Investment System

Term Portfolio

C.R.I.S. vs 1 Year T-Bill



* Bloomberg Financial Service

YIELD COMPARISON

DATE	CRIS TERM PORTFOLIO -----	1 YEAR T-BILL
JAN 92	6.08	4.19
FEB 92	6.08	4.30
MAR 92	6.08	4.49
APR 92	6.04	4.29
MAY 92	5.25	4.23
JUN 92	5.11	4.05
JUL 92	4.72	3.62
AUG 92	4.69	3.45
SEP 92	4.61	3.05
OCT 92	4.34	3.51
NOV 92	4.34	3.82
DEC 92	4.34	3.58
JAN 93	4.28	3.36
FEB 93	4.28	3.27
MAR 93	4.15	3.28
APR 93	4.17	3.26
MAY 93	4.17	3.62
JUN 93	4.04	3.44
JUL 93	4.00	3.52
AUG 93	3.99	3.37
SEP 93	3.99	3.36
OCT 93	3.60	3.47
NOV 93	3.71	3.63
DEC 93	3.71	3.59
JAN 94	3.55	3.51
FEB 94	3.51	3.98
MAR 94	3.49	4.43
APR 94	3.73	4.83
MAY 94	3.74	5.30
JUN 94	3.74	5.22

Attachment B

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

M10-468

ORDER ADOPTING COURT REGISTRY INVESTMENT SYSTEM ("C.R.I.S.") -
TERM FUND DEVELOPED BY SOUTHERN DISTRICT OF TEXAS,
DIRECTING CLERK TO DEPOSIT ALL INTEREST BEARING REGISTRY
FUNDS PERTAINING TO BOESKY, DREXEL AND MILKEN CASES.

- 1.0 All money ordered to be paid into the court or received by its officers in the said Boesky, Drexel and Milken cases mentioned above, pending or adjudicated, except such of said money which this Court shall order be placed in bank custody referred to in paragraph 2.1 below, shall be deposited with the Treasurer of the United States in the name and to the credit of the Courts under the "C.R.I.S. - Term Fund" pursuant to 28 U.S.C. § 2041 through the Federal Reserve Bank, Houston Branch.
- 2.0 Investment of Registry Funds
- 2.1 The "C.R.I.S. - Term Fund" administered through the United States District Court for the Southern District of Texas, shall be an investment mechanism authorized for funds pertaining to said cases, except for funds to be ordered by this Court to be placed in bank custody for current expenses in said cases.
- 2.2 Under "C.R.I.S. - Term Fund", monies deposited to the credit of each said case under 1.0 will be "pooled" together with those on deposit with the Treasury to the credit of other courts in the "C.R.I.S. - Term Fund" and used to purchase Treasury securities which will be held at the Federal Reserve Bank, Houston Branch, in a Safekeeping Account in the name and to the credit of the Clerk, United States Court for the Southern District of Texas, hereby designated custodian for those cases in the "C.R.I.S. - Term Fund".
- 2.3 An account for each of said Boesky, Drexel and Milken cases is to be established in the "C.R.I.S. - Term Fund" titled in the name of the case giving rise to the investment in the system. Income received from fund investments will be distributed to each case based on the ratio each account's principal and income has to the aggregate principal and income total in the term fund each quarter. The investment strategy for securities purchased for the "C.R.I.S. - Term Fund" shall have an average maturity of 365 days. Quarterly reports showing the income earned and the principal amounts contributed in each case will be prepared and distributed to the United States District Court, Southern District of New York, as well as to the Clerk of the United States District Court, Southern District of Texas and made available to litigants and/or their counsel.
- 2.4 Upon instructions from the United States District Court for the Southern District of New York, all or part of the funds placed in the "C.R.I.S. - Term Fund" and the investments therein may be transferred and/or sold and may be reinvested in the C.R.I.S. - Liquidity Fund. The C.R.I.S. - Liquidity Fund provides weekly liquidity and a maximum of 100-day term Treasury Securities. Under such conditions, the Registry Funds would be subject to the management fee agreed upon with the contract brokerage service and with the provisions of paragraph 3.1.

3.0 Registry Investment Fee

- 3.1 The custodian is authorized and directed by this Order to deduct for maintaining accounts in the "C.R.I.S. - Term Fund" the fee on the above accounts as authorized in the Federal Register Vol. 55, No. 206 at p.42887 which has been reduced to 5 percent by special exception made by the Director of the Administrative Office of the United States Courts by letter dated December 11, 1990. The fee may be deducted on prorated basis over the course of the deposits in "C.R.I.S. - Term Fund".

- 4.0 This Order shall take precedence over Rule 67, Federal Rules of Civil Procedure.

Signed this 14 day of December, 1990.




Charles L. BRIEANT

Charles L. Briean
Chief Judge

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

The individuals listed below are authorized to:

1. Transfer the accountability for registry funds deposited into this Court's registry to the United States District Court for the Southern District of Texas.
2. Provide the case number(s) that support each transfer, to the United States Court for the Southern District of Texas, for the purpose of receiving an interest allocation report.
3. Instruct the United States District Court for the Southern District of Texas to return the accountability over to this Court's registry funds as required by order of this Court.

Name	Signature	Title
Edmund Mullin 212-791-0551		Administrative Support Services
Margaret Berran 212-791-0111		Cashier
Michael Lindner 212-791-0111		Assistant Financial Administrator
_____	_____	_____
_____	_____	_____

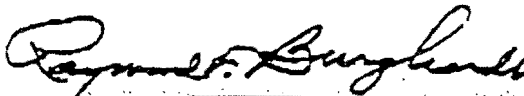
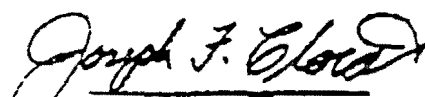
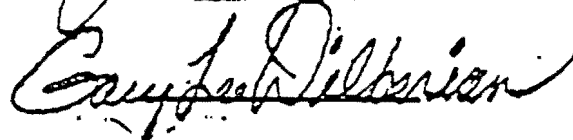
All previous authorizations are void.

Dated: December 14, 1990

Approved: Charles Bueant
Chief Judge

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

The Individuals listed below are authorized to receive the confirmation callback from the United States District Court for the Southern District of Texas affirming the return of accountability over registry funds.

Name	Signature	Title
Raymond F. Burghardt 212-791-0108		Clerk of Court
Joseph F. Cloidt 212-791-0108		Chief Deputy Clerk
Gary L. DiLiberian 212-791-0150		Trial Support Services
_____	_____	_____
_____	_____	_____

All previous authorizations are void.

Dated: December 14, 1990

Approved: Charles Bryant
Chief Judge

Attachment B

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
ENTERED

DEC 27 1990

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXASJesse E. Clark, Clerk
By Deputy: *Joyce Green*ORDER ESTABLISHING THE COURT *
REGISTRY INVESTMENT SYSTEM *
(CRIS)-TERM FUND *ORDER NO. 90-46

ORDER

Registry deposits with known disbursement horizons exceeding 100 days require an investment strategy of purchasing longer term U. S. Treasury Securities. The CRIS-Term Fund meets this need. The objectives of the CRIS-Term Fund in order of importance are: 1) to assure the safety of Registry Funds; 2) to maintain sufficient quarterly liquidity to provide adequate and timely disbursement of funds as directed by the court, and 3) to achieve the highest rate of return consistent with objectives 1 and 2.

The Clerk, U. S. District Court for the Southern District of Texas is ORDERED to establish the CRIS-Term Fund. The initial CRIS-Term Fund investments shall be one year U. S. Treasury Securities or multiple U. S. Treasury Securities, which have an average maturity and an average yield approximately equal to one year U. S. Treasury Securities. The CRIS-Term Fund shall provide a minimum of quarterly liquidity, unless a special order of disbursement from a participating court is entered.

Subsequent investments shall meet the CRIS-Term Fund objectives and shall be made with judgment and care, under circumstances then prevailing, that persons of prudence, discretion and intelligence would exercise in the management of their own affairs.

DONE at Houston, Texas, on this the 27th day of December, 1990.

James Deanda
JAMES DEANDA
CHIEF JUDGE
United States District Court

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
ENTERED

Attachment B

DEC 27 1990

MEMORANDUM OF PROCEDURES FOR INVESTMENT AND ALLOCATION OF
EARNINGS ON ASSETS OF THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
FOR THE COURT REGISTRY INVESTMENT SYSTEM -
TERM PORTFOLIO

Jesse E. Clark, Clerk
By Deputy: Joyce [Signature]

ORDER NO. 90

This memorandum sets forth the procedural and fee arrangements for certain trading and accounting services to be rendered by Texas Commerce Bank National Association ("Texas Commerce") to the United States District Court for the Southern District of Texas (the "Court") with respect to certain assets held by the Court on behalf of its own cases and on behalf of cases pending in other United States District Courts. The method of investment set forth herein shall be known as the Court Registry Investment System - Term Portfolio and the assets governed hereby are referred to herein as the "Term Portfolio".

This arrangement shall be effective commencing December 31, 1990.

1. Identification and Allocation of Initial Funds to be Invested. The Designated Representative (as described below) shall deliver to Texas Commerce a statement identifying the initial cash balance of funds to be invested. Such statement shall further include an allocation of such funds by court and case number.

2. Investment. Texas Commerce is authorized to execute, on behalf of the Court, purchase and/or sale transactions in United States treasury bills, United States treasury notes and securities representing separate trading of registered interest and principal ("STRIPS") of United States Treasury securities (hereinafter referred to collectively as "Securities") as instructed by a Designated Representative. On each trade date or the next business

day following, Texas Commerce will provide to any one of the Designated Representatives written documentation of the purchase and/or sale transaction. All investments will be made in book entry form through the Federal Reserve Bank of Dallas-Houston Branch. The Securities transactions on behalf of the Court will be delivered versus payment by Fed Wire.

3. Allocations.

(a) Texas Commerce shall allocate all income earned on the Term Portfolio between the cases that are a part thereof in the same proportions that the total balance of the assets attributable to each case bears to the total balance of assets of all such cases comprising the principal of the Term Portfolio as of the date such income is earned.

(b) Texas Commerce shall allocate all disbursements made by the Court from the Term Portfolio to the case or cases which a Designated Representative directs pursuant to Item 5 below.

4. Quarterly Reports. On a quarterly basis, Texas Commerce will provide quarter ending and quarter beginning reports regarding asset values and allocation between cases as described herein. Quarter end dates will be selected by a Designated Representative. The quarter ending reports provide the quarter end balances available for disbursement and allow the court to make additions to, withdrawals from or reinvestments in the Term Portfolio. Quarter ending reports will be available by 2:00 p.m. C.S.T. one business day before quarter end. The quarter beginning reports will reflect the additions to, withdrawals from and reinvestments

made in the Term Portfolio at the beginning of the new quarter. Quarter beginning reports will be available within 20 business days of the new quarter. There will be two types of quarter ending reports: the Quarter Ending Asset Report and the Quarter Ending Allocation Report. There will be two types of quarter beginning reports: the Quarter Beginning Asset Report and the Quarter Beginning Allocation Report. The purpose and content of each of these four reports are as follows:

(a) Asset Reports

(1) Quarter Ending Asset Report

The Quarter Ending Asset Report will include a list of assets held in the Term Portfolio showing updated market values for all Securities held at quarter end, priced for regular settlement. The total value of the Term Portfolio in such report shall equal the market value of all Securities held, based on regular settlement, plus odd dollars on deposit at the Federal Reserve Bank at quarter end.

(2) Quarter Beginning Asset Report

The Quarter Beginning Asset Report will include a list of assets held in the Term Portfolio showing updated market values for all Securities held at the beginning of the new quarter. The total value of the Term Portfolio in such report should equal the sum of the market value of Securities held plus odd dollars on deposit at the Federal Reserve Bank at the beginning of the new quarter.

(b) Allocation Reports

(1) Quarter Ending Allocation Report

The Quarter Ending Allocation Report will identify, for each case which is a participant in the Term Portfolio, the pro-rata portion of the assets shown on the Quarter Ending Asset Report attributable to such case. The sum of all balances shall equal the total value of the Term Portfolio as shown on the Quarter Ending Asset Report.

(2) Quarter Beginning Allocation Report

Quarter Beginning Allocation Report will identify, for each case which is a participant in the Term Portfolio, the pro-rata portion of the assets shown on the Quarter Beginning Asset Report attributable to such case. The sum of all case balances shall equal the total value of the Term Portfolio as shown on the Quarter Beginning Asset Report.

5. Additions and Withdrawals. From time to time the Court may make additions to the Term Portfolio. In such event, a Designated Representative shall provide the information described in Item 1 above within five (5) business days after the beginning of the quarter for which such addition is made. From time to time the Court may make withdrawals from the Term Portfolio. In such event, a Designated Representative shall advise Texas Commerce of the amount of the withdrawal and shall allocate such withdrawal between specified court and case number or numbers within five (5)

business days after the beginning of the quarter for which such withdrawal is made.

6. Designated Representatives. All investment decisions, asset and case data referenced hereunder shall be the responsibility of one or more of the individuals specified in writing by Judge James DeAnda, Chief Judge for the United States District Court for the Southern District of Texas, such persons to be hereinafter referred to as "Designated Representatives". The initial Designated Representatives for the Court, until Texas Commerce is notified otherwise in writing, shall be Jesse E. Clark, Michael N. Milby and James H. Suchma. Texas Commerce shall be entitled to rely upon information from or instructions of any one of such persons.

7. Fees and Expenses. Texas Commerce agrees to provide the trading, accounting and reporting services described herein for a fee limited to five (5) basis points per annum (one basis point is 1/100th of one percentage point). This fee arrangement assumes not more than three specific court cases participate in the Term Portfolio. The fee shall be charged by adjusting the yield on securities transactions for the Term Portfolio and is assessed at the time of the transactions.

8. Errors in Accounting. In the event that Texas Commerce or the Court (or a Designated Representative) makes an error in the earnings allocations or in the allocation of receipts and disbursements, such an error shall be corrected as of the next quarter end report or within 10 business days immediately following

the discovery of the error, whichever is deemed most appropriate by the party discovering the error. The Court acknowledges that Texas Commerce has the authority to adjust, either up or down, the account balances of all cases for which an accounting error was made. In the event that an error results in a case receiving less than its allocable portion of earnings or other receipts (reduced by losses or disbursements), damages, if any, shall be limited to the difference between the amount erroneously allocated and the amount which was properly allocable to that particular case. Texas Commerce will not be responsible for errors resulting from erroneous or unclear information supplied by a Designated Representative.

9. Limitations. No party other than the Court, and subject to the limitations set forth in Section 8, shall have any cause of action against Texas Commerce for any investment decisions or allocations made pursuant to the terms of this arrangement.

10. Termination and Notice. Texas Commerce or the Court may terminate this arrangement at any time upon thirty (30) days written notice delivered to the other party. All notices referenced herein shall be delivered to the appropriate party listed below. The address for notice purposes provided herein may be changed by written notice provided to the other parties at the addresses listed below:

Texas Commerce:

Daniel L. Austin
Texas Commerce Bank National
Association
P. O. Box 2558
Houston, Texas 77252-8032

Designated Representatives:

Jesse E. Clark
Clerk for the
United States District Court
for the Southern District of Texas
515 Rusk
Houston, Texas 77002

Michael N. Milby
Deputy Clerk
United States District Court
for the Southern District of Texas
515 Rusk
5th Floor - Financial Section
Houston, Texas 77002

James H. Suchma
Deputy Clerk
United States District Court
for the Southern District of Texas
515 Rusk
5th Floor - Financial Section
Houston, Texas 77002

The trading, allocation procedures and fee arrangements
referenced herein are agreed to and approved of by the undersigned
parties.


TEXAS COMMERCE BANK NATIONAL
ASSOCIATION

By: Allen S. Lucas

Allen S. Lucas
Senior Vice President

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF
TEXAS

By:


Chief Judge James DeAnda

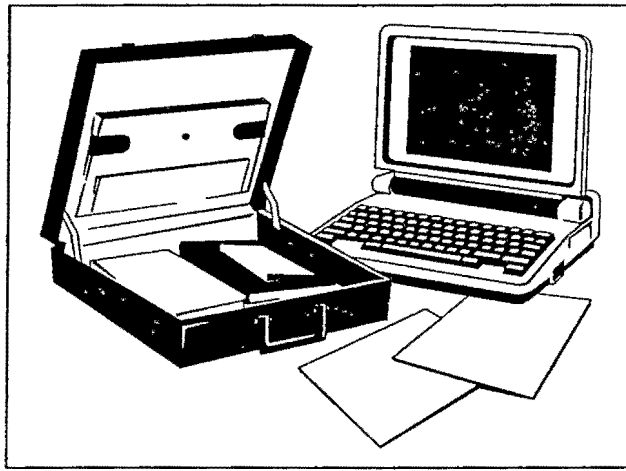
Attached hereto as proof of authorization by Judge James DeAnda, Chief Judge for the United States District Court for the Southern District of Texas, is a certified copy of the Court Order authorizing Texas Commerce Bank National Association to invest assets of the Court, and to provide for certain accounting services as provided herein.

SIGNED at Houston, Texas on this the 27th day of December, 1990.

DONAHOS\TCBNA-1(112666)

Exxon Valdez Oil Spill Trustee Council

Investment Presentation



**State of Alaska
Department of Revenue
Treasury Division**

August 23, 1994

INVESTMENT PRESENTATION

- **Determination of Portfolio Objectives and Constraints**
- **Historical Risk/Return Relationship**
- **Policies**

DETERMINATION OF PORTFOLIO OBJECTIVES AND CONSTRAINTS

Objectives

- **Return Requirements**
- **Risk Tolerance**

Constraints

- **Liquidity**
- **Horizon**
- **Regulations**
- **Unique Needs**

HISTORICAL RISK/RETURN RELATIONSHIP

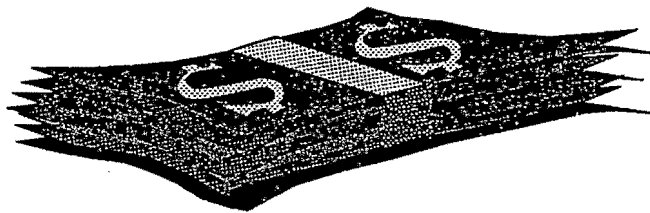
1993 Value of \$1 Invested at the end of 1925

Stocks \$800.08

LT Govt Bonds \$28.03

Treasury Bills \$11.73

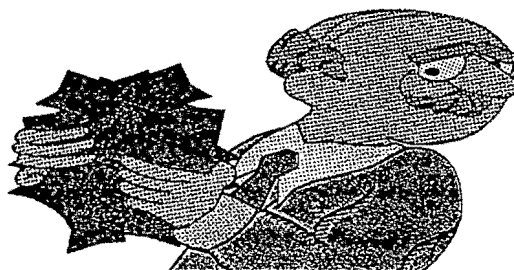
Inflation \$ 8.13



Source: Ibbotson Associates

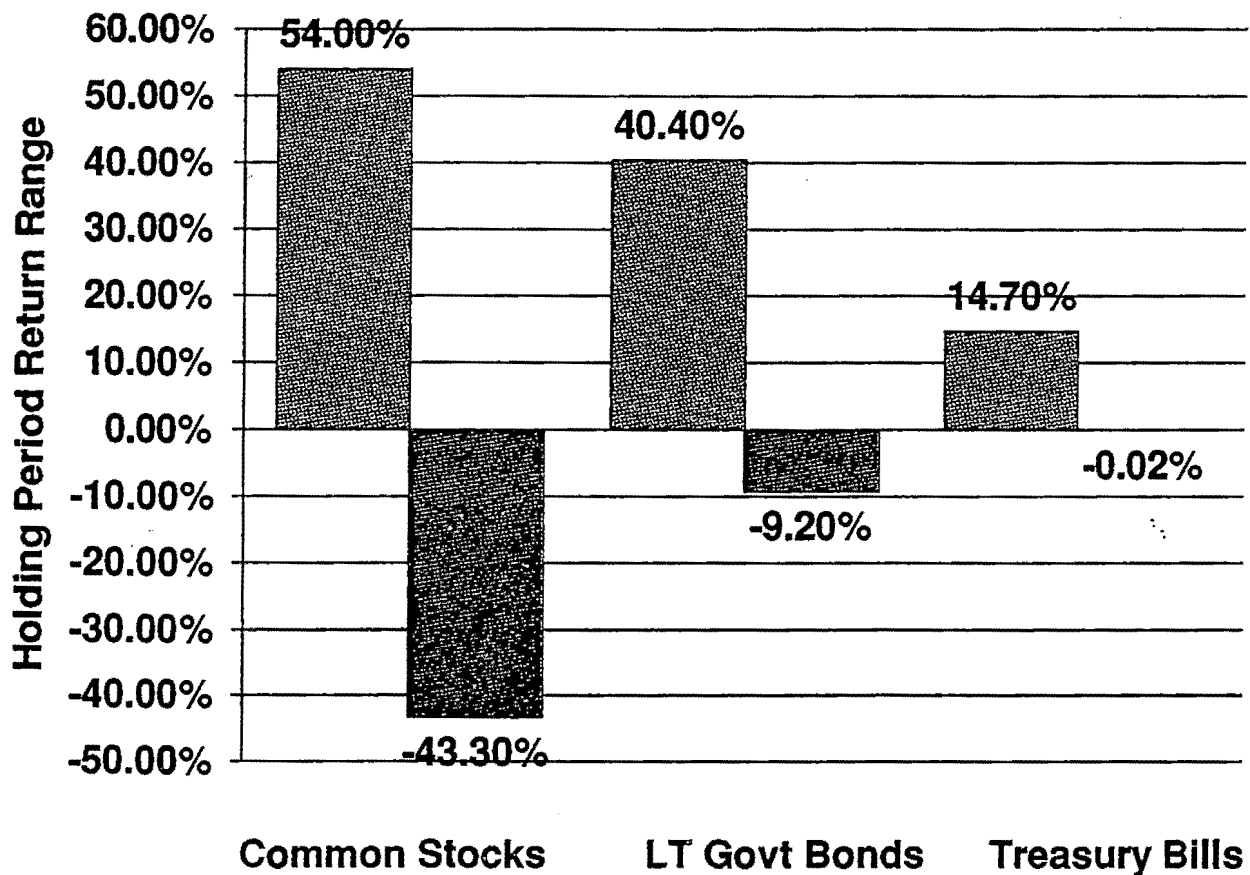
Summary Statistics of Annual Total Returns from 1926 to 1993

	Compound Return	Average Return	Risk (Standard Deviation)
Common Stocks	10.03%	12.3%	20.5%
LT Govt Bonds	5.3%	5.9%	8.4%
U.S. Treasury Bills	3.7%	3.7%	3.7%
Inflation	3.1%	3.2%	4.6%



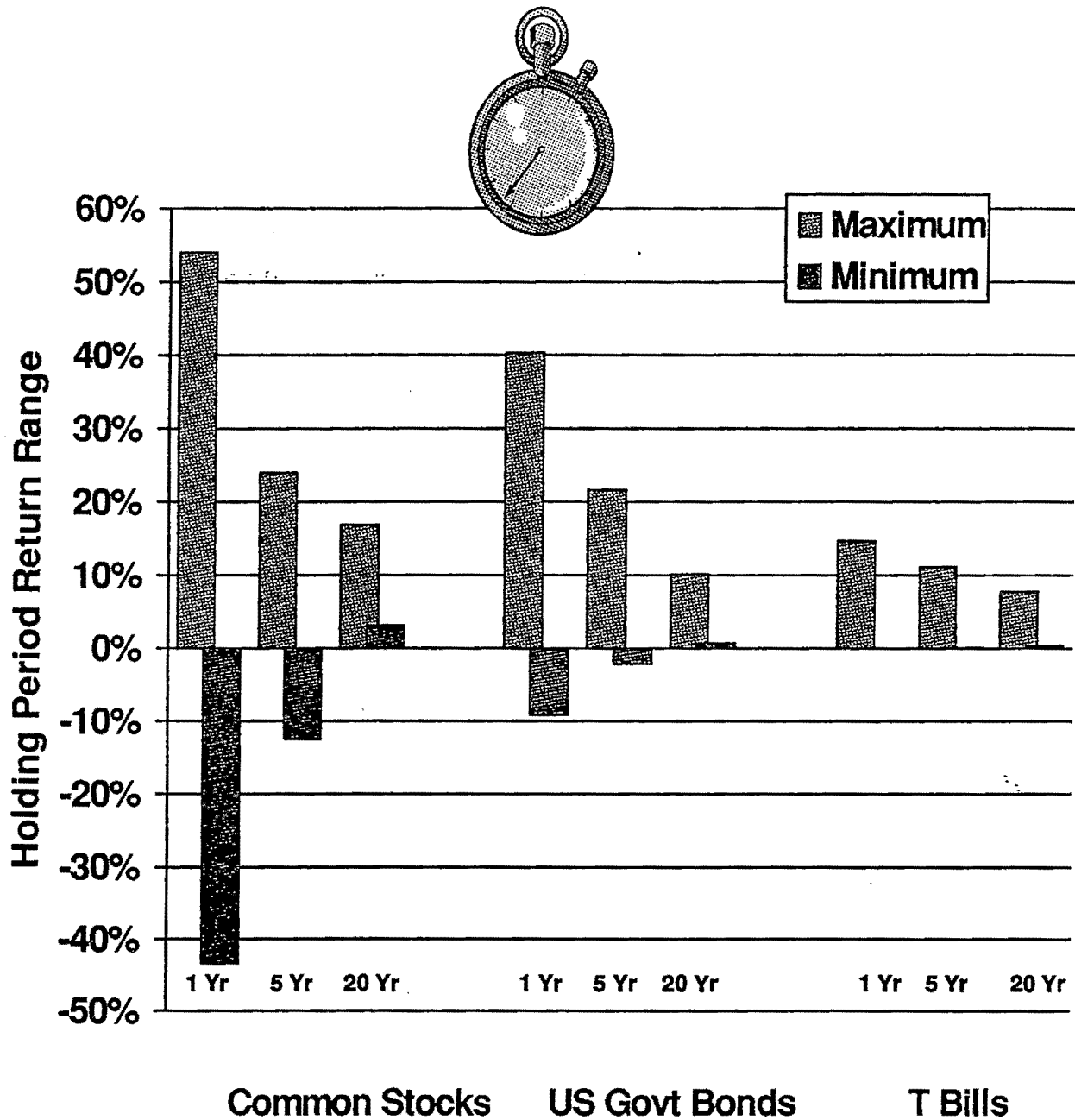
Source: Ibbotson Associates

Ranges of Annual Returns



Each set of bars shows the range of annual total returns for each asset class over the period 1926-1993.

Reduction of Risk Over Time

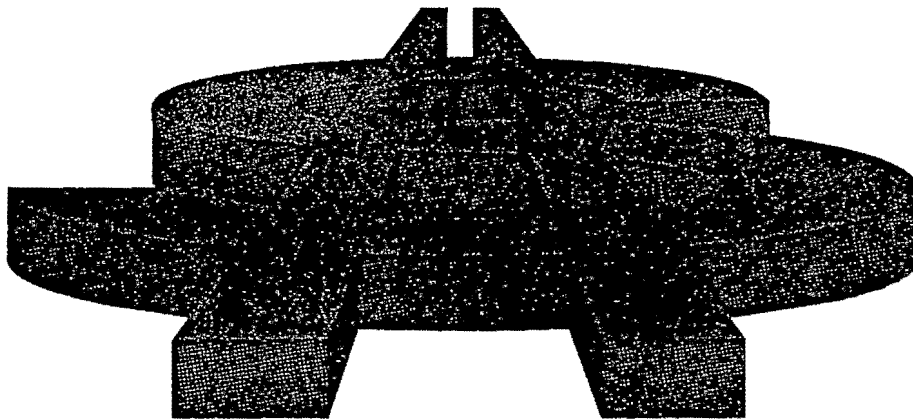


Maximum and Minimum Values of Returns for One, Five and Twenty Year Holding Periods

Source: Ibbotson Associates

Inflation Adjusted Returns

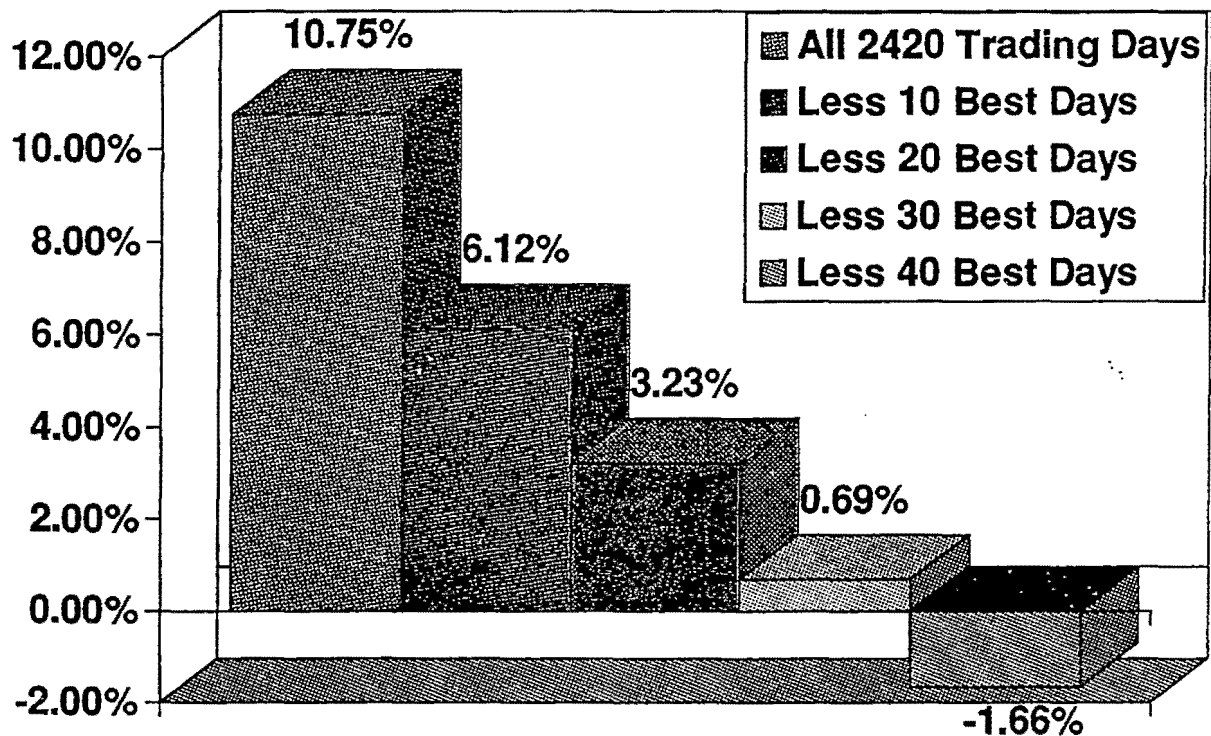
	Compound Return	Average Return	Risk (Standard Deviation)
Common Stocks	7.0%	9.0%	20.0%
LT Govt Bonds	1.8%	2.3%	10.1%
Treasury Bills	.5%	.6%	4.3%



Source: Ibbotson Associates

To Time or Not to Time.....
The Penalty for Missing the Market

S&P 500 Index Annualized Return



1/1/65 through 6/30/94

POLICIES

- **Asset Allocation**
- **Diversification**
- **Income Generation**

Correlations of Historical Returns From 1926-1993

	Stocks	Bonds	T-Bills	Inflation
Stocks	1			
Bonds	0.14	1		
T-Bills	-0.05	0.24	1	
Inflation	-0.02	0.15	0.42	1

Source: Ibbotson Associates

A Two-Asset Class Allocation Mix

Assumptions:

Return

Risk

Common Stock:

14.0%

20.0%

Bonds:

8.0%

6.0%

Asset Mix

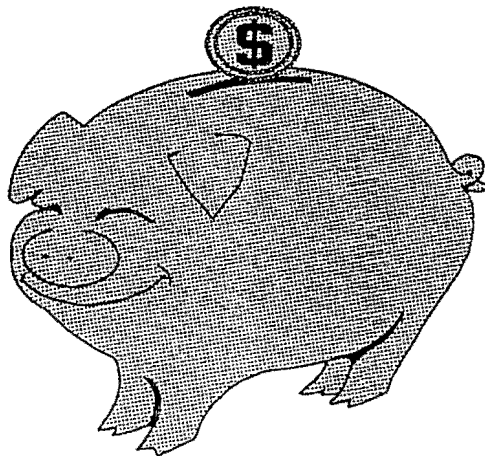
Standard Deviation

<u>Stocks</u>	<u>Bonds</u>	<u>Expected Return</u>	<u>1-Year Horizon</u>	<u>5-Year Horizon</u>	<u>10-Year Horizon</u>
100%	0%	14.0%	20.0%	8.8%	6.2%
90	10	13.4	18.1	8.1	5.7
80	20	12.8	16.3	7.3	5.2
70	30	12.2	14.8	6.6	4.7
60	40	11.6	13.2	5.9	4.2
50	50	11.0	11.8	5.2	3.7
40	60	10.4	10.3	4.6	3.2
30	70	9.8	8.9	4.0	2.8
20	80	9.2	7.6	3.4	2.4
10	90	8.6	6.7	3.0	2.1
0	100	8.0	6.0	2.7	1.9

The Power of Compounding with Reinvestment of Income

	Compound Return	Average Return	Risk (Standard Deviation)
Common Stocks	10.3%	12.3%	20.5%
Income	4.7%	4.7%	1.3%
Capital Appreciation	5.4%	7.4%	19.7%
 LT Govt Bonds	 5.0%	 5.4%	 8.7%
Income	5.1%	5.1%	2.9%
Capital Appreciation	-0.2%	0.0%	7.4%

Source: Ibbotson Associates



Record of Decision

for the
Exxon Valdez Oil Spill
Restoration Plan

Prepared by:

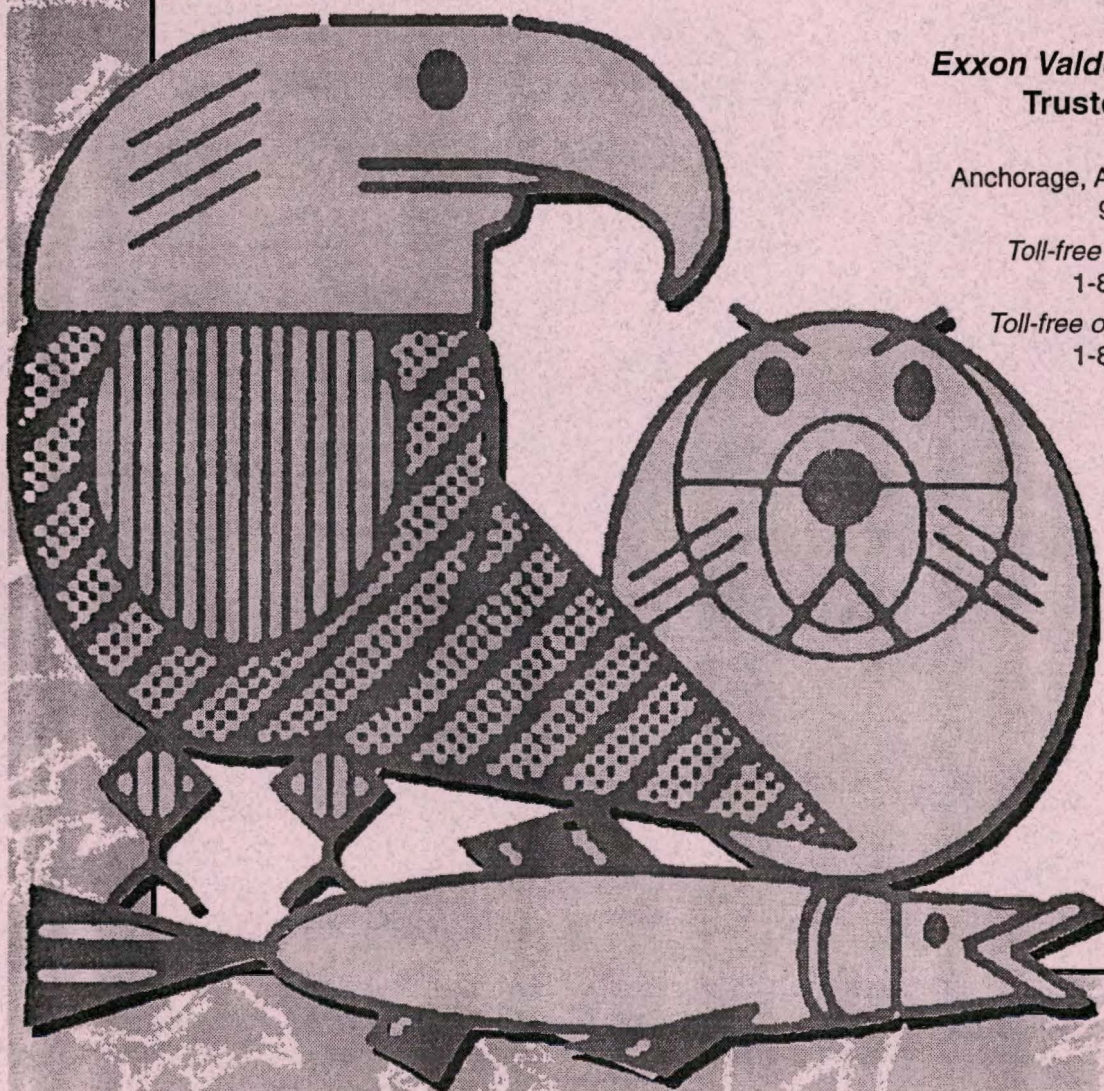
**Exxon Valdez Oil Spill
Trustee Council**

645 G Street
Anchorage, Alaska 99501
907/278-8012

Toll-free within Alaska
1-800-478-7745

Toll-free outside Alaska
1-800-283-7745

**October
1994**

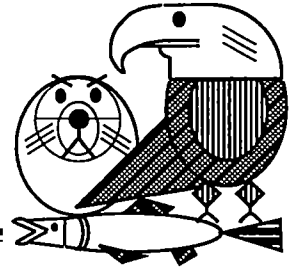


Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 G Street, Suite 401, Anchorage, Alaska 99501-3451

Phone: (907) 278-8012 Fax: (907) 276-7178



October 1994

Dear Interested Citizen:

This Record of Decision for the *Exxon Valdez* Oil Spill Restoration Plan represents the culmination of the National Environmental Policy Act (NEPA) process. The public involvement and program development, begun soon after the *T/V Exxon Valdez* ran aground in 1989, have provided the Federal Trustees with the information necessary for them to reach their decision. This decision provides the basis for an effective plan to use the civil settlement funds obtained from the Exxon Corporation "for the purposes of restoring, replacing, enhancing, or acquiring the equivalent of *natural resources* injured as a result of the Oil Spill and the reduced or lost *services* provided by such resources." The participation of the public and the Public Advisory Group have been essential to the development of the Restoration Plan.

The Trustee Council approved and released a Draft Restoration Plan for public comment in November 1993. Since that time, the Draft Environmental Impact Statement was released on June 17, 1994 and the Final Environmental Impact Statement was released on September 30, 1994.

The Federal and State Trustees believe it is necessary to maintain flexibility in the Restoration Program to deal with the uncertainties embodied in future restoration needs. A comprehensive approach to restoration that balances the needs of the injured resources is required for effective restoration. The decision of the Federal Trustees is comprehensive in dealing with *all injured resources and services* and *all geographic regions* of the oil spill area. It is balanced in that it considers all restoration categories for the restoration needs of all resources and services.

The public's continued involvement in the restoration process is critical to the ultimate successful restoration of the resources and services injured by the *Exxon Valdez* oil spill. We appreciate your interest.

Sincerely yours,

Exxon Valdez Oil Spill Trustee Council

Trustee Agencies

State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation

United States: National Oceanic and Atmospheric Administration, Departments of Agriculture and Interior

Record of Decision

***Exxon Valdez* Oil Spill Restoration Plan**

1994



Record of Decision

Exxon Valdez Oil Spill Restoration Plan

Introduction

The Department of Agriculture—with the Departments of the Interior and Commerce—prepared an Environmental Impact Statement (EIS) for the *Exxon Valdez* Oil Spill Restoration Plan pursuant to Section 102(2)(C) of the National Environmental Policy Act of 1969. The EIS (1) describes five alternatives to restore the injured natural resources and services through implementation of a Restoration Plan and examines the environmental consequences of these alternatives, (2) describes the major issues associated with restoration of the injured natural resources and services identified through public meetings and staff analysis, and (3) addresses comments made during the public review process.

This Record of Decision (ROD) documents the decision of the Federal Natural Resources Trustees regarding the *Exxon Valdez* Oil Spill Restoration Plan. It presents reasons for selecting the course of action and the alternatives considered. The record briefly discusses elements considered in reaching a final decision and supporting rationale. It summarizes the views expressed by the government agencies, organizations, special interest groups, and the general public. The format was selected to provide a concise summary of the decision and the options considered, and to present any divergent points of view. The ROD consists of this introduction, a summary decision sheet, and extensive background material. The decision and the EIS consider the estimated environmental consequences to biological resources, sociocultural resources, economy, subsistence uses, and commercial and sport fishing.

The Federal and State governments, acting as Trustees for natural resources are responsible for taking actions necessary to restore resources and the services they

Record of Decision

provide that were injured by the *Exxon Valdez* Oil Spill (EVOS). The Federal Water Pollution Control Act (Clean Water Act) (33 U.S.C. § 1321[f]) and Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) (42 U.S.C. § 9607[f]) provide the legal bases for these responsibilities.

The EVOS contaminated approximately 1,500 miles of Alaska's coastline. In 1991, Exxon agreed to pay the United States and the State of Alaska \$900 million in civil settlement funds to restore the resources injured by the spill and the reduced or lost services (human uses) they provide. Of that amount, approximately \$620 million remained available to fund restoration activities as of February 1994.

The EVOS Restoration Plan will provide long-term guidance for restoring the resources and services injured by the oil spill.

Litigation and Settlement

After the spill, President George Bush and Alaska Governor Steve Cowper both declared their intent to restore the affected ecosystem and the local economy. Both the United States and the State of Alaska filed civil complaints against the Exxon Corporation and other parties and separate criminal complaints also were filed.

A settlement between the Exxon companies and the United States and the State of Alaska was approved by the Federal District Court in Civil Actions A91-082 (*United States v. Exxon Corp.*) and A91-083 (*State of Alaska v. Exxon Corp.*) on October 9, 1991. As part of this settlement, the Exxon companies agreed to pay the United States and the State of Alaska \$900 million over a period of 10 years. Civil Action A91-081 (*United States v. State of Alaska*) resolved the claims that the United States and the State of Alaska had against each other as a result of the spill. Under the Memorandum of Agreement and Consent Decree, the United States and the State act as co-trustees in the collection and joint use of the restoration funds.

The Memorandum of Agreement (MOA) provides that the six Trustees are responsible for making all decisions regarding funding, injury assessment, and restoration. Six individuals have been designated to serve as Trustees: three represent the State of Alaska and three represent the Federal Government. The individuals currently serving in this capacity are the Commissioner of the Alaska Department of Environmental Conservation (ADEC), the Commissioner of the Alaska Department of Fish and Game (ADF&G), the State Attorney General, the Secretary of the U.S. Department of the Interior (USDOI), the Secretary of the U.S. Department of Agriculture (USDA), and the Administrator of the National Oceanic and Atmospheric Administration (NOAA). In accordance with a subsequent Memorandum of Understanding (MOU) executed by the six Trustees, an Alaska-based EVOS Trustee Council was formed to coordinate and oversee the development and implementation of the restoration program. The State Trustees serve as members of the Trustee Council. Each of the Federal Trustees appointed a representative to the Trustee Council. The Regional Forester of the Forest Service represents USDA, the Assistant Secretary for Fish and Wildlife and Parks represents USDOI, and the Regional Director of the National Marine Fisheries Service (NMFS)

represents NOAA. All decisions regarding the use of the settlement funds—including the planning, evaluation, and implementation of restoration activities—require the unanimous agreement of the Trustee Council.

Public Involvement and Response to Public Comment

The *Exxon Valdez* Oil Spill Restoration Program is considered a "major Federal action having a significant impact on the quality of the human environment" under the National Environmental Policy Act (NEPA). For this reason, the Trustee Council concluded that an EIS on the Restoration Plan should be published.

On April 10, 1992, a Notice of Intent to prepare an EIS for the development of a restoration plan following the March 24, 1989, *Exxon Valdez* oil spill was published in the Federal Register (57 FR 12473). On January 14, 1994, a Revised Notice of Intent to prepare an EIS was published in the Federal Register (59 FR 2352). An opportunity to submit additional comments was opened through February 1994.

The draft EIS was filed with the Environmental Protection Agency (EPA), and its availability was announced in the Federal Register on June 17, 1994 (59 FR 31191 and 31243). A 45-day public comment period followed the release of the draft EIS. During this period, six public meetings and at least one hearing were held, and oral and written comments were received from the public. Specific dates and locations for the meetings were announced in the Federal Register. The final EIS incorporated public comments and revisions and modifications made to the EIS. Specific comments and their responses were included in Chapter 5 of the final EIS.

The overwhelming majority of comments received on the draft EIS addressed funding levels for the five restoration categories. There was only limited comment on the five alternatives. The most significant group of comments focused on the Habitat Protection and Acquisition category. Many of those commenting wanted the Trustee Council to commit a larger amount to Habitat Protection and Acquisition than was assumed for analysis purposes in Alternative 5—the Proposed Action. In this regard, it is important to understand that the budget ranges included in the EIS do not represent a funding commitment. These ranges were illustrative only for purposes of environmental analysis.

The funding levels in each of the alternatives illustrated a likely program emphasis for that alternative but are not a commitment of settlement funds. The restoration program must be able to respond to changing conditions and new information about injury, recovery, and the cost and effectiveness of restoration projects. When making annual funding decisions, the Trustee Council will consider the public comments—including those from the Public Advisory Group—received on the restoration alternatives as well as comments that may be received on proposed Annual Work Plan activities in the future.

Record of Decision

Decision Sheet

Based on a consideration of the analysis contained in the Final EIS and the attached decision information, the following is our decision regarding the *Exxon Valdez* Oil Spill Restoration Plan. The listing below contains all the policies considered in the alternatives analyzed in the EIS.

Alternatives

Alternative 1: No Action

☐

Alternative 2: Habitat Protection

☐

- Habitat of injured resources and the services they provide within the spill area will be protected from degradation or disturbance.
 - Restoration actions will address all injured resources and the services they provide.
 - Restoration actions for recovered resources will continue even after a resource has recovered.
 - The location of restoration actions will be limited to the spill area.
 - Habitat Protection will be used to protect or increase existing human use of the spill area.
-
-
-

Alternative 3: Limited Restoration

☐

- The most effective actions will be taken within the spill area to protect and restore all injured resources and thereby the services they provide, except those biological resources whose populations did not measurably decline. The existing character of the spill area will be maintained.
- Restoration actions would address all resources *except* those biological resources whose populations did not measurably decline.
- Restoration actions for recovered resources will cease once a resource has recovered.

Record of Decision

- Restoration actions will be conducted that provide substantial improvement over natural recovery.
 - The location of restoration actions will be limited to the spill area.
 - Restoration actions will be used to restore injured resources and thereby protect existing human use of the spill area.
-
-
-

Alternative 4: Moderate Restoration



- The most effective actions to protect and restore all injured resources and thereby the services they provide will be taken. Opportunities for human use of the spill area will be increased to a limited extent.
 - Restoration actions will address all injured resources.
 - Restoration actions for recovering resources will cease once a resource has recovered.
 - Restoration actions will be conducted that provide substantial improvement over natural recovery.
 - Restoration actions could occur anywhere there is a link to injured resources.
 - Restoration actions would be used to restore injured resources and thereby protect or increase existing human use of the spill area.
-
-
-

The Proposed Action

Alternative 5: Comprehensive Restoration



Establish Restoration Reserve

Injuries Addressed by Restoration

- Restoration activities may be considered for any injured resource or service.

Record of Decision

- Restoration will focus upon injured resources and services and will emphasize resources and services that have not recovered. Restoration actions may address resources for which there was no documented injury if these activities will benefit an injured resource or service.
- Resources and services not previously identified as injured may be considered for restoration if reasonable scientific or local knowledge obtained since the spill indicates a spill-related injury.
- Priority will be given to restoring injured resources and services which have economic, cultural, and subsistence value to people living in the oil spill area, as long as this is consistent with other policies.
- Resources and services may be enhanced, as appropriate, to promote restoration.
- Possible negative effects on resources or services must be assessed in considering restoration projects.

Location of Restoration Actions

- Restoration activities will occur primarily within the spill area. Limited restoration activities outside the spill area, but within Alaska, may be considered under the following conditions:
 - 1) when the most effective restoration actions for an injured population are in a part of its range outside the spill area, or
 - 2) when the information acquired from research and monitoring activities outside the spill area will be significant for restoration or understanding injuries within the spill area.

Restoring a Service

- Projects designed to restore or enhance an injured service:
 - 1) must benefit the same user group that was injured, and
 - 2) should be compatible with the character and public uses of the area.
-
-
-

**Policies Common to
All Action
Alternatives**

An Ecosystem Approach

- Restoration should contribute to a healthy, productive, and biologically diverse ecosystem within the spill area that supports the services necessary for the people who live in the area.
- Restoration will take an ecosystem approach to better understand what factors control the populations of injured resources.

Restoring a Service

- Projects designed to restore or enhance an injured service must have a sufficient relationship to an injured resource.

Competition and Efficiency

- Competitive proposals for restoration projects will be encouraged.
- Restoration will take advantage of cost-sharing opportunities where effective.
- Restoration should be guided and re-evaluated as information is obtained from damage assessment studies and restoration actions.
- Proposed restoration strategies should state a clear, measurable, and achievable end point.
- Restoration must be conducted as efficiently as possible, reflecting a reasonable balance between costs and benefits.
- Priority shall be given to strategies that involve multidisciplinary, interagency, or collaborative partnerships.

Scientific Review

- Restoration projects will be subject to open, independent scientific review before Trustee Council approval.
- Past performance of the project team should be taken into consideration when making funding decisions on future restoration projects.
- Restoration will include a synthesis of findings and results, and will also provide an indication of important remaining issues or gaps in knowledge.

Public Participation

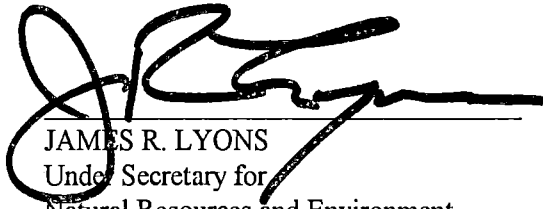
- Restoration must include meaningful public participation at all levels — planning, project design, implementation, and review.
- Restoration must reflect public ownership of the process by timely release of and reasonable access to information and data.

Record of Decision

Normal Agency Activities

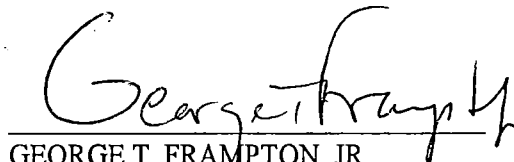
- Government agencies will be funded only for restoration projects that would not have been conducted had the spill not occurred.
-
-
-

Approved:


JAMES R. LYONS
Under Secretary for
Natural Resources and Environment
Department of Agriculture

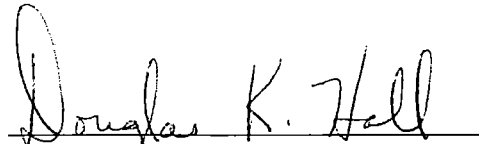
10-31-94
Date

Approved:


GEORGE T. FRAMPTON, JR.
Assistant Secretary for
Fish and Wildlife and Parks
Department of the Interior

10-31-94
Date

Approved:


DOUGLAS K. HALL
Assistant Secretary for
Oceans and Atmosphere
Department of Commerce

10/31/94
Date

Description of the Alternatives

Introduction

This section includes a brief description of the five alternatives in the EIS. Following the description is a recommendation from the Trustee Council. The recommendations are based on the analysis contained in the EIS and comments received on the document.

Alternatives

The EIS analyzed five alternatives for the *Exxon Valdez* Oil Spill Restoration Plan. They are as follows:

Alternative 1 - No Action

The "No Action" Alternative required by the National Environmental Policy Act (NEPA) consists entirely of normal agency management activities. If this alternative were implemented, current management would continue, no new activities or programs would be instituted as a result of the oil spill, and the scope of present activities and programs would not change. Agency monitoring of natural recovery would remain at present levels, and agency responsibilities would remain unchanged. None of the remaining funds from the civil settlement would be spent if this alternative were implemented.

Alternative 2 - Habitat Protection

The goal of Alternative 2 is to provide maximum protection of strategic lands and habitats important to the long-term recovery of injured resources and the services they provide. Monitoring and Research and Habitat Protection and Acquisition are the only restoration actions included in this alternative. The primary means of protection in this alternative is the acquisition of private land interests or changes in the management of currently held public lands. Monitoring and Research would be conducted to evaluate the effectiveness of protection measures and to track the recovery of injured resources and services. Actions that may be undertaken under this alternative would be confined to the area affected by the oil spill.

Alternative 3 - Limited Restoration

Alternative 3 focuses on accelerating recovery of the resources and services most severely injured by the oil spill. This alternative targets resources whose populations declined as a result of the spill and that have not yet recovered. Only actions determined to be most likely to produce significant improvements over unaided natural recovery are included in this alternative. All restoration actions included in Alternative 3 will be confined to the spill area. Habitat Protection is a major part of this alternative; none of the proposed actions would substantially increase human use within the spill area. Monitoring and Research are also included in Alternative 3.

Record of Decision

Alternative 4 - Moderate Restoration

This alternative is broader than Alternative 3 in that it aims to aid recovery of all injured resources and the services they provide; not just those with population-level injuries. Restoration actions included in Alternative 4 address only those resources and services that have not yet recovered from the oil spill. It is also broader than Alternative 3 in terms of the resources addressed; in Alternative 4, measures would be taken to aid recovery of resources that sustained sublethal injuries. Actions that are judged to provide substantial improvements over unaided recovery would be implemented. The actions in this alternative would be confined to Alaska but could extend beyond the spill area. Habitat Protection is included in this alternative but to a lesser extent than in Alternatives 2 and 3. This alternative may increase opportunities for human use to a limited extent. Monitoring and Research may be conducted.

The Proposed Action:

Modified Alternative 5 - Comprehensive Restoration

This represents a modification of the Alternative 5 shown in the Draft *Exxon Valdez* Restoration Plan Summary of Alternatives for Public Comment (EVOS Trustee Council, April 1993). Of the proposed alternatives, Alternative 5 is the broadest in scope. This alternative will help all injured resources and the services they provide within the spill area and, under specific circumstances, in other parts of Alaska. Unlike Alternatives 3 and 4, this alternative will allow actions to enhance resources that have already recovered to promote restoration, as well as those that have not. Actions likely to produce some improvement over unaided recovery will be allowable under this alternative. Habitat Protection is the largest part of this alternative. Alternative 5 also allows for expansion of current human use and for appropriate new uses through the restoration of natural resources. Monitoring and Research will be at the highest levels in this alternative.

Alternative 5 contains an element not present in the other alternatives. In response to public comments that a fund should be set aside for long-term restoration and research activities, the proposed action includes the establishment of a Restoration Reserve. The Restoration Reserve is designed to assure that funds are available if restoration needs persist beyond the year 2001, the date of the final Exxon payment.

Trustee Council Recommendation

A Comprehensive Balanced Approach

The Trustee Council believes that it is necessary to maintain flexibility in the Restoration Program to deal with the uncertainties embodied in future restoration needs. A comprehensive approach to restoration that balances the needs of the injured resources is represented in Alternative 5 of the EIS. The reorganized and restructured policies developed in response to public comments and the establishment of a restoration reserve represent a thorough strategy for restoring the injured resources and services.

Record of Decision

It is comprehensive in dealing with *all injured resources and services* and *all geographic regions* of the oil spill area. It is balanced in that it considers all restoration categories for the restoration needs of all resources and services.

Restoration Reserve

It is unlikely that all the effects from the oil spill will be fully understood by the receipt of the final payment from Exxon in the year 2001. With this in mind, the Trustee Council proposed a restoration reserve as part of Alternative 5. One purpose of including a restoration reserve is to provide the Trustees with a means to respond to the restoration needs beyond the final payment.

The restoration reserve may be used to fund actions consistent with the policies contained in the Final Restoration Plan.

An Ecosystem Approach

- Restoration should contribute to a healthy, productive, and biologically diverse ecosystem within the spill area that supports the services necessary for the people who live in the area.
- Restoration will take an ecosystem approach to better understand what factors control the populations of injured resources.

These policies recognize that recovery from the oil spill involves restoring the ecosystem and also restoring individual resources. An ecosystem includes the entire community of organisms including people that interact with one another and their physical surroundings. The ecosystem will have recovered when the populations of flora and fauna are again present, healthy, and productive; there is a full complement of age classes; and people have the same opportunities for the use of public resources as they would have had if the oil spill had not occurred. Restoration proposals should, as much as practical, reflect an understanding of their impact on ecosystem relationships of related resources and services.

For General Restoration activities, preference is given to projects that benefit multiple species rather than to those that benefit a single species. However, effective projects for restoring individual resources will also be considered. This approach will maximize benefits to ecosystems and to injured resources and services.

Habitat Protection and Acquisition emphasizes protection of multiple species, ecosystem areas, such as entire watersheds, or areas around critical habitats. This approach will more likely ensure that the habitat supporting an injured resource or service is protected. In some cases, protection of a small area will benefit larger surrounding areas or provide critical protection to a single resource or service.

Record of Decision

Monitoring and Research activities require more than resource-specific investigations to understand the factors affecting recovery from the oil spill. Restoration issues are complex, and research must often take a long-term approach to understand the physical and biological interactions that affect an injured resource or service and that may be constraining its recovery. The results of these efforts could have important implications for restoration, for how fish and wildlife resources are managed, and for the communities and people who depend upon the injured resources.

Restoring a Service

- Projects designed to restore or enhance an injured service must have a sufficient relationship to an injured resource.

This policy requires that a project to restore or enhance an injured service must be sufficiently related to a natural resource. It can be related to a natural resource in various ways. It could directly restore a resource, provide an alternative resource, or restore access or people's use of the resource. The strength of the required relationship has not been defined by law, regulation, or the courts. However, a connection with an injured resource is necessary. In determining whether to fund a project to restore services, the strength of the project's relationship to injured resources will be considered.

Competition and Efficiency

- Competitive proposals for restoration projects will be encouraged.

Most restoration projects have been undertaken by state or federal agencies. However, the number of competitive contracts awarded to nongovernmental agencies has increased each year and will continue to increase.

This policy encourages active participation from individuals and groups besides the trustee agencies and may generate innovation and cost savings. This approach may be inappropriate for some restoration projects; but, where appropriate, competitive proposals will be sought for new project ideas and to implement the projects themselves.

- Restoration will take advantage of cost-sharing opportunities where effective.
- Restoration should be guided and re-evaluated as information is obtained from damage assessment studies and restoration actions.

Activities should be coordinated to decrease project costs and be designed to assess and incorporate available and late-breaking information to ensure the most effective restoration program.

- Proposed restoration strategies should state a clear, measurable, and achievable end point.

Record of Decision

A clear, measurable, and achievable endpoint is necessary to determine whether a strategy is successful.

- Restoration must be conducted as efficiently as possible, reflecting a reasonable balance between costs and benefits.

This policy reflects the important fact that sufficient money is not available to complete all useful restoration activities. Implementation of this policy will not be based on a quantified cost/benefit analysis, but on a broad consideration of the direct and indirect costs, and the primary and secondary benefits. It will also consider whether there is a less expensive method of achieving substantially similar results.

- Priority shall be given to strategies that involve multidisciplinary, interagency, or collaborative partnerships.

Projects that use this type of approach are more likely to take advantage of a diversity in viewpoints, skills, and strengths and will be more likely to result in cost-effective restoration.

Scientific Review

- Restoration projects will be subject to open, independent scientific review before Trustee Council approval.

This policy continues an existing practice. Independent scientific review gives an objective evaluation of the scientific merits of the project. It also assures the public that scientific judgements are without bias.

- Past performance of the project team should be considered when making funding decisions on future restoration projects.

The ability to complete projects in a timely and effective manner is essential to the restoration effort.

- Restoration will include a synthesis of findings and results and will also provide an indication of important remaining issues or gaps in knowledge.

To the extent possible, all restoration actions will consider other relevant activities to help the Trustee Council conduct an integrated research program. In addition, a synthesis of findings and results will be available for the public, scientists, and agency staff to help understand the status of injured resources and services, and to plan for future restoration.

Public Participation

- Restoration must include meaningful public participation at all levels — planning, project design, implementation, and review.

Record of Decision

Public participation is not a once-a-year government activity limited to commenting on draft documents. Rather, to the greatest extent possible, individual projects should integrate the affected and knowledgeable public in planning, design, implementation, and review of these subjects. Some projects have a more easily identifiable public, for example those designed to affect services or the resources that support them. However, incorporating public preferences and information into any project is likely to improve its cost-effectiveness, take advantage of available knowledge, and help ensure that the restoration program is understood and accepted by the public.

The Trustee Council has emphasized its commitment to involve the public in all phases of restoration activities. Evidence of meaningful public involvement will be sought as part of the project evaluation process.

- Restoration must reflect public ownership of the process by timely release and reasonable access to information and data.

Information from restoration projects must be available to other scientists and to the general public in a form that can be easily used and understood. An effective restoration program requires the timely release of such information. This policy underscores the fact that since the restoration program is funded by public money, the public owns the results.

Normal Agency Activities

- Government agencies will be funded only for restoration projects that would not have been conducted had the spill not occurred.

Many public comments have expressed concern that restoration funds should not support activities that government agencies would do anyway. This policy addresses that concern and affirms the practice that has been in effect since the beginning of the restoration process. To determine whether work would have been conducted had the spill not occurred, the Trustee Council will consider agency authorities and the historic level of agency activity.

Injuries Addressed by Restoration

- Restoration activities may be considered for any injured resource or service.
- Restoration will focus upon injured resources and services and will emphasize resources and services that have not recovered. Restoration actions may address resources for which there was no documented injury if these activities will benefit an injured resource or service.
- Resources and services not previously identified as injured may be considered for restoration if reasonable scientific or local knowledge obtained since the spill indicates a spill-related injury.

As required by the Consent Decrees, restoration must benefit the resources and services injured by the spill. However, an ecosystem approach to restoring

Record of Decision

injured resources and services allows restoration to also focus on a resource's prey or predators, or on the other biota and physical surroundings it depends on. In addition, our knowledge of injury changes with each year's research, and new information may identify other injuries and consequences of the spill.

- Priority will be given to restoring injured resources and services that have economic, cultural, and subsistence use value to people living in the oil spill area, as long as this is consistent with other policies.

Continuing injuries to resources and services with important economic, cultural, and subsistence use value to people living in or using the oil spill area cause continuing hardship. For example, subsistence users say that maintaining a subsistence culture depends upon uninterrupted use of resources used for subsistence. The more time users spend away from subsistence activities, the less likely they will return to it. Continuing injury to natural resources used for subsistence may affect the way of life of entire communities. Similarly, each year that commercial fish runs remain below prespill levels compounds the effect upon fishermen and, in many instances, the communities in which they live or work.

This policy recognizes that waiting for natural recovery may often be the most effective approach, but that the time required for natural recovery can have important adverse consequences for resources and services that the people of the spill area rely upon.

- Resources and services may be enhanced, as appropriate, to promote restoration.
- Possible negative effects on resources or services must be assessed in considering restoration projects.

Restoring one resource or service should not come at the cost of injuring another. An assessment of possible negative effects on nontarget resources or services will be part of the project proposal evaluation process.

Location of Restoration Actions

- Restoration activities will occur primarily within the spill-affected area. Limited restoration activities outside the spill area, but within Alaska, may be considered under the following conditions:
 - 1) when the most effective restoration actions for an injured population are in a part of its range outside the spill area, or
 - 2) when the information acquired from research and monitoring activities outside the spill area will be significant for restoration or understanding injuries within the spill area.

The vast majority of restoration funds will be focused on the spill area, where the most serious injury occurred and the need for restoration is greatest. Simultaneously, the policy provides the flexibility to restore and monitor outside

Record of Decision

the spill area under limited circumstances. Examples are some restoration and monitoring activities for migratory seabirds and marine mammals.

Restoring a Service

- Projects designed to restore or enhance an injured service:
 - 1) must benefit the same user group that was injured, and
 - 2) should be compatible with the character and public uses of the area.

This policy ensures that the injured user groups are the beneficiaries of restoration. If the justification for an action is to restore a service, it is important that the injured user group be helped. The last part of the policy addresses a public concern about possible changes in the use of the spill area. It allows improvements in the services without producing major changes in use patterns.

Decision

Based on the analysis contained in the EIS and the recommendation of the Trustee Council, it is our decision to implement Alternative 5 as identified in the Final EIS.

The alternative we are selecting includes the establishment of a restoration reserve and the following policies:

An Ecosystem Approach

- Restoration should contribute to a healthy, productive, and biologically diverse ecosystem within the spill area that supports the services necessary for the people who live in the area.
- Restoration will take an ecosystem approach to better understand what factors control the populations of injured resources.

Competition and Efficiency

- Competitive proposals for restoration projects will be encouraged.
- Restoration will take advantage of cost-sharing opportunities where effective.
- Restoration should be guided and re-evaluated as information is obtained from damage assessment studies and restoration actions.
- Proposed restoration strategies should state a clear, measurable, and achievable end point.
- Restoration must be conducted as efficiently as possible, reflecting a reasonable balance between costs and benefits.
- Priority shall be given to strategies that involve multidisciplinary, interagency, or collaborative partnerships.

Scientific Review

- Restoration projects will be subject to open, independent scientific review before Trustee Council approval.
- Past performance of the project team should be considered when making funding decisions on future restoration projects.
- Restoration will include a synthesis of findings and results, and will also provide an indication of important remaining issues or gaps in knowledge.

Public Participation

- Restoration must include meaningful public participation at all levels—planning, project design, implementation, and review.

Record of Decision

- Restoration must reflect public ownership of the process by timely release and reasonable access to information and data.

Normal Agency Activities

- Government agencies will be funded only for restoration projects that would not have been conducted had the spill not occurred.

Injuries Addressed by Restoration

- Restoration activities may be considered for any injured resource or service.
- Restoration will focus upon injured resources and services and will emphasize resources and services that have not recovered. Restoration actions may address resources for which there was no documented injury if these activities will benefit an injured resource or service.
- Resources and services not previously identified as injured may be considered for restoration if reasonable scientific or local knowledge obtained since the spill indicates a spill-related injury.
- Priority will be given to restoring injured resources and services that have economic, cultural, and subsistence use value to people living in the oil spill area, as long as this is consistent with other policies.
- Resources and services may be enhanced, as appropriate, to promote restoration.
- Possible negative effects on resources or services must be assessed in considering restoration projects.

Location of Restoration Actions

- Restoration activities will occur primarily within the spill area. Limited restoration activities outside the spill area, but within Alaska, may be considered under the following conditions:
 - 1) when the most effective restoration actions for an injured population are in a part of its range outside the spill area, or
 - 2) when the information acquired from research and monitoring activities outside the spill area will be significant for restoration or understanding injuries within the spill area.

Restoring a Service

- Projects designed to restore or enhance an injured service:
 - 1) must have a sufficient relationship to an injured resource,
 - 2) must benefit the same user group that was injured, and
 - 3) should be compatible with the character and public uses of the area.

Reasons for the Decision

MOA and Consent Decree

The MOA and consent decree require the State and Federal Natural Resource Trustees to use the settlement funds in the following manner:

- They must use the settlement funds "...for the purposes of restoring, replacing, enhancing, or acquiring the equivalent of *natural resources* injured as a result of the Oil Spill and the reduced or lost *services* provided by such resources..." (except for reimbursements to the state and federal governments in settlement of past costs).
- The settlement funds must be spent on restoration of natural resources in Alaska unless the Trustees unanimously agree that spending funds outside of the state is necessary for effective restoration.
- All decisions made by the Trustees (such as spending settlement funds) must be made by unanimous consent.

The MOA defines *natural resources* as the "...land, fish, wildlife, biota, air, water, ground water, drinking water supplies, and other such resources belonging to, managed by, held in trust by, appertaining to, or otherwise controlled by the United States (including the resources of the fishery conservation zone established by the Magnuson Fishery Conservation and Management Act of 1976) and/or the State." Examples of natural resources are birds, fish, mammals, subtidal plants and animals, and archaeological resources.

In addition to restoring natural resources, funds may be used to restore reduced or lost *services (human uses)* provided by injured natural resources. For example, subsistence use, commercial fishing, and recreation are services that were reduced by injuries to natural resources. Other reduced services include commercial tourism and the enjoyment that people receive from undisturbed wild areas.

Environmental Considerations

We are fully aware of the environmental consequences of the alternatives as described in the EIS.

Biological

Intertidal Resources

In Alternative 1 a gradual recovery of intertidal resources would continue to occur; however, because no action would be taken to remove oil that remains in the intertidal area, continued contamination of the ecosystem would occur. The differences in Alternatives 2 through 5 are uncertain because the general restoration techniques for intertidal resources that were possible in Alternatives 3 through 5 are

Record of Decision

still being tested and the results of these techniques are unknown. Habitat protection of upland parcels would provide a moderate benefit to intertidal resources in Alternatives 2 through 5.

Marine Mammals

Alternative 1 describes the potential recovery of harbor seals and sea otters. The lack of prespill information regarding the causes of the prespill population decline in harbor seals made it impossible to predict future population trends. For sea otters, the researched population in Prince William Sound had not begun to increase since the oil spill; however, once the increase begins, the population could recover to prespill numbers in 7 to 35 years. Recovery of sea otters in other regions of the spill area should occur more rapidly.

Alternatives 3 through 5 would provide moderate benefits to harbor seals and sea otters. The benefits to these marine mammals in Alternative 2 were low to moderate because the alternative focused exclusively on upland habitat protection and did not address other factors that may influence recovery.

Birds

Of the four bird species examined, marbled murrelets and harlequin ducks are the most likely to be negatively affected by Alternative 1—No Action. These species use forested areas for nesting, and predicted levels of logging could reduce the reproductive potential of these species through a loss of habitat. Pigeon guillemots in Prince William Sound are expected to gradually recover; however, it is unknown what will happen to populations in other parts of the EVOS area. None of the assumed activities are expected to alter the natural recovery of common murre; however, the estimates of recovery vary widely.

The potential effects on the injured common murre population were low benefits in all Alternatives 2 through 5, and moderate benefits in Alternatives 2 through 5 for pigeon guillemots. Alternatives 2 and 3 provide high benefits for harlequin ducks, with the benefits decreasing to moderate levels in Alternatives 4 and 5. For marbled murrelets, the impacts were high benefits in Alternative 2, moderate benefits in Alternative 3 and low benefits in Alternatives 4 and 5. This decrease in beneficial effects reflects the change in amount of upland nesting habitat that were assumed to be protected in Alternatives 4 and 5.

Fish

None of the fish species analyzed—wild stock pink salmon, sockeye salmon, and Pacific herring—are expected to make improvements towards recovery within one life cycle. Factors other than the oil spill also affected these populations, and it is unknown whether all spawning groups or stocks of pink salmon and herring will fully recover to their prespill populations. It is reasonable to assume that the injured sockeye salmon populations will fully recover. However, recovery may take at least two life cycles at some sites.

If no action (Alternative 1) is taken, there may be a long-term decline in fish resources. Unprotected habitats could be degraded by land use activities unless normal agency protective functions are fully effective. More potential restoration tools could be employed in Alternatives 3, 4, and 5 resulting in a greater likelihood of population recovery.

All three of the fish species considered in the analysis had moderate benefits in Alternative 2. Pacific herring showed no change between effects in Alternatives 2 through 5. Sockeye salmon effects increased to high benefits in Alternatives 3 through 5. Moderate benefits for pink salmon occurred in Alternatives 2 through 4. The effects on pink salmon increased to high benefits in Alternative 5.

Sociocultural

Wilderness

The effects on designated Wilderness Areas and Wilderness Study Areas were considered along with the impacts to the wilderness values of nondesignated lands. Although the negative impact of Alternative 1—No Action would not occur immediately, development activities (including logging and other developments) would have a high negative effect on wilderness quality within the spill area.

Because large-scale development of uplands has a negative effect on both congressionally designated Wilderness areas and on wilderness qualities, the effects in Alternatives 2 through 5 were closely tied to the potential amount of upland acres that could be protected. Alternative 2 provided high benefits to Wilderness, and Alternative 3 had moderate to high benefits. Effects on wilderness decreased further to moderate benefits in Alternatives 4 and 5.

Archaeological/Cultural Resources

Under Alternative 1—No Action, archaeological/cultural resources would not be protected, enhanced, or understood better than at present. Over the long term, this would constitute a low negative effect on archaeological and historical sites and on the understanding and appreciation of cultural resource values as they apply to the spill area.

Long-term effects on archaeological/cultural resources increased slightly from moderate benefits in Alternatives 2 and 3 to moderate to high benefits in Alternatives 4 and 5.

Recreation and Tourism

Alternative 1—No Action does not aid the recovery of resources important to recreation and tourism, and would have a moderate negative effect on recreation and a low negative effect on tourism.

Record of Decision

Of the action Alternatives, 4 and 5 provide moderate to high benefits to recreation and tourism. These alternatives allow for some increased recreational opportunities and for measures to protect and increase the injured resources important to recreation and tourism. Alternatives 2 and 3 provide moderate benefits to recreation and tourism through protective measures that may help maintain the quality of the ecosystem on which these services depend.

Subsistence

In Alternative 1—No Action, the existing trends in subsistence harvest species populations and subsistence use are likely to continue over the long term, although changes are expected to occur gradually. The continued hiatus in subsistence activities has potentially high and potentially permanent—long-term negative effects on the perpetuation of cultural values and subsistence uses within some of the villages in the spill area.

Of the four action alternatives, Alternatives 4 and 5 provide the most benefit for subsistence uses. These alternatives should produce a moderate to high benefit to subsistence through a greater potential to improve the recovery of resources used for subsistence and thereby to increase the users' confidence in the resources' health and ability to withstand subsistence harvest. Alternative 3 provides moderate benefits, and Alternative 2 provides low to moderate benefits to subsistence users.

Commercial Fishing

In Alternative 1—No Action, the three commercially important fish species (pink salmon, sockeye salmon, and Pacific herring) injured by the oil spill would gradually recover their overall population size; however, no recovery is expected within one life cycle, and some stocks or areas may not fully recover.

There were no major differences between the action alternatives on the recovery of commercial fisheries within the spill area. Alternatives 2 through 5 were determined to have moderate benefits on commercial fisheries through moderate benefits to the injured resources.

Sport Fishing

In Alternative 1—No Action, long-term recovery to or near prespill levels of sport fishing can be expected; however, some specific stocks or areas may never fully recover to their prespill levels, and recovery of other areas may take 10 or more years.

The action alternatives provide for protecting upland stream and lake habitats and access to sport fishing areas. These measures are the only restoration tools assumed under Alternative 2, and they provide moderate benefits to sport fishing. In addition to the protection tools in Alternative 2, Alternatives 3 through 5 have the potential to increase or create new salmon and trout sport fisheries and can provide high benefit to the recovery of sport fishing.

Economy

Three aspects of the economy were the focus of the analysis between alternatives. In Alternative 1—No Action, a qualitative assessment shows a moderate negative effect on commercial fishing and recreation aspects of the economy and a slight increase in other economic sectors.

The action alternatives create effects on the economy when compared to Alternative 1—No Action, but there were no major differences between the action alternatives. In Alternatives 2 through 5 there is a moderate negative effect on the forestry-related economy and moderate beneficial impacts on the commercial fishing and recreation aspects of the economy. The adverse effects on forestry may be more than offset, however, by the benefits to the commercial fishing and recreation/tourism sectors of the economy.

**Factors That Were
Balanced**

Environmental

The EIS analyzed five alternatives, each of which would fulfill the responsibilities of the Secretaries. The effects on biological, sociocultural, subsistence uses, commercial fishing, and economic considerations were all balanced in arriving at this decision.

While Alternative 2 would provide a greater emphasis on habitat protection and acquisition, it would greatly de-emphasize other means that could be beneficial to the restoration of injured resources. Restoration requires that the natural resources, geographic subregions, and methods used be more balanced.

Alternative 5 is not limited to habitat protection and acquisition. It balances habitat protection benefits with the benefits from direct restoration actions. The alternative also places a strong emphasis on monitoring and research as an important restoration category. Very long-term restoration needs are provided for through the establishment of a restoration reserve.

"Environmentally Preferable Alternatives"

Alternatives 2 and 5 can both be said to be "environmentally preferable alternatives." An "environmentally preferable alternative" is defined in the Council on Environmental Quality Forty Most Asked Questions as the alternative that causes the least damage to the biological and physical environment and best protects, preserves, and enhances historical, cultural, and natural resources. While Alternative 2 would be beneficial to several resources, Alternative 5 is also beneficial to these resources and provides the flexibility to respond to the restoration needs of all the resources and the services they provide both now and in the future.

Record of Decision

Other Considerations in Balancing

State of Alaska

Since officials of the State of Alaska comprise half the Trustees, they support the recommendation of the Trustee Council for the adoption of Alternative 5 from the EIS.

Native Organizations

Alaska Native organizations commenting on the Draft EIS favored Alternative 2 because they feel that Habitat Protection and Acquisition is the most beneficial action that could be taken. It will "give nature the best opportunity to replenish herself."

Local Governments

Local governments were divided in their support between Alternatives 2 and 5. The City of Cordova supports Alternative 5 because it "provides a balance of funding for all categories and includes a restoration reserve." The Kodiak Island Borough supports Alternative 2 because they believe that it "best meets the goal of restoration."

Mitigation Measures

All practicable means have been adopted in the selected alternative to avoid or minimize environmental harm. Alternative 5 makes provision for all categories of restoration to be used in restoring the injured resources and thereby the services they provide.

Monitoring and research are a significant component of the selected alternative. A greater emphasis is placed on this category of restoration under Alternative 5 than under any of the other alternatives considered.

Determinations

Threatened and Endangered Species

Appendix E of the Final EIS contains the consultation and determinations that the program will not adversely affect listed species, critical habitat, or essential habitat.

Coastal Zone Management Act

The Federal Coastal Zone Management Act (CZMA) and the Alaska Coastal Management Act were enacted in 1972 and 1977, respectively. Through these acts, development and land use in coastal areas are managed to provide a balance between the use of coastal resources and the protection of valuable coastal resources.

The proposed action is consistent to the maximum extent practicable with approved state management programs.

ANILCA 810 Evaluation and Finding

This evaluation concludes that the Restoration Program under Alternative 5 would not have any adverse impacts on subsistence uses. The actions proposed under this alternative are beneficial to subsistence uses and would not pose any restriction of subsistence uses.

Necessary, consistent with sound management of public lands

The alternatives proposed have been examined to determine whether they are necessary, consistent with sound management of public lands to maintain subsistence uses. The Federal Water Pollution Control Act, 33 USC 1321 (f)(5), provides the authority for the civil settlement. The civil settlement includes two documents. The first is a Consent Decree between Exxon and the State of Alaska and the United States that requires Exxon to pay the United States and the State of Alaska \$900 million over a period of 10 years. The second is the Memorandum of Agreement between the State of Alaska and the United States. Both were approved by the U.S. District Court.

Based on the analysis of the information presented in this document, Alternative 5 may have significant positive impact on subsistence uses. Under these alternatives, significant amounts of habitat important for harvestable resources will be better protected from potential degradation than in the existing condition or Alternative 1. Additionally, Alternative 5 would provide for a variety of general restoration actions that are designed to stabilize or enhance harvestable resources. This would result in increased local subsistence resource harvest potential in ways that are consistent with sound management of public lands.

Amount of public land necessary to accomplish the proposed action

Alternative 5 considers all of the shoreline oiled by the spill, severely affected communities, and uplands adjacent to the watershed divide. None of the alternatives would change subsistence laws or regulations.

Record of Decision

Reasonable measures to minimize adverse impacts upon subsistence uses and resources

Alternative 5 would not have adverse impacts on subsistence uses and resources used for subsistence. Therefore, no measures are required to minimize adverse impacts on subsistence uses.

Based on the evaluation process contained in Chapter 4 of the EIS, and considering all relevant information, we find that there is no significant possibility of a significant restriction on subsistence uses as a result of the selected course of action.

Implementation

Implementation of this decision will take place with the adoption of the Final Restoration Plan by the *Exxon Valdez* Oil Spill Trustee Council.

The alternatives analyzed in the EIS were various sets of policies that will be used to evaluate and implement future actions taken by the Trustee Council to restore the injured resources and services. Following this record of decision, those policies will be incorporated into the Final Restoration Plan. The Final Restoration Plan will guide the future restoration activities of the Trustee Council. The plan will assist the decision making process by establishing policy guidelines to help identify restoration needs and select appropriate activities to restore injured resources and services. These activities will be developed as part of the Trustee Council's Annual Work Plan. Each Annual Work Plan will contain descriptions of the restoration activities to be funded that year based on the policies and spending guidelines of the Restoration Plan, public comments, and changing restoration needs.

Prior to reaching the decision documented in this ROD, the Department of Agriculture, the Department of the Interior, and the National Oceanic and Atmospheric Administration in the Department of Commerce have evaluated and considered all public comments that were submitted during the comment period in response to the Draft *Exxon Valdez* Oil Spill Restoration Plan as well as the public comments submitted in response to the Draft EIS for the *Exxon Valdez* Oil Spill Restoration Plan.

Exxon Valdez Oil Spill Trustee Council
645 "G" Street Suite 401
Anchorage, AK 99501-3451

OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE, \$300

PRIORITY MAIL
POSTAGE & FEES PAID
USDA FS / JUNEAU AK
PERMIT NO. G-40

To:

Subsistence Restoration Project Overview: local community proposed projects

Number	Name	Proposed by	FY95	Projected future costs		
				FY96	FY97	3 year total
1A. Priority Projects; proposed for criminal settlement funding						
95124A	Mariculture Development Project, Tatitlek	Tatitlek	109.5	122.0	156.1	387.6
95124B	Mariculture Development Project; Capital Outlay	Tatitlek	405.0	201.0	0.0	606.0
95128	Teaching Subsistence Practices and Values	Chugach communities	114.0	114.0	0.0	228.0
95129	Tatitlek Fish & Game Processing Facility	Tatitlek	202.0	0.0	0.0	202.0
95133	English Bay River Sockeye Salmon	Nanwalek	129.8	126.0	168.4	424.2
95134	Mariculture Development, Chenega Bay	Chenega Bay	184.3	77.5	75.5	337.3
95135	Subsistence Harvest Support	Chenega Bay	50.0	50.0	0.0	100.0
Sub Total, proposed round one criminal settlement funding			1194.6	690.5	400.0	2285.1
1B. Proposed for Civil Settlement Funding by Trustee Council Executive Director						
95127	Coho Salmon remote release, Tatitlek (NEPA)	Tatitlek	5.0	39.0	39.0	83.0
95131	Clam Restoration, Port Graham, Nanwalek, and Tatitlek	Port Graham	208.3	497.9	437.4	1143.6
95138	Elders/Youth Conference (all communities)	Chenega Bay & Tatitlek/ADF&G	85.8	0.0	0.0	85.8
95272	Chenega Chinook Release Program	Chenega Bay	47.2	47.2	47.2	141.6
Sub-total, proposed FY95 civil settlement funding			346.3	584.1	523.6	1454.0
Total, civil and criminal funding			1540.9	1274.6	923.6	3739.1
2 & 3 Lower Priority Projects, some with technical problems						
95017	Salmon Enhancement, Port Graham	Port Graham	587.9	0.0	0.0	587.9
95125	Sockeye Salmon Release	Tatitlek	39.0	39.0	39.0	117.0
95132	Port Graham and Nanwalek Subsistence Baseline	Port Graham	518.7	0.0	0.0	518.7
4. Other Proposed projects, likely ineligible due to significant legal issues						
95123	Community Store	Tatitlek	300.0	0.0	0.0	300.0
95130	Mental Health Center	M. Vlasoff	106.1	120.8	100.7	327.6
95136	Skin Sewing Crafts Restoration	M. Reidel	29.9	29.9	0.0	59.8

RE: 95127 Tatitlek Coho Salmon Release Program
95272 Chenega Chinook Release Program

Jim Fall says these two communities are unique in that:

1. Their resource use patterns changed the most after the spill.
2. Their resource use patterns are showing the slowest rate of rebounding and recovery.
3. They have the longest list of injured resources associated with their traditional harvest area.

He will fax us mid-morning statistics that back up these general statements.

RE: 95320B PWS Pink Salmon Stock Identification and Monitoring (CWT)
95320C Otolith Thermal Mass Marking of Hatchery Reared Pink Salmon

The Executive Director's recommendation should include the following funding condition:

A science work session will be held to address the management goal of a healthy, sustainable wildstock population. Issues to be addressed include escapement goals, techniques for meeting escapement goals, and division of management responsibility (among ADF&G, the Trustee Council, and the private sector).

RE: Spending (actually, authorizations) to date on PINK SALMON

1992 Work Plan	\$2,517.0
1993 Work Plan	911.0
1994 Work Plan	<u>4,254.3</u>
TOTAL	7,682.3

1995 Work Plan (recommended) 2,104.4 (plus 4,612.8 in SEA-plan)

(NOTE: Spies and Brodersen both say "millions" were spent on pink salmon NRDA studies pre-1992. To derive this number, one would have to look back through the individual project listings for each year.)

(project
lists
attached)

Exxon Valdez Oil Spill Project Status Summary
1992 Work Plan
Quarter Ending March 31, 1994

<u>No.</u>	<u>Title</u>	<u>Agencies</u>	<u>Amount Budgeted*</u>	<u>Amount Spent*</u>	<u>Status</u>	<u>Results and References</u>	<u>Related Projects</u>
FS28	Run Reconstruction	ADFG	\$250.6	\$126.0	Final report expected.	Estimated losses to adult populations from oil damages to early life stages at 2 to 3 million in 1990, and 40 to 70 thousand in 1991. Projected losses of 100 to 200 thousand adults in 1993 and 1994.	Through this project, results from FS1, FS2, FS3, FS4A and FS4B were incorporated into a model to estimate population level damage.
R060A	Prince William Sound Pink Salmon	ADFG	\$1,479.7	\$1,204.1	R60A final report at peer review. R60B draft report due.	The CWT program (R60A) helped reduce the commercial harvest on damaged pink salmon populations by providing fishery managers with timely inseason fishery stock composition estimates. The escapement project (R60B) provided improved pink salmon escapement information which was essential for the precise fisheries management required to protect damaged wild stocks.	Continued as 93067, 94185 (report preparation) and 94320B. Also related to R60C, which monitors and investigates mechanisms for oil damage to early life stages of pink salmon populations.
R060C	Pink Salmon Egg/Fry	ADFG NOAA	\$492.8	\$335.9	ADFG final report due. NOAA status report accepted.	Oil exposures completed for 1992 and 1993 brood years. Persistence of elevated mortalities among embryos in oiled streams versus those in nonoiled streams suggests genetic damage. Spawning of surviving adults is scheduled for September 1994 with possible long-term genetic damage and survival of progeny to be determined in early 1995.	Continued as 93003 and 94191. Other related projects include B11, CH1B, R60AB, R103, and 93036.

* Dollar amounts are shown in thousands of dollars. "Amount Budgeted" is derived from requests to the court for disbursements from the settlement account. "Amount Spent" reflects settlement fund obligations only and is derived from the May 1994 Financial Report, which reflects expenditures through 3/31/94. The total cost of some projects may be higher than the amount shown because, for the period 3/1/92 to 6/30/92, the State spent state funds rather than settlement funds and will request reimbursement at a later date. The budget figures for 1992 projects are for the period 03/01/92 - 02/28/93.

DRAFT

Exxon Valdez Oil Spill Project Status Summary
1992 Work Plan
Quarter Ending March 31, 1994

<u>No.</u>	<u>Title</u>	<u>Agencies</u>	<u>Amount Budgeted*</u>	<u>Amount Spent*</u>	<u>Status</u>	<u>Results and References</u>	<u>Related Projects</u>
Pink Salmon			\$2,517.0	\$1,897.7			
FS02	Pre-emergent Fry	ADFG	\$29.3	\$11.4	Final report expected.	Measured higher embryo mortalities in oil-contaminated streams than in unoiled streams.	Continued as R60C, 93002, and 94191. Also related to R60AB, 93012, 93015 and 94255. FS1, FS2, FS3, FS4A, and FS4B measured oil damages to specific life stages. FS28 incorporated their results into a model to estimate population level damages.
FS04A	Early Marine Salmon Damage Assessment	ADFG	\$145.2	\$99.1	Final report expected.	Detected reduced growth and survival of fry rearing in oiled areas in 1989. No significant differences in growth and survival between oiled and unoiled areas in subsequent years. Rate of adult returns to unoiled hatcheries twice that of oiled hatcheries in 1990.	Related to most projects in 94320 (PWS System Investigation). FS1, FS2, FS3, FS4A, and FS4B measured oil damages to specific life stages. FS28 incorporated their results into a model to estimate population level damages.
FS04B	Juvenile Pinks	NOAA	\$119.4	\$121.2	Final report finalized.	Documented exposure and contamination of juvenile salmon in Prince William Sound. Contamination was associated with reduced growth. Ingestion of oil or oiled prey was route of contamination.	FS4A, AW3, and ST3A.

* Dollar amounts are shown in thousands of dollars. "Amount Budgeted" is derived from requests to the court for disbursements from the settlement account. "Amount Spent" reflects settlement fund obligations only and is derived from the May 1994 Financial Report, which reflects expenditures through 3/31/94. The total cost of some projects may be higher than the amount shown because, for the period 3/1/92 to 6/30/92, the State spent state funds rather than settlement funds and will request reimbursement at a later date. The budget figures for 1992 projects are for the period 03/01/92 - 02/28/93.

DRAFT

Exxon Valdez Oil Spill Project Status Summary
1993 Work Plan
Quarter Ending March 31, 1994

<u>No.</u>	<u>Title</u>	<u>Agencies</u>	<u>Amount Budgeted*</u>	<u>Amount Spent*</u>	<u>Status</u>	<u>Results and References</u>	<u>Related Projects</u>
Pink Salmon			\$911.0	\$925.0			
93003	Salmon Egg to Pre-emergent Fry Survival	ADFG NOAA	\$686.0	\$741.3	ADFG report expected. NOAA project continuing/status report submitted.	Oil exposures completed for 1992 and 1993 brood years. Spawning of surviving adults is scheduled for September 1994 with possible long-term damage to genetics and survival of progeny to be determined in early 1995. Persistence of elevated embryo mortalities in oiled streams in 1992 indicate possible genetic damage to wild pink salmon populations from the <i>Exxon Valdez</i> oil spill. Preliminary laboratory studies support the genetic hypothesis. Additional laboratory studies demonstrate dose response of pink salmon embryos when incubated in gravel exposed to crude oil from the <i>Exxon Valdez</i> .	Started in 1989 as FS2 and continued as R60C and 94191. Also related to R60AB. Project 93067 provides fisheries managers with information critical for protecting these chronically damaged wild pink salmon populations from overexploitation in commercial fisheries.
93032	Cold Creek Pink Salmon Restoration (NEPA Compliance)	ADFG	\$5.0	\$0.0	Project withdrawn.	Cost:benefit analysis showed project to be marginal.	R105.
93067	Pink Salmon Coded Wire Tag Recovery	ADFG	\$220.0	\$183.7	Draft report at peer review.	Reduced commercial exploitation of damaged wild pink salmon populations through timely inseason estimates of hatchery and wild contributions to harvest. Accurate and timely stock composition estimates were used by fisheries managers to justify restriction of fishing fleet to areas where interception of damaged wild populations in mixed-stock fisheries could be minimized.	Started as FS3 and continued as R60A, 94185 (report preparation) and 94320B. Project 93003 demonstrated chronic damage to wild pink salmon populations in western Prince William Sound.

* Dollar amounts are shown in thousands of dollars. "Amount Budgeted" is derived from requests to the court for disbursements from the settlement account. "Amount Spent" reflects settlement fund obligations only and is derived from the May 1994 Financial Report, which reflects expenditures through 3/31/94. The budget figures for most 1993 projects are for the period 3/1/93 - 9/30/93 (7 months). Five projects (93032, 93046, 93059, 93060, and 93045) were started earlier.

DRAFT

PINK SALMON -- 1994 WORK PLAN

<u>Number</u>	<u>Title</u>	<u>Budget</u>	<u>ResSvc2</u>
94185	Coded Wire Tagging of Wild Pinks for Stock Identification	\$34.8	Pink Salmon
94191	Oil Related Egg and Alevin Mortalities	\$782.9	Pink Salmon
94320A	Salmon Growth and Mortality	\$263.4	Pink Salmon
94320B	Coded Wire Tagging Recovery-PWS Pinks	\$244.4	Pink Salmon
94320C	Otolith Mass Marking of PWS Pink Salmon	\$53.9	Pink Salmon
94320D	Pink Salmon Genetics	\$171.2	Pink Salmon
94320E	Salmon Predation	\$907.1	Pink Salmon
94320K	PWSAC-Experimental Fry Release	\$46.6	Pink Salmon
94320L	PWSAC-Experimental Manipulation	\$1,750.0	Pink Salmon

\$4,254.3

RESOLUTION

OF THE EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL

WHEREAS, the EVOS Trustee Council members have adopted a Final Restoration Plan encompassing a comprehensive restoration program that includes general restoration, habitat protection and acquisition, research and monitoring, administration and public information, and provision for a Restoration Reserve;

WHEREAS, a Final Environmental Impact Statement (FEIS) for the Exxon Valdez Oil Spill (EVOS) restoration program has been issued and the federal Trustees have issued a Record of Decision (ROD) with respect to the FEIS in which the State Trustees have concurred;

WHEREAS, the FEIS finds that habitat protection and acquisition in the long term will contribute to the recovery of the natural resources and related services that were injured by the Oil Spill;

WHEREAS, over the past two and a half years, the Trustee Council has devoted extensive time and effort to develop a balanced habitat acquisition program necessary for restoration, including extensive policy discussions, public review, and scientific analysis;

WHEREAS, as a result of that effort, a firm basis has been established to make habitat protection and acquisition decisions with confidence and in a manner that upholds the public trust.

WHEREAS, the following have been the cornerstones of this basis for decision making:

- **Habitat Acquisition is integral to the Trustee Council's mission** "to efficiently restore the environment injured by the *Exxon Valdez* oil spill to a healthy, productive, world renowned ecosystem, while taking into account the importance of the quality of life and the need for viable opportunities to establish and sustain a reasonable standard of living."
- **A comprehensive habitat analysis evaluation and ranking has been developed** that identifies and evaluates the available lands for habitat critical to long-term restoration and maintenance of resources and services injured by the spill. The analysis has been completed for identified parcels, although negotiations and appraisals are continuing for some parcels.
- **Restoration benefits for parcels and configurations of parcels have been developed** by agencies of the State of Alaska and United States in light of their

experience, historical biological information, and information from the Comprehensive Habitat Protection Process.


- **Lead agencies are negotiating with landowners** in light of the available habitat information and parcels are being appraised with the expectation of realizing affordable prices.
- **The January 1994 "Resolution to Proceed with Habitat Protection Program"** authorized the federal and state lead agencies, under the aegis of the Executive Director, to proceed with multiple, geographically balanced negotiations.
- **Extensive public review demonstrates support** and an expectation by the public and by the Public Advisory Group that habitat protection and acquisition will be a significant part of the restoration program, and that further acquisitions will soon occur. In addition, the public and communities throughout the spill area have consistently expressed concern that acquisitions be balanced throughout the spill area, and that there not be gross disparities in the protection program.
- **Scientists recommend that habitat be protected throughout the spill area.** The recommendation by the Chief Scientist and Core Peer Reviewers is based on a strong concern that the habitat and biodiversity of the ecosystem be protected throughout the spill area to aid injured resources on the scale of the spill area. The spill area is comprised of four regions that provide the basis for assuring a balanced habitat protection and acquisition effort throughout the spill area;
- **The preferred alternative of the Environmental Impact Statement,** Alternative 5, that was chosen by the Trustee Council assumed for purposes of analysis of the environmental effects, that approximately \$295 to \$325 million would be used for habitat protection and acquisition;

THEREFORE, the Trustee Council does hereby resolve:

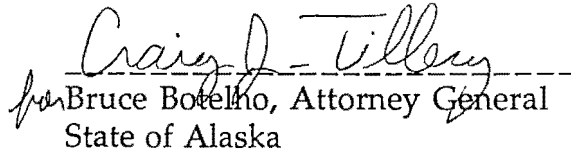
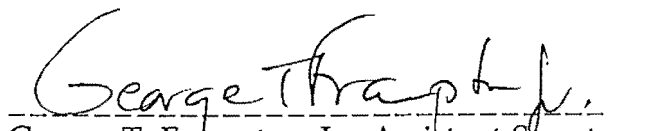
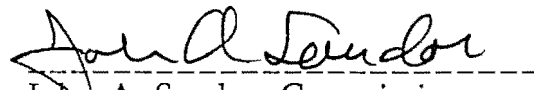

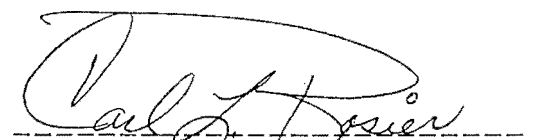
- to pursue habitat protection and acquisition throughout the oil spill area so as to promote restoration of injured natural resources and services throughout the oil spill area and that \$295 to \$325 million is an initial, flexible placeholder for habitat protection and acquisition efforts (this amount is in addition to previous expenditures for habitat protection and acquisition);
- to pursue the acquisition of habitat that will provide for the protection and restoration of the various injured natural resources and services they provide throughout the spill area in a balanced manner while recognizing the importance of different types of habitat, such as timbered lands and non-timbered lands, to the protection and restoration of injured resources

and the services they provide;

- to continue negotiations to acquire lands or land interests held by the Eyak Corporation, Chenega, Tatitlek, Port Graham, English Bay, Afognak Joint Ventures, and the Kodiak Island Borough to provide protection throughout the spill area in a balanced manner to provide for the protection and restoration of injured resources and services in each of the impacted regions of the spill area;
- to direct the designated lead negotiators and the Executive Director to continue to exercise their best efforts to negotiate proposals for the acquisition of large parcels in accordance with the January 19, 1994 Resolution and in addition to specifically invite and work with willing sellers within Prince William Sound, Kenai Fjords and Afognak Island to develop and submit, prior to the Council's next meeting in December, offers to sell such lands or interests in lands prior to the completion of the appraisals. The Council will consider such offers as it did with its earlier Seal Bay acquisition; and
- to give priority consideration to those habitat protection packages presented to it that include the highest value benefits with preference given to fee simple acquisitions.



Phil Janik, Regional Forester
Alaska Region
USDA - Forest Service


for Bruce Botelho, Attorney General
State of Alaska
George T. Frampton, Jr., Assistant Secretary
for Fish and Wildlife and Parks
U.S. Department of the Interior
John A. Sandor, Commissioner
Alaska Department of
Environmental Conservation
Steve Pennoyer, Director
Alaska Region
National Marine Fisheries Service
Carl L. Rosier, Commissioner
Alaska Department of Fish & Game

adopted November 2, 1994

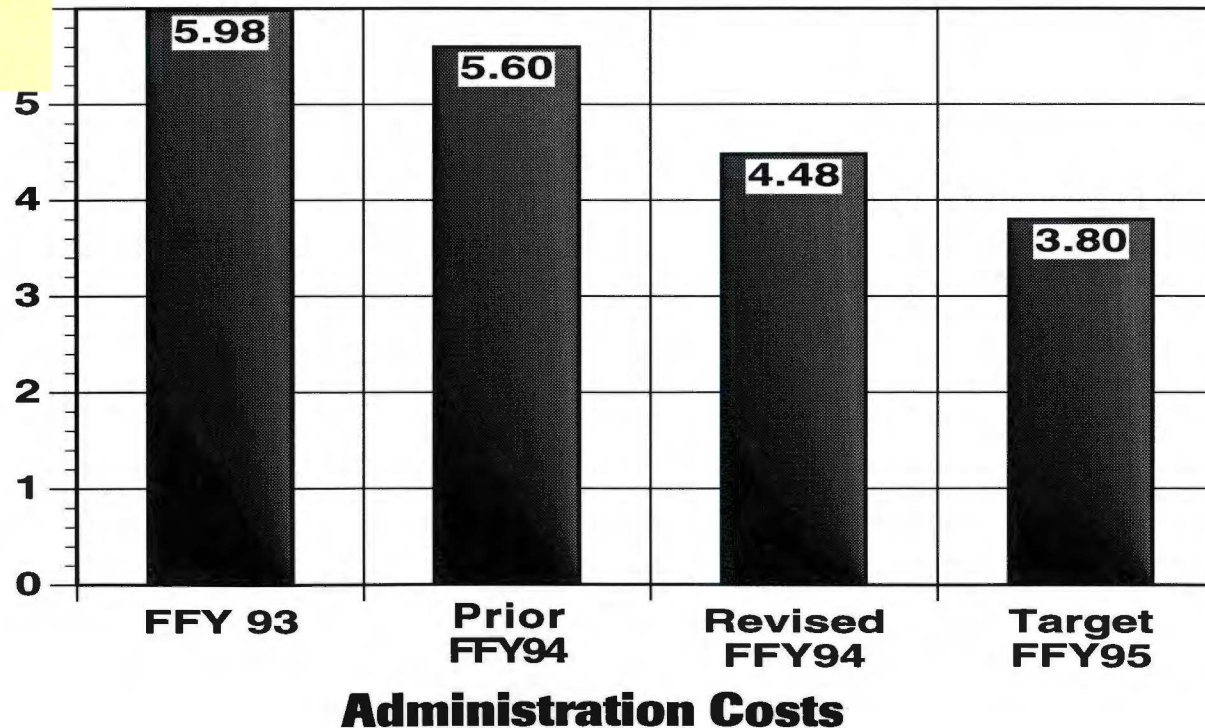
Administration Costs

FFY93	Prior Budget FFY94	Revised Budget FFY94	FFY95 Target
Admin. \$5.63M	\$5.25M	\$4.20M*	\$3.50M**
OSPIC .35M	.35M	+.28M	.30M
<u>\$5.98M</u>	<u>\$5.60M</u>	<u>\$4.48M</u>	<u>\$3.80M</u>

This is what I
sent to you

**20% Reduction*

***Reflects 5% of
FFY95 Payment*

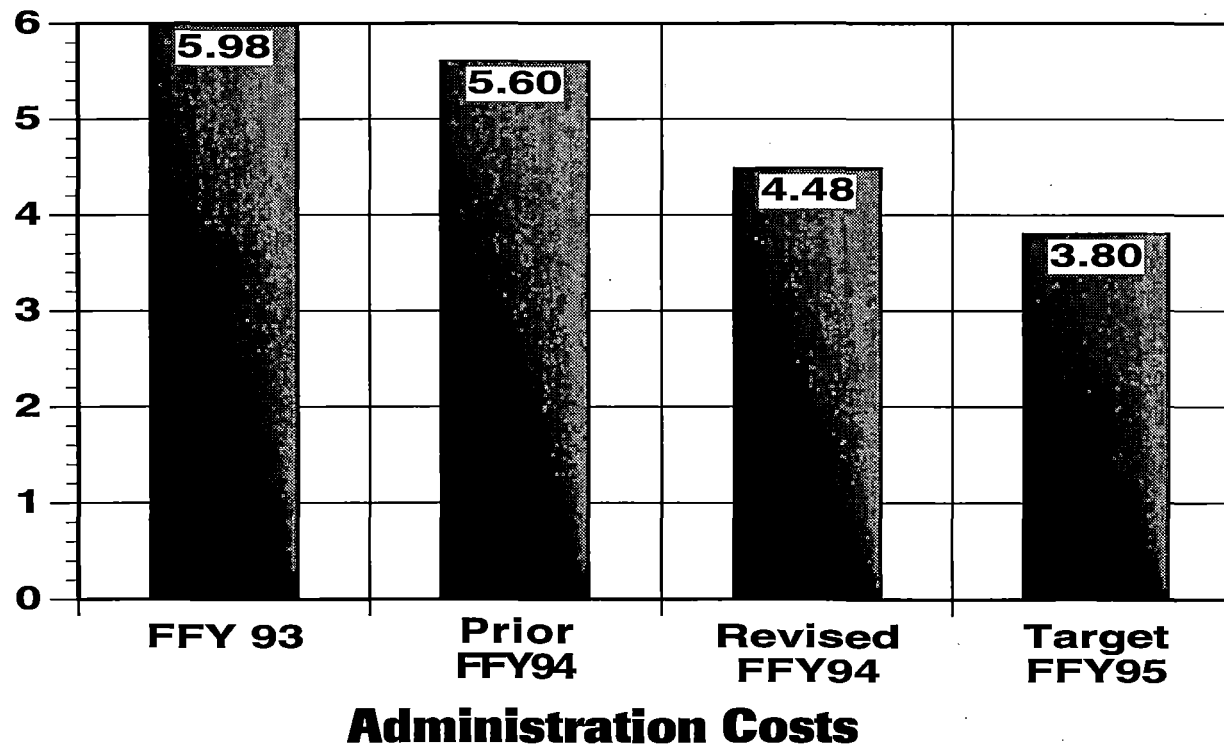


Adminictration Cocts

	FFY93	Prior Budget FFY94	Revised Budget FFY94	FFY95 Target
Admin.	\$5.63M	\$5.25M	\$4.20M*	\$3.50M**
OSPIC	.35M	.35M	+.28M	.30M
	<u>\$5.98M</u>	<u>\$5.60M</u>	<u>\$4.48M</u>	<u>\$3.80M</u>

**20% Reduction*

***Reflects 5% of
FFY95 Payment*



**Proposed Koniag Acquisitions
(Framework for Possible Agreement)**

1. For a total consideration of \$28.5 million Koniag, Inc. agrees:

- a. to convey in fee simple a total of 59,691 acres on Kodiak Island comprised of the following parcels:

01	8,090
02 East	2,462
02 W-1	2,503
02 W-3	623
02 W-4	349
03	16,110
05	24,112
06 A	<u>5,442</u>
TOTAL	59,691 acres

- b. and to convey a seven-year conservation easement on the following parcels:

02 W-2	960
04	36,865
06 B	17,094
K Parcel	<u>1,129</u>
TOTAL	56,048 acres

2. Under the terms of the conservation easement Koniag:

- a. will not sell or lease these lands to parties other than the U.S. Government, with the possible exception of the land in the Portage area of the Karluk River now under offer. The easement will apply to these Portage lands, if the pending sale is not closed by June 1, 1995;
- b. will not modify these lands physically or build any structures thereon beyond those existing structures identified in the purchase agreement;
- c. will provide access to Interior Department and Alaska Department of Fish and Game personnel to conduct population surveys and research on fish and wildlife resources and document salmon escapement; such access to be granted by mutual consent; and
- d. may extend the easement by mutual agreement of the parties.

3. The EVOS Trustee Council, through the Department of the Interior, agrees to establish jointly with Koniag a process that will lead to a fair negotiated price for the lands covered by the conservation easement. Toward this end, the

Council agrees to set aside an additional \$16.5 million from its future receipts for eventual purchase of these lands.

4. Of the total consideration, \$2 million is deemed to represent the cost of the conservation easement. These funds shall be amortized on an annualized, pro-rata basis. Any unamortized portion of that amount remaining at the closing of any subsequent purchase of the easement lands by the United States, shall be credited against the purchase price.
5. Koniag, Inc. will be paid the sum of \$10 million at closing and the balance over four years.

November 2, 1994

~~DRAFT~~

11/2/94
11:30

JOINT STATEMENT OF RALPH ELUSKA, PRESIDENT, AKHIOK KAGUYAK, INC.
AND EMIL CHRISTIANSEN, PRESIDENT, OLD HARBOR NATIVE CORP.

FOR IMMEDIATE RELEASE

NOVEMBER 2, 1994

Akhiok Kaguyak Inc. (AKI) and Old Harbor Native Corporation (OHNC) have agreed to participate in the Exxon Valdez Oil Spill Trustee Council comprehensive restoration plan to provide protection for more than 200,000 acres of fish and wildlife habitat located on the corporations' inholdings within the Kodiak National Wildlife Refuge and the Alaska National Maritime Refuge.

The agreement will provide income opportunities for the Native village residents while protecting resources critical to the Kodiak region's commercial fishing and tourism industries. The Trustee Council plan utilizes a mix of land acquisitions and exchanges that improve fish and wildlife management of the habitat areas by the Alaska Department of Fish and Game and the U.S. Fish and Wildlife Service.

Protecting the traditional subsistence lifestyle is a priority of the plan along with providing greater public access to world class outdoor recreation areas.

The Native corporations' lands were prioritized by a team of Exxon Valdez Trustee Council scientists and biologists seeking to protect habitat for fish and wildlife species, natural and human resources impacted by the 1989 oil spill.

Spawning and rearing habitat for sockeye salmon, pink salmon and herring, as well as breeding and feeding areas for seabirds, ducks, sea otters and sea mammals are to be protected by the agreement.

"This agreement unlocks the economic potential of our lands for our corporation shareholders and the local economy while meeting the habitat protection objectives of the Trustee Council's comprehensive restoration plan," said Ralph Eluska, president of Akhiok Kaguyak, Inc.

Old Harbor Native Corporation president Emil Christiansen said the agreement "allows the oil spill settlement funds to continue working in the Alaska economy while protecting the habitat upon which our lifestyle has depended for generations. We believe the Trustee Council's comprehensive restoration plan achieves our mutual goals."

APPRAISAL REVIEW OF BLACK-SMITH
AND
SHORETT AND RIELY APPRAISAL REPORTS

The following appraisal review of the reports prepared by Diane Black-Smith, MAI and co-signed by Steven Carlson, is not a reappraisal of the subject properties but rather a review of the appraisals as submitted for technical adequacy. The options available to the reviewers are:

- 1.) Approval with the appraisals as written or;
- 2.) Rejection with recommendations for correction or a partial or;
- 3.) A partial or full reanalysis by the reviewers reaching independent conclusions of fair market value, based upon the information contained in the appraisals.

In this case, the reviewers have chosen the 3rd alternative. An independent analysis leading to the following estimates of fair market value was prepared and is discussed as follows. It must be noted that no field review of the appraisal information, market data or subject descriptions was possible due to the time constraints imposed by agency management.

The task order defining the appraisal problem is deficient in that it directs the appraiser(s) to estimate the fair market value of numerous individual tracts which comprise the three properties under appraisal. The properties are identified as:

- 1.) Old Harbor Native Corporation Lands containing a total of 7 parcels with an aggregate acreage of 32,339+ acres.
- 2.) Koniag Incorporated Lands containing a total of 16 parcels with an aggregate acreage of 115,735+ acres.
- 3.) Akhiok-Kaguyak Incorporated Lands or AKI as it's referred to, with an aggregate acreage of 119,885+ acres.

All of which are located on Kodiak Island, Alaska.

The task order erred in not directing the appraiser(s) to find the estimated fair market value of the three properties in their entirety. It cannot be assumed that the sum of the parts equals the value of the whole. Based upon the size/price analysis developed by the appraiser(s) one could assume that the sum of the individual tract values may approximate the total value of the individual parcels.

In analyzing the transaction data, an analysis of the sales data and its treatment as submitted by the appraiser(s) was done by the reviewers. Our analysis and conclusion will follow in this review report.

The appraiser(s) erred several sections of the area and neighborhood analysis. They are enumerated as follows:

- 1.) The appraiser(s') discussion of non-economic evaluation is inappropriate - Laws require and the assignment dictates fair market value - defense of the assignment is not a responsibility of the appraiser(s) - Discussion of the program and attributes and of the public actions are totally inappropriate.
- 2.) Clarification of acreage would help the identification of the property being appraised.

Uniform Appraisal Standards for Federal Land Acquisition differ from USPAP in that they require a 10 year history of sales, listings, and money offers pertaining to the subject property. See Sections A-5 Uniform Appraisal Standards for Federal Land Acquisitions.

- 3.) The task order in erred in requesting the fair market value subject to subsistence reservations and 22g provisions. In the absence of an agency approved easement the task is impossible. Subsistence is not a property right typically found in the marketplace, but rather a statutory personal right granted to Native Americans under title 8 of ANILCA. As such it is only applicable to Federal land and cannot be appraised. The same concern applies to the 22g reservation, as by law, it only applies to Federal wildlife preserve lands.
- 4.) The summary of market exposure for small tracts less than 640 acres was very enlightening and a positive picture of market conditions. The summary listing sales to the United States adds to the picture. Overall the market overview was very well done.

The subjective discussion of the public ownership pattern tends to undermine the market analysis by suggesting a bias on the part of the appraiser(s). Comments as the appropriateness of the public programs have no logical place in the appraisal. Beyond identifying the secondary market created by the public demand for conservation properties, there is no logical relationship between the appraiser(s') opinion of the program and the fair market value of the property under appraisal.

The discussion of the uniqueness of the subject market is well stated and sets the stage for the later market analysis.

Discussion of preservation/public use is excessive in that such uses being non-economic in character don't qualify as an appropriate highest and best use, but rather the motivations for public purchase. In essence this takes the form of a feasibility analysis that is not appropriate for an appraisal whose function is to estimate fair market value. The final conclusion in the market analysis is well stated. Overall the highest and best use is appropriate notwithstanding the excesses cited above. The examination of public transactions is appropriate and well stated.

The size/price analysis is based on logical inference and not by sales analysis. The models constructed and used by the appraiser(s) are weak in that there is minimal market support for them and to some degree are contrary to the highest and best use analysis.

The appraiser(s') process for adjusting the comparable sales based upon a hypothetical "Key Tract" is proper and a logical methodology. The comparison process and their adjustments are clear and logical. Likewise, the component parts of the properties under appraisal are compared to the Key Tract for their estimate of contributory value.

The appraiser(s') opinion of the \$100 per acre for the subjects non-strategic waterfront acreage featuring unfavorable topography and contiguous backlands was developed from the \$183 to \$392/acre value range being superior in location to the subject properties. A combination of the above sales analysis and the \$0 to \$100/acre cutover land residuals is the basis upon which the appraiser(s) concluded the \$100/acre fair market value of the interior land.

Overall the market analysis of the component areas of the subject lands are adequately supported. In the absence of large similarity located sale properties it is a logical and proper foundation upon which to base an estimate of the fair market value notwithstanding the inconsistencies with the conclusions in the highest and best use analysis.

The individual parcel values reflected in the three appraisals under review are adequately supported with all of the available market evidence. They tend to be at the upper end of the reflected ranges of value as demonstrated by the sales data.

The appraiser(s) failed however to treat the value of the total property in any correlative analysis. This deficiency is a product of a flawed task order as prepared by the Agency. The reviewers have included an analysis of each of the three properties using the same procedures developed by the appraiser(s) to reflect a total property value for each of the ownerships rather than a sum of their individual parcel values. The three analysis follows:

AKI

Parcel
Total acreage 119,885

Allocation

<u>Strategic Waterfront</u>	<u>Acres</u>			
High	800	@	2,500	= \$ 2,000,000
Moderate	480	@	1,750	= 840,000
Low	3,840	@	1,000	= 3,840,000
Total	5,120			\$ 6,680,000

Size Adj - 36% = \$ 4,275,200

<u>Non Strategic Waterfront</u>	<u>Acres</u>			
High	1,920	@	1,150	= \$ 2,208,000
Moderate	2,280	@	975	= 2,223,000
Low	8,480	@	800	= 6,784,000
Total	12,680			\$11,215,000

Size Adj - 40% = \$ 6,729,000

<u>Non Strategic Waterfront w/Unfav. Topography & Backlands</u>			
	106,995	@	100 = \$10,699,500

TOTAL \$21,703,700
as

FAIR MARKET VALUE \$22,000,000

KONIAG

Parcel
Total acreage 115,739

Allocation

<u>Strategic Waterfront</u>	<u>Acres</u>			
High	240 @	2,500 =	\$	600,000
Moderate	0 @	-0- =		-0-
Low	0 @	-0- =		-0-
Total	240		\$	600,000
Size Adj - 27%			=	\$ 438,000

<u>Non Strategic Waterfront</u>	<u>Acres</u>			
High	3,800 @	1,150 =	\$	4,370,000
Moderate	0 @	-0- =		-0-
Low	760 @	800 =		608,000
Total	4,560		\$	4,978,000
Size Adj - 40%			=	\$ 2,986,800

<u>Non Strategic Waterfront w/Unfav. Topography & Backlands</u>	110,939 @	100 =	\$11,093,900
---	-----------	-------	--------------

TOTAL	\$14,518,700 as
-------	--------------------

FAIR MARKET VALUE	<u>\$15,000,000</u>
-------------------	---------------------

OLD HARBOR

Parcel
Total acreage 32,339

Allocation

<u>Strategic Waterfront</u>	<u>Acres</u>			
High	0 @	-0-	= \$	-0-
Moderate	160 @	1,750	=	280,000
Low	0 @	-0-	=	280,000
Total	160		\$	280,000
Size Adj - 23%			= \$	215,600

<u>Non Strategic Waterfront</u>	<u>Acres</u>			
High	0 @	-0-	= \$	-0-
Moderate	1,560 @	975	=	1,521,000
Low	80 @	800	=	64,000
Total	1,640		\$	1,585,000
Size Adj - 40%			= \$	951,000

<u>Non Strategic Waterfront w/Unfav. Topography & Backlands</u>				
	30,539 @	100	= \$	3,053,900

TOTAL	\$ 4,220,500
	as

FAIR MARKET VALUE	\$ 4,200,000
-------------------	--------------

OLD HARBOR



Parcel

Total acreage 3,233

Allocation

<u>Strategic Waterfront</u>	<u>Acres</u>		
High	0 @	-0- = \$	-0-
Moderate	160 @	1,750 =	280,000
Low	0 @	-0- =	280,000
Total	160	\$	280,000

Size Adj - 23% = \$ 215,600

<u>Non Strategic Waterfront</u>	<u>Acres</u>		
High	0 @	-0- = \$	-0-
Moderate	1,560 @	975 =	1,521,000
Low	80 @	800 =	64,000
Total	1,640	\$	1,585,000

Size Adj - 40% = \$ 951,000

<u>Non Strategic Waterfront w/Unfav. Topography & Backlands</u>		
30,539 @	100 =	\$ 3,053,900

TOTAL \$ 4,220,500
as

FAIR MARKET VALUE \$ 4,200,000

As a portion of this review assignment, a technical review of the landowner's reports on AKI and Old Harbor as prepared by Shorett and Riely was done.

In that neither of the Shorett and Reilly reports reflect in their conclusions of value an amount reported as fair market value, they fail to meet the basic threshold of the statement of work. As such, they are rejected in total in that they fail to meet the legal requirements for appraisals used as a basis of Federal land acquisition.

The appraiser(s) were requested to estimate the market value of the subject properties. Specific instructions to the appraiser(s) took the form of a "Task Order" and "EVOS Appraisal Specifications." Both appraiser(s) certified that their reports were prepared in accordance with the pertinent task order and appraisal specifications.

The task orders related to each of the specific ownerships. In each the appraiser(s) was asked to estimate the market value of each tract (1) as if unencumbered; (2) as if subject to §22(g) of the Alaska Native Claims Settlement Act, and (3) as if the current owner of the tract will reserve a "subsistence easement" over the tracts. The task order also segregated each ownership in various parcels, with the instruction that "the contractor shall provide a separate section in the report for the analysis of each tract, which shall include information specific to that tract and its final estimate of value."

In accordance with the above, each of the appraiser(s) prepared independent market value estimates for each tract. This would appear to be in accordance with the instructions given to the appraiser(s). However, it should be noted that the procedure is contrary to the appraisal standards applied in federal acquisitions.¹

The EVOS appraisal instructions provide that all reports will provide an "estimate of cash fair market value" and shall conform with the *Uniform Appraisal Standards for Federal Land Acquisitions*, 1992 Edition, (ISBN 0-16-038050-2) (UASFLA).² The appraisal instructions also provided that:

The Narrative Appraisal Report shall conform to recognized appraisal format, principles, and practices applicable to estimating cash fair market value, as

¹ See *Uniform Appraisal Standards for Federal Land Acquisitions*, (Washington, D.C.: U.S. Printing Office, 1992), §A-13, p. 42; §B-1 14, p. 73.

² It is noted that the purpose of UASFLA "is to set forth generally the principles applicable to the appraisal of property for Federal land acquisitions by both direct purchase and condemnation." (UASFLA, p. 1 (emphasis added)).

required by UASFLA.

Fair market value is to be determined with reference to the property's "highest and best use" - that is, the highest and most profitable use for which the property is adaptable and needed or likely to be needed in the near future. (UASFLA)

Market value and highest and best use are economic terms. The tests of financial feasibility and maximum profitability required in highest and best use analysis become nonsensical except in terms of financial profitability.

It is not appropriate to apply the term "highest and best use" to real estate which is to be held out of economic production in perpetuity, such as lands being acquired for conservation or preservation purposes, even though such conservation or preservation may result in substantial benefit to the community or general public. Therefore, when an appraiser has been engaged to estimate market value, it is not acceptable, from either a legal or appraisal standpoint, to determine that the highest and best use of a property is to hold or sell the property for public interest, or conservation, purposes. Such an appraisal is misleading.

This position is supported by UASFLA, USPAP, and authoritative appraisal texts. It is also consistent with the position taken by the U.S. Dept. of Justice.

Had the appraisers read, understood, and applied recognized appraisal principles and UASFLA, a lot of time, effort, and material could have been saved. Put simply, the appraisers were assigned the task of estimating fair market value.

An appraisal report is not the proper forum for the espousing of one's own philosophical, social, or political views. Both appraisers engaged in discourses in regard to public land use policies, non-economic value concepts, and the market for non-economic uses of land that have no bearing on the market value of the subject properties and are irrelevant to the appraisal assignment. Had the appraiser(s) stuck to the assignment at hand, the bulk of the appraisal reports could have been reduced by half. Because of this extemporaneous material in the reports, none of them can be approved.

Shorett & Riely determined that the highest and best use of the subject properties was two tiered. First, it was determined by the appraiser(s) that the highest and best use of the properties was for the continued use of the property for subsistence purposes by their current owners. The second highest and best use stated was essentially for conservation purposes. The concept of market value presupposes a sale of the property on the effective date of the appraisal. Shorett's first stated highest and best presupposes not a sale, but a continuation of the ownership of the property by its current owner. This is contrary to the

concept of market value and therefore unacceptable. Shorett's second stated highest and best use of conservation is also unacceptable for the reasons stated above. When an appraiser's determination of highest and best use is inappropriate, the entire appraisal becomes invalid.

Shorett's highest and best use is not a use that will result in an indication of market value. UASFLA precludes the consideration of any value other than "market value." There are no exceptions.

Again, had the appraiser(s) recognized the long-established qualifications required of a "comparable sale" they could have avoided the presentation of their extended, and unnecessary, arguments for (Shorett) and against (Black-Smith) use of sales to the government. Sales to the government, prices of which are based on non-economic uses, are invalid indicators of market value. Therefore, sales that were based on appraisals for non-economic purposes such as the "Kachemak Bay" sale,³ are invalid comparable sales when the purpose of the appraisal is to estimate market value.

Shorett used 6 primary comparables. The Kachemak Bay sale is invalid for the above stated reason. Comparable 1a and 1b involved a proposed land exchange that was never consummated. "Sales involving the exchange of property are generally considered unreliable for use in the comparable sales approach" (UASFLA, p. 13). "Mere offers . . . are inadmissible as evidence of value and should not be used in appraising fair market value" (UASFLA, p.14). Therefore, Shorett's comparable 1a and 1b are unreliable. Likewise, his comparable 4 and 5 are mere offers and therefore unreliable.

UASFLA discourages the use of sales to the government as comparable sales in estimating market value. ". . . the burden is upon the party who offers such evidence [either as expert testimony or in an appraisal report] to establish as a preliminary fact that the purchase, concerning which evidence is offered, was made without compulsion, coercion or compromise. If the appraiser is to use such a sale, he must **verify it with all parties** involved and explain the results of such verification explicitly in his report and testimony."⁴

Under the Federal Freedom of Information Act (FOIA), the government's appraisals, as well as the government's negotiating file (which generally includes a detailed "negotiator's diary"), are

³ The consensus valuation stated "By instruction and in concurrence with the opinions of the other two appraisals, the highest and best use of the land is considered park land for inclusion in the Kachemak Bay State Park."

⁴ *Real Estate Valuation in Litigation*, (Chicago: Appraisal Institute, 1982), 145 (emphasis added).

subject to public inspection once the land acquisition is consummated. This same type of information is available in a number of states. Such information can be invaluable to the appraiser who is objectively trying to determine whether a government acquisition meets the criteria of market value. The appraisal report(s) will clarify the use upon which the estimate of value was based (e.g., preservation [natural land] or a classic economic highest and best use) and define that value. The negotiator's diary and file will reveal the basis of the negotiated settlement (e.g., preservation [natural land] or a classic economic highest and best use). It will also often reveal whether there was any discussion, during negotiations, of whether condemnation might be invoked and/or whether a property owner's legislative representative imposed himself, or herself, into the negotiating process.

With the plethora of potential information in such files, it is clear that if an appraiser is forced to rely on a sale to the government as a "comparable," due diligence **requires** that appraiser to make every effort to gain access to such files and analyze them in an objective manner and report his, or her, findings in the appraisal report.

It cannot be categorically said that the use of a sale to the government as a comparable sale is a violation of an appraiser's professional standards, USPAP, or the *Uniform Appraisal Standards for Federal Land Acquisitions*. What can be said is that the use of such sales is a poor appraisal practice unless it can be clearly shown that such sales were totally free of compulsion, coercion or compromise and the appraiser clearly demonstrates that fact in his, or her, appraisal report, or makes a supported adjustment for such atypical motivation. Failure to consider possible atypical motivation in a sale to the government would appear to be a clear violation of USPAP.

It does not appear that either appraiser has adequately verified and/or gave adequate consideration to required adjustments for atypical motivation in any government sale presented in these reports.

Had Shorett been requested to estimate so-called "public interest value" his methodology would still have to be considered fatally flawed. While outside of the scope of this review (because UASFLA precludes the consideration of any value other than market value), it is acknowledged that there has been recognition of such a value concept in the appraisal community. To date, there have been no formal guidelines adopted in final form regarding the proper methodology to be employed in the estimation of public interest value. The only written and publicly disseminated guidelines were written and approved by the Appraisal Institute's Appraisal Standards Council Subcommittee on Public Interest Value. The Appraisal Institute, as a whole, has not yet acted on the subcommittee's report.

The subcommittee recognized that public interest value is an incremental value to market value, rather than an independent

value. Therefore, the subcommittee found that "[t]he beginning point of an appraisal of public interest value is an estimate of the market value of the property." The subcommittee report lists the following "unacceptable practices when estimating public interest value:"

1. Estimating and reporting public interest value when the appraiser's instructions were to estimate market value.
2. Failure to define public interest value when that is the type of value estimated in the report.
3. Failure to correctly employ the sales comparison approach.
4. Failure to thoroughly collect, verify, analyze and reconcile comparable sales utilized in the report.
5. Failure to identify and consider the appropriate procedures and market information required to perform the appraisal, including all physical, functional and external market factors as they may affect the appraisal.
6. Failure to invoke the Departure Provision (of USPAP) and to so qualify the report.
7. Failure to first estimate market value.

Even a cursory review of the Shorett reports reveals that Shorett has engaged in a number of these "unacceptable practices" in developing and reporting his value estimates.

In conclusion, the following values are presented as the Agency approved estimates of fair market value for the subject properties:

Old Harbor	\$ 4,200,000
AKI	\$22,000,000
Koniag	\$15,000,000

The Agency approved values for the individual parcels comprising each of the 3 properties are as presented in the respective Black-Smith appraisals.

See page 6 in AKI Appraisal;
page 6 in Old Harbor Appraisal;
page 6 in Koniag Appraisal.

All of the approved values are as of the date of value reflected in the Black-Smith reports.

This review incorporates the 3 Black-Smith appraisals by reference.

It must be noted that the cosignors of both the Black-Smith and the Shorett and Riely appraisals do not indicate that they are either licensed or generally certified as appraisers by the State of Alaska.

CERTIFICATION

We certify that, to the best of our knowledge and belief:

- ▶ the facts and data reported by the review appraiser(s) and used in the review process are true and correct.
- ▶ the analyses, opinions, and conclusions in this review report are limited only by the assumptions and limiting conditions stated in this review report, and are our personal unbiased professional analyses, opinions and conclusions.
- ▶ we have no present or prospective interest in the property that is the subject of this report and we have no personal interest or bias with respect to the parties involved.
- ▶ our compensation is not contingent on an action or event resulting from the analyses, opinions, or conclusions in, or the use of, this review report.
- ▶ our analyses, opinions, and conclusions were developed and this review report was prepared in conformity with the Uniform Standards of Professional Appraisal Practice.
- ▶ we did not personally inspect the subject property of the report under review.
- ▶ no one provided significant input other than through consultation with J. D. Eaton, MAI, Assistant Chief Appraiser, Department of Justice.

/S/ Clyde D. Schnack 10/21/94

Clyde D. Schnack
Chief Appraiser
U.S. Fish and Wildlife Service

/S/ Paul B. Tittman 10/21/94

Paul B. Tittman, ARA
Chief Appraiser
U.S. Forest Service
Certified General Appraiser
Colorado CGO 1318974

EVOS Parcel #	Estimated Value w/o Subsistence Reservation	Estimated Value w/Subsistence Reservation
AKI01	\$1,028,600	\$523,000
AKI02	\$795,600	\$401,200
AKI03	\$1,926,800	\$1,262,000
AKI04A	\$2,592,600	\$2,155,000
AKI04B	\$2,746,900	\$1,770,100
AKI05	\$1,748,700	\$825,500
AKI06A	\$1,927,800	\$904,200
AKI06B	\$1,147,100	\$507,500
AKI06C	\$1,451,200	\$578,100
AKI07A	\$935,700	\$547,700
AKI07B	\$1,742,300	\$947,900
AKI07 (A & B) *	\$2,678,000	\$1,495,600
AKI08	\$3,195,300	\$1,566,300

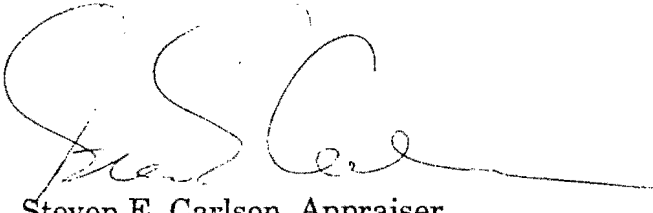
**As instructed, AKI07 was valued both as a single parcel and as two separate parcels (A & B). Therefore, a summation of the columns would result in a double-counting.*

This narrative appraisal report conforms to the Uniform Standards of Professional Practice (USPAP), the Uniform Appraisal Standards for Federal Land Acquisitions, and the specifications of Contract #53-0109-3-00377 and the specific instructions of Task Order No. 377-06-B. The report sets forth the identification of the property, the assumptions and limiting conditions, pertinent facts about the area and the subject property, comparable data, the results of the investigations and analyses, and the reasoning leading to the conclusions set forth.

Sincerely,

BLACK-SMITH AND RICHARDS, INC.


Diane Black-Smith, MAI



Steven E. Carlson, Appraiser

EVOS Parcel #	Estimated Value w/o Subsistence Reservation	Estimated Value w/Subsistence Reservation	Estimated Value Subject to Conservation Easement
OLD01A	\$651,900	\$550,900	N/A
OLD01B	\$304,000	\$187,500	N/A
OLD02A	\$477,600	\$477,600	N/A
OLD02B	\$336,500	\$296,500	N/A
OLD03	\$1,080,900	\$818,000	Supplement to Follow
OLD04	\$888,600	\$459,000	Supplement to Follow
OLD05	\$584,200	\$444,400	N/A

This narrative appraisal report conforms to the Uniform Standards of Professional Practice (USPAP), the Uniform Appraisal Standards for Federal Land Acquisitions, and the specifications of Contract #53-0109-3-00377 and the specific instructions of Task Order No. 377-06-A. The report sets forth the identification of the property, the assumptions and limiting conditions, pertinent facts about the area and the subject property, comparable data, the results of the investigations and analyses, and the reasoning leading to the conclusions set forth.

Sincerely,

BLACK-SMITH AND RICHARDS, INC.


Diane Black-Smith, MAI



Steven E. Carlson, Appraiser

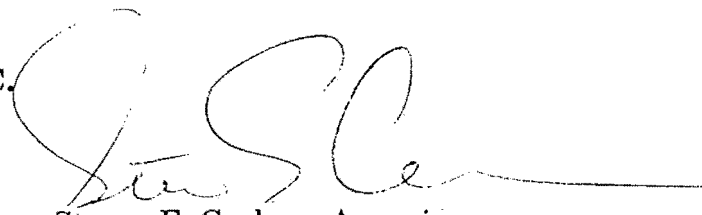
EVOS Parcel #	<i>Estimated Value w/o Subsistence Reservation</i>	<i>Estimated Value w/Subsistence Reservation</i>
KON01A	\$734,000	\$381,000
KON01B	\$539,000	\$428,000
KON02 East	\$471,800	\$246,200
KON02 West-1	\$250,300	\$250,300
KON02 West-2	\$96,000	\$96,000
KON02 West-3	\$108,050	\$62,300
KON02 West-4	\$80,650	\$34,900
KON03A-1	\$1,035,600	\$658,000
KON03A-2 & 03B	\$1,014,000	\$953,000
KON04A	\$2,004,800	\$1,719,900
KON04B	\$3,009,400	\$1,966,600
KON05A	\$1,193,000	\$1,173,000
KON05B	\$1,348,600	\$1,238,200
KON06A	\$544,200	\$544,200
KON06B	\$1,911,000	\$1,709,400
K Parcel 1	\$371,900	\$112,900

This narrative appraisal report conforms to the Uniform Standards of Professional Practice (USPAP), the Uniform Appraisal Standards for Federal Land Acquisitions, and the specifications of Contract #53-0109-3-00377 and the specific instructions of Task Order No. 377-06-B. The report sets forth the identification of the property, the assumptions and limiting conditions, pertinent facts about the area and the subject property, comparable data, the results of the investigations and analyses, and the reasoning leading to the conclusions set forth.

Sincerely,

BLACK-SMITH AND RICHARDS, INC.


Diane Black-Smith, MAI


Steven E. Carlson, Appraiser

DRAFT**RESOLUTION OF THE
EXXON VALDEZ SETTLEMENT TRUSTEE COUNCIL**

We, the undersigned, duly authorized members of the Exxon Valdez Settlement Trustee Council, after extensive review and consideration of the views of the public, find as follows:

1. The Tatitlek Corporation owns or is entitled to receive title to the surface estate, including timber rights, of land (the "Lands") within the oil spill affected area consisting of approximately 60,000 acres, in the following seven parcels:

- a. Sawmill Bay parcel, consisting of approximately 1,521 acres of land in fee, ("Sawmill Bay parcel");
- b. Heather Bay parcel, consisting of approximately 468 acres of fee at Emerald Cove and approximately 2,177 acres of land at Columbia Bay subject to a conservation easement, ("Heather Bay parcel");
- c. Galena Bay parcel, consisting of approximately 1,301 acres of land in fee, and approximately 10,100 acres of land subject to a conservation easement, ("Galena Bay parcel");
- d. Bligh Island parcel, consisting of approximately 8,805 acres of land subject to a conservation easement on Bligh, Busby and Reef Islands, ("Bligh Island parcel");
- e. Two Moon Bay parcel, consisting of approximately 4,410 acres of land in fee at Hells Hole, approximately 883 acres of land in fee at Port

Fidalgo, and approximately 25,072 acres of land in the Snug Corner Cove/Two Moon Bay parcel including Goose Island, subject to a conservation easement, ("Two Moon Bay parcel");

- f. Sunny Bay parcel, consisting of approximately 2,445 acres of land subject to a conservation easement ("Sunny Bay parcel"); and
- g. Whalen Bay parcel, consisting of approximately 1,979 acres, of land in fee ("Whalen Bay parcel"), subject to pre-existing rights.

These parcels and the interests to be conveyed are generally depicted on a map dated October 20, 1994, entitled "Tatitlek Wildlife Habitat Conservation and Acquisition Proposal." These Lands were selected pursuant to the Alaska Native Claims Settlement Act. The subsurface rights are owned by Chugach Alaska Corporation. Conservation easements would be conveyed in perpetuity.

2. The Lands include important habitat for species of wildlife for which significant injury resulting from the oil spill has been documented. There is substantial evidence that the Lands are important wildlife habitat. Harlequin ducks, bald eagles, black oyster-catchers, marbled murrelets, pigeon guillemots -- all species that suffered injury from the oil spill -- utilize these parcels (depending on the species), for feeding, nesting, loafing, molting, and wintering. The highest nesting concentrations of the pigeon guillemot in eastern Prince William Sound occur on one of these parcels (Bligh Island). Harbor seal haul outs and intertidal and subtidal biota are all found in substantial quantity along the shore line. The lands provide concentration areas for feeding and shelter and contain feeding areas for river otters and sea otters. There are 61 anadromous streams, 6 lakes, 3

salt water lagoons, and 2 large estuaries utilized by waterfowl, on these Lands. The Lands in general have historically supported high value wilderness-based subsistence food gathering and recreation uses including hunting, boating and fishing. The area has high scenic values and cultural resources.

3. Existing laws and regulations, including but not limited to the Alaska Forest Practices Act, and Anadromous Fish Protection Act, the Clean Water Act, the Alaska Coastal Management Act, the Bald Eagle Protection Act and the Marine Mammals Protection Act, are intended, under normal circumstances, to protect resources from serious adverse affects from logging and other developmental activities. However, restoration, replacement and enhancement of resources injured by the EXXON VALDEZ oil spill present a unique situation. Without passing on the adequacy or inadequacy of existing law and regulation to protect resources, biologist, scientists and other resource specialists agree that, in their best professional judgment, protection of habitat in the spill affected area to levels above and beyond that provided by existing law and regulation will likely have a beneficial affect on recovery of injured resources and lost or diminished services provided by these resources.

4. There is public support for the acquisition of the Lands.

5. The purchase of the Lands and interests in the Lands is an appropriate means to restore a portion of the injured resources and services in the oil spill area.

THEREFORE, we resolve to accept the Seller's proposal to sell The Tahtilek Corporation parcels in a combination of fee simple and conservation easement interests in the Lands consisting of approximately 60,000 acres, and authorize the expenditure of funds,

the exact amount of which will be determined through an appraisal and negotiation process to be completed prior to September 1, 1995, for this acquisition subject to satisfaction of the following conditions:

(a) Completion of an appraisal or appraisals of the Lands conducted at the direction of the Trustee Council and, if so desired by the Seller, an appraisal conducted at the direction of the Seller by June 15, 1995;

(b) Completion of a satisfactory hazardous substance survey;

(c) Compliance with the National Environmental Policy Act;

(d) Completion of a satisfactory title search and assurance that Seller is able to convey fee simple title and conservation easements, as appropriate, by warranty deed or other appropriate instrument to the surface estate for the Lands;

(e) No timber harvesting or further road development will be initiated on the Lands by Seller or Seller's agent or contractor prior to closing, except where indicated by the Seller to the Trustee Council based on contracts in existence on October 30, 1994;

(f) Completion of title search by June 15, 1995;

(g) Title to the Lands to be conveyed in fee shall be conveyed to the State of Alaska or to the United States, subject to terms and conditions as determined in the negotiation process.

(h) Conservation easements on the Lands as identified on the previously referenced map, dated October 20, 1994, shall be conveyed to the State of Alaska or to the United States of America, subject to terms and conditions as determined in the negotiation process.

(i) Other terms, conditions, appraisal guidance, agreements, purchases price and refinements to the land package, that are necessary and appropriate for the successful completion of the wildlife habitat conservation and acquisition through the Exxon Valdez Trustee Council, of lands owned by The Tatitlek Corporation and identified in this Resolution will be considered in the land appraisal and negotiation process and addressed in an approval/ratification resolution to be presented to the Trustee council upon conclusion of the negotiation process.

DATED this ____ day of November, 1994 at Anchorage, Alaska.

PHILLIP JANNICK
Regional Forester
Alaska Region
USDA Forest Service

JOHN A. SANDOR
Commissioner
Alaska Department of
Environmental Conservation

STEVEN PENNOYER
Director, Alaska Region
National Marine Fisheries Service

CARL L. ROSIER
Commissioner
Alaska Department of Fish
and Game

GEORGE FRAMPTON
Assistant Secretary for
Fish, Wildlife and Parks
Department of the Interior

CRAIG TILLERY
Assistant Attorney General
State of Alaska

MOTION ON INVESTMENT OPTIONS

TO ADOPT THE RECOMMENDATIONS OF THE EXECUTIVE DIRECTOR FOR INVESTING TRUSTEE COUNCIL FUNDS IN THE FOLLOWING MANNER:

- TO INVEST THE RESTORATION RESERVE FUND IN STRIP TREASURY SECURITIES WITH LADDERED MATURITIES; AND

- IN ORDER TO MAINTAIN LIQUIDITY YET INCREASE THE RATE OF RETURN, INVEST THE JOINT TRUST FUND BALANCE IN EQUAL AMOUNTS IN THE WEEKLY LIQUIDITY OPTION PORTFOLIO AND THE QUARTERLY LIQUIDITY OPTION PORTFOLIO;

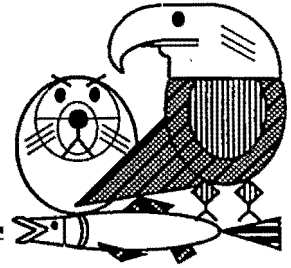
AND TO RE-VISIT THESE INVESTMENT DECISIONS WITHIN SIX MONTHS.

Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 G Street, Suite 401, Anchorage, Alaska 99501-3451

Phone: (907) 278-8012 Fax: (907) 276-7178



MEMORANDUM

To: Trustee Council

From: James R. Ayers
Executive Director

Date: November 1, 1994

Subj: Additional Public Comments on Habitat Protection

Enclosed are public comments regarding Habitat Protection received after October 24, when your packets were sent to you.

jra/raw

Trustee Agencies

State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation

United States: National Oceanic and Atmospheric Administration, Departments of Agriculture and Interior

DEAR COUNCIL MEMBERS,
\$300 MILLION FOR SCIENTIFIC
STUDIES IS ABSURD. \$100 MILLION
HAS BEEN SPENT ALREADY. THAT'S
ENOUGH. THE REMAINING \$200-300 MIL.
SHOULD BE SPENT ON LARGE LAND
ACQUISITIONS AND HABITAT DEVELOP-
MENT.

Sincerely,

M. D. Holt

99501

ANCHORAGE, AK

645 G ST.

ATTN: DEIS COMMENTS

EVDS TRUSTEE COUNCIL



Mathew Disabattino
P.O. Box 417
Gardena, CA 90248

RECEIVED
JUN 01 1994

To the Exxon trustee council

I am a long time Kodiak resident and commercial fisherman

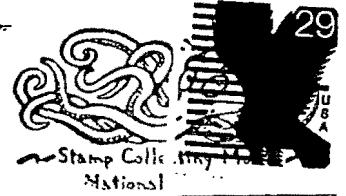
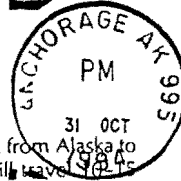
I am writing you concerning what is left of one of the most beautiful, pristine islands in the world. You are the only ones that can save its wonderful streams from sitting in its beautiful lush green mossy beds torn to shreds.

Yes ones they clear cut those three hundred year old trees from the north end of Afognak island, it looks like a atomic bomb had just killed every living thing. The Elk herd has dropped in half, because of lack of habitat, directly resulting from clear cutting. please help us save waterfalls bay, Blue Fox Bay, Red Fox bay.

Sincerely Michael Patitucci

Steller Sea Lions (*Eumetopias jubatus*)
Chiswell Islands, Alaska Marine National Wildlife Refuge,
near Kenai Fjords National Park, Alaska
Photograph by Marty Hoffman

The Steller Sea Lions occupy rocky shores and coastal waters along the Pacific Coast from Alaska to Southern California. They eat a variety of fish, clams, and crabs, for which they will travel miles from shore.



ATT: Exxon Spill Trustee Council -

I understand that the Trustee Council
will be making a decision soon whether
to purchase land in the Kenai Fjords
National Park. I support the purchase
of these lands to ~~secure~~ ^{insure} that the
Park remains whole. It would be sad to
have a lot of the Park shoreline to
no longer be part of the Park.

Sincerely, *Pat Reilly*

Box 1846, Seward AK 99664

Produced by Beautyway, Box 340, Flagstaff, AZ 86002
Cooperative Publisher with Museums, Parks, and Travel Organizations. 007

Printed in Hong Kong

RECEIVED

NOV 01 1994

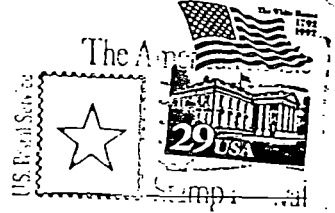
EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL
645 G STREET
ANCHORAGE AK 99501

- Kenai Peninsula Borough
Assembly member - 1992-94
Candidate for State
House District 3 J55

Black Bear (*Euarctos americanus*)

Black Bears, while classed as carnivorous, are actually omnivores. They are found all over Canada, Alaska, in the West down to northern California, in the Rocky Mountains, and throughout most of the East.



Photograph by © Tim Black

Tim Black

Wildlife and scenic photographer Tim Black has photographed subjects from bighorn rams in Canada to orchids in Florida. His images have appeared in *Outdoor America*, *American Forests*, *Sierra Club* calendars, and game and fish publications. He teaches at photo workshops and now lives near Great Smoky Mountains National Park.

Please use any settlement funds
available to the Council from the
restoration to purchase Port Graham
and Nanwalek lands for the
Kenai Fjords National Park service.
Let's keep this area available
for public use!

*G. Michael Pope
1014 Hiyaska
Girdwood, Alaska
99587*

RECEIVED
NOV 01 1994

EXXON VALLEY OIL SPILL
FUND

EVOS TRUSTEE COUNCIL
645 G STREET
ANCHORAGE AK 99501

Produced by **Beautyway**, Box 340, Flagstaff, AZ 86002

Cooperative Publisher with Museums, Parks, and Travel Organizations

Printed in Hong Kong

Harding Icefield and the Gulf of Alaska
Kenai Fjords National Park, Alaska
Photograph by © Susan Pfeifferberger

One of only four remaining icefields in the US, the Harding Icefield crowns Kenai Fjords National Park and is the source of over 35 named glaciers, many of which flow and calve into the Gulf of Alaska. Together the glaciers and icefields cover over 700 square miles. The isolated mountain peaks emerging from the ice are known as *nunataks*, an Eskimo word which means "lonely peaks."

DEAR TRUSTEES,

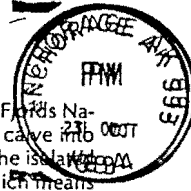
THE LANDS CLAIMED UNDER THE ANCSA ARE A MAJOR PART OF THE COAST LINE OF THE KENAI FJORDS NAT. PARK. THIS LAND MUST HAVE VERY CAREFUL FUTURE MONITORING TO PROTECT ITS FRAGILE ECOLOGY. THE WHOLE PARK WOULD BE AFFECTED BY ITS MISUSE.

PLEASE vote to BUY BACK THIS VITAL COAST WITH THE EXXON RESTORATION FUNDS

Co-Producer Alaska Natural History Association
Post Office Box 1727
Seward, Alaska 99664

Produced by Beautyway, Box 340, Flagstaff, AZ 86002
Cooperative Publisher with Museums, Parks, and Travel Organizations.

301



RECEIVED
NOV 01 1994

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL
645 G STREET
ANCHORAGE AK 99501

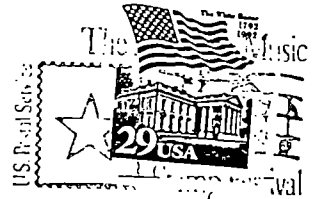
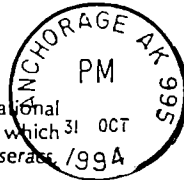


C824

Pederson Glacier
Kenai Fjords National Park, Alaska
Photograph by © Maria Gillett, NPS

10/27/94

Pederson Glacier and Pederson Lagoon are popular among kayakers in Kenai Fjords National Park's Aialik Bay. Fjords are formed as glaciers slowly retreat, carving steep-walled valleys which fill with ocean water. The large blocks of ice at the terminus of the glacier are called seracs, which form as the glacier calves along crevasse systems.

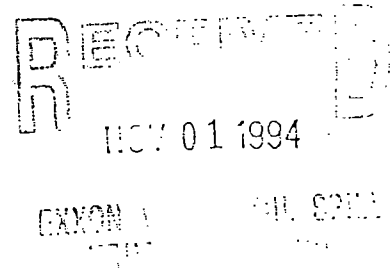


Dear Trustees -

Please purchase the lands in Kenai Fjords National Park from the villages of Port Graham & Nanulak. These lands are an important part of the park & should be preserved in their natural state for generations to enjoy. Please vote for buy back!

Gabriel B. Armstrong PO Box 3646 Seward, AK 99664

Small Prints to Send, Gift, Frame or Hang As Is.



Co-Producer Alaska Natural History Association
Post Office Box 1727
Seward, Alaska 99664

Produced by Beautyway, Box 340, Flagstaff, AZ 86002
Cooperative Publisher with Museums, Parks, and Travel Organi

EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL
645 G STREET
ANCHORAGE AK 99501

Tufted Puffin (*Lunda cirrhata*)
Photograph by John W. Warden

The Tufted Puffin is characterized by the down-curved yellowish tufts hanging behind the eyes. PM
Feeding at sea, this pigeon-sized bird can most often be found perching on a sea cliff.

28 October 94



To Whom This May Concern ..

Please buy back the park. Even in Alaska ... the preservation of land is of paramount importance .. simply because untouched ecosystems CAN NOT be replicated ever ... once they are changed they will always be different species wise, plant wise, Development is inevitable and necessary but be prudent ... this purchase is for the children and the environment ... please ... protect the future.

Sincerely, *Ruth Kaminsky*

Produced by

Beautyway, Box 340, Flagstaff, AZ 86002

Cooperative Publisher with Museums, Parks, and Travel Organizations, 301

POB 10523
Seward, AK. 99664



Do Not Remove This Stamp

RECEIVED

NOV 01 1994

EVOS TRUSTEE COUNCIL
645 G STREET
ANCHORAGE AK 99501

C817

U

Jim Ayers, Executive Director,
EXXON VALDEZ TRUSTEE COUNCIL,
625 "G" Street,
Anchorage AK 99501

October 27th, 1994

FAX: 276-7178

RE: North Afognak Island purchase

Dear Mr. Ayers,

Myself and my family strongly urge you and the council to speed up your purchase proceedings for the North Afognak Island area. This is a valuable area to all the Kodiak Island peoples, the local corporation (AGV) is willing to sell and it has been rated as the best piece of real-estate amongst all parcels rated by the ADF&G Habitat biologists for Exxon Trustee Council. Don't let this go to waste. We need to keep this last piece of Afognak Island pristine.

Yours truly,

Roger Smith

Roger Smith,
P.O. Box 2473
Kodiak AK 99615

U
Jim Ayers, Executive Director
EXXON TRUSTEE COUNCIL,
645 "G" Street,
Anchorage AK 99501

FAX: 276-7178

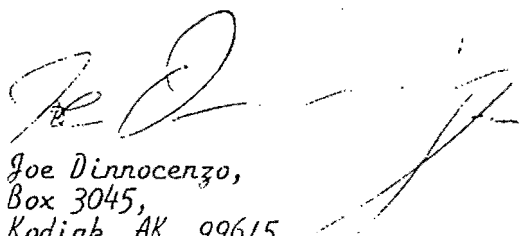
RECEIVED
NOV 01 1994

EXXON VALLEY OIL SPILL
TRUSTEE COUNCIL

Dear Mr. Ayers,

Please give the North Afognak Island the highest priority in your considerations to purchase as soon as possible. It's the most valued piece of our island area and we need to preserve what has not already been logged...2/3 of it has been logged.

Respectfully,


Joe Dinnozenzo,
Box 3045,
Kodiak AK 99615.

FAX: 276-7178

November 26th, 1994

Jim Ayers, Executive Director,
EXXON Trustee Council,
645 "G" Street,
Anchorage AK 99501

RECEIVED
NOV 01 1994

ERSON VALDEZ OIL SPILL
TRUSTEE COUNCIL

RE: N. Afognak Island (Pauls/Laura Lake
& W. Afognak parcel)

Dear Mr. Ayers,

We have hunted and fished on & around Afognak Island for 40 years and there is almost nothing left, that hasn't been logged. The Elk populations are hunting because of the loggers and we want what is left at the north end of the island to remain untouched by chain-saws.

THIS IS A PRIZED AREA OF ALASKA. Please purchase it quickly so no more will be levelled.

Yours truly,

Fern Morton

John Morton

John & Fern Morton,
P.O. Box 44,
Kodiak AK 99615.

25 October 1994

Jim Ayers, Executive Director
EXXON Trustee Council
645 G Street
Anchorage, Alaska 99501

10/21/94

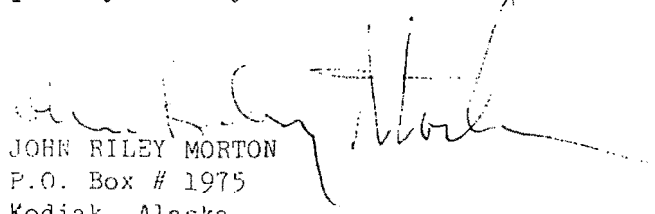
10/21/94

SUBJECT: North Afognak/Pauls & Laura Lake/West Afognak Parcel

Dear Mr. Ayers,

Please consider the purchase of the above mentioned area to protect from future logging operations. It is a damn shame what the logging industry is doing to our beautiful Afognak Island. The closest thing I can compare the damage and discription to is a nuclear blast area or Artillery impact Range. I have lived, hunted and flown in Alaska, mostly Kodiak & Afognak Island all my life. It is really a shame that I will not be able to show my own children, what I was priveleged to see, while growing up here.

Thank you for your consideration in this most important issue.


JOHN RILEY MORTON
P.O. Box # 1975
Kodiak, Alaska

907 486 3635

Oct 26/94

Sam Ayers, Executive Director

Exxon Trustee Council

645 "G" St,

Anchorage, AK 99501

FAX: 276-7178

MR AYERS

Please purchase N. Afognak Island
from the willing sellers (A.T.V). It would
be criminal to allow the balance to be
destroyed when everyone in Faround Kodiak
wants this preserved.

Cordially,
Darlo Dayton
P.O. Box 556
Kodiak AK 99615

Mr. Jim Ayers Executive Director
Exxon Valdez Trustee Council
645 "G" Street
Anchorage AK 99501

Tom Dooley
P.O. Box 2175
Kodiak, AK
99615

Dear Jim

I would like to encourage you to vote for the north abogack parcel of land. to be add to the existing state parks system at Seal Bay & Shuyak Island & Run in conjunction with the National Wild Life Refuge. this would set aside & preserve a lot of Virgin Land & forest for Fishing streams & Deer & Elk wintering grounds. & also help stop the wind erosion in some of the logged of area & help with the natural Reseeding process off the logged off area. I would like to stress the importance of this area as a fish & game area to the people of Alaska

Sincerely
Tom Dooley

November 1, 1994
Box 3080, Kodiak AK
fax 486-6323

Exxon Valdez Settlement Trustee Council

I would like to voice my support for the acquisition of North Afognak. This area was oiled in 1989. The rest of Afognak has been logged. This area has been used for hunting and anadromous fish habitat. Before this area is destroyed by logging please put buy this land and include it in the Afognak State Park.

Also I would like to see Termination Point included in the acquisitions to as it is the only accessible pristine land to the road system for use by day hikers and short term tourists.

Thank You,

Mary Jacobs

Nov. 1

Jim Ayers, EXECUTIVE DIRECTOR
EXXON VALDEZ SETTLEMENT TRUSTEE COUNCIL
625 "C" STREET
ANCHORAGE AK 99501

Jim,

I WRITING YOU ~~RE~~ REGARDING THE ACQUISITION
OF NORTH AFOGNAK BY THE STATE TO BE INCLUDED
AS STATE PARK ALONG WITH SEAL ISLAND AND SHUYAK ISLAND,
I BELIEVE THIS TO BE CRUCIAL FOR GAME HABITAT AND
EQUAL ACCESS TO ALL ALASKANS. I STRONGLY URGE
YOU TO SUPPORT THIS PROPOSAL. THANK YOU.

Malcolm S. Gopher

P.O. BOX 3323

KODIAK AK 99615

Mountain Goat (*Oreamnos am.*)

Photograph by © D. Robert Franz

Occupying steep mountain slopes of the Rocky Mountains into western Canada and south-east Alaska, the Mountain Goat can move along hairline ledges of nearly sheer cliffs with relative ease. Single kids are usually born on narrow ledges in May or June and remain with their mother until next year's young is born.



I AM IN SUPPORT OF BUYING THE LAND
IN KENAI FJORDS NATIONAL PARK FROM
THE PORT GRAHAM AND NANWALEK
VILLAGES.

I HOPE THE COUNCIL WILL VOTE TO
RELEASE THE FUNDS REQUIRED.

ROD PILCH

BOX 92

MOOSE PASS, AK 99631

Small Prints to Send, Give, Frame or Hang As Is.

EVOS TRUSTEE COUNCIL
645 G STREET
ANCHORAGE AK 99501

RECEIVED
OCT 31 1994



Tufted Puffin (*Lunda cirrhata*)
Photograph by John W. Warden

The Tufted Puffin is characterized by the down-curved yellowish tufts hanging behind the eyes. PM
Feeding at sea, this pigeon-sized bird can most often be found perching on a sea cliff.



Please buy back
lands in the Kenai Fjords
National Park. Keep the
park intact! Its beauty
is worth preserving.

Thanks Sandy Stolle

Box 2363

Seward, Ak. 99664

RECEIVED
OCT 31 1994

EVOS TRUSTEE COUNCIL
645 G STREET
ANCHORAGE AK 99501

Small Prints to Send, Give, Frame or Hang

Produced by Beautyway, Box 340, Flagstaff, AZ 86002
Cooperative Publisher with Museums, Parks, and Travel Organizations. 301

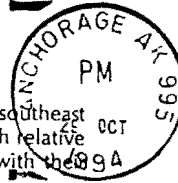


C817

Mountain Goat (*Oreamnos americanus*)

Photograph by © D. Robert Franz

Occupying steep mountain slopes of the Rocky Mountains into western Canada and southeast Alaska, the Mountain Goat can move along hairline ledges of nearly sheer cliffs with relative ease. Single kids are usually born on narrow ledges in May or June and remain with the mother until next year's young is born.



Please use oil restoration
money to buy back native
selected lands of Kenai
National Park
Fjords for habitat
restoration and preservation.
Please buy back all the
native selected land in a
comprehensive package with
NO conditions! *Shannon Skibben*
Seward Resident

RECEIVED
OCT 31 1994
EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

Small Prints to Send, Give, Frame or Hang As Is.

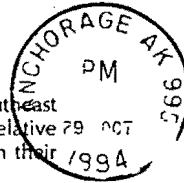
EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL
645 G STREET
ANCHORAGE AK 99501

Produced by Beautyway, Box 340, Flagstaff, AZ 86002
Cooperative Publisher with Museums, Parks, and Travel Organizations.

Mountain Goat (*Oreamnos americanus*)

Photograph by © D. Robert Franz

Occupying steep mountain slopes of the Rocky Mountains into western Canada and southeast Alaska, the Mountain Goat can move along hairline ledges of nearly sheer cliffs with relative ease. Single kids are usually born on narrow ledges in May or June and remain with their mother until next year's young is born.



Please set aside money
to buy back lands in
the Kenai Fjords National
Park.

Frame or Hang As Is.

OCT 12 1994
EVOS TRUSTEE COUNCIL
645 G STREET
ANCHORAGE AK 99501

Jeffrey M. ...
PO Box 2363
Seward

RECEIVED
OCT 31 1994



Produced by Beautyway, Box 340, Flagstaff, AZ 86002
Cooperative Publisher with Museums, Parks, and Travel Organizations.

209

C803

Dear folks,

Oct 27, 1991

My name is Helen Mathias
and I don't want the land
around Resurrection Bay to change

Keep the park land as park
land - so theres no more
oil floating on our water!

Building a new dock and
putting in Marine Agriculture
will foul the ecology, plants.

Not to mention the Sealife
Center or illegal barge dumping.

Keep us clean for the
animals, tourist and resi-
dents here be it air, land
or water. PLEASE.

Seward, Ak
99664-2424

Hopefully,
H. Mathias

Horned Puffin (*Fratecula corniculata*)

These pigeon-sized birds are found on sea cliffs and rocky or grass-covered islets and rocks where they feed from the nearby cold ocean waters.

Photograph by © John Warden

John Warden

John Warden is a professional nature photographer based in Alaska. His award-winning photographs have appeared in over 100 magazines and textbooks worldwide.



I'm writing to you demonstrating
my support of the land buy back
program presented by Kenai Fjords
National Park. The Park and
access to it are central
to the Seward economy.

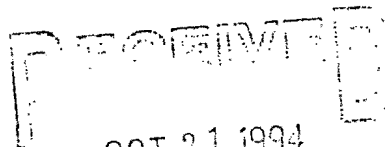
Please vote for purchasing
land to secure a prudent
management plan for Kenai Fjords
Nat'l Park.

Mark Anderson P.O. Box 2595
Seward AK

Produced by Beautyway, Box 340, Flagstaff, AZ 86002

Cooperative Publisher with Museums, Parks, and Travel Organizations.

ive, Frame or Hang As Is.



OCT 31 1994

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL
645 G STREET
ANCHORAGE AK 99501



99664

C816

Temporary address

Box 1040
Kurtstawn, HI 96760

Home address

Oct. 25, 1994
11695 Mendenhall Loop
Juneau, AK 99801

To: Trustees Council, Jim Agers, Director
645 "H" St. Anchorage, AK 99501

This is to urge you, Mr. Agers, and
the Council (Exon Valley Settlement
Council) to purchase All of North
Afognak Island. It is of highest
biologically rated area in that vicinity.

Also, of great importance are the
areas near Cordova such as Port
Gravina, Sheep Bay, Simpson Bay.
It is important that all of Eyak
Timber Rights be purchased.

Thank you for all you have done
already to save some of our great
Treasures.

Please copy my letter for other
Council members, as I am flat on
my back (with a broken back I
can't easily write now)

Ellin London
82 Pound Ridge Road
Pound Ridge, N.Y. 10576-1631
October 27, 1994

Mr. Jim Ayers
Executive Director
Exxon Settlement Trustee Council
645 "G" Street
Anchorage, AK 99501

Dear Mr. Ayers:

Please contact the Exxon Valdez Trustee Council and ask them to buy all of North Afognak in order to safeguard popular hunting grounds, important salmon rearing areas, and critical wildlife habitat. The Pauls and Laura Lakes area...contains the finest remaining stands of timber of Afognak Island and is home to marbled murrelets, bald eagles, elk, prodigious salmon runs, and the Kodiak brown bear.

Sincerely,

Ellin London

Mrs. Robert London

RECEIVED

OCT 31 1994

EXHIBIT
100000

U

October 26, 1994

RECEIVED
OCT 31 1994

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

Jim Ayers, Executive Director
Exxon Valdez Settlement Trustee Council
645 "G" Street
Anchorage, Alaska 99501

Dear Mr. Ayers,

As a 32-year resident of the State, I have seen too much deforestation in the name of progress. Thankfully people like you and fellow trustees are attempting to hold the line in Southcentral Alaska. Perhaps there is still time to advocate buying timber rights to Eyak Corporation lands near Cordova: Sheep and Simpson Bays, and Port Gravina specifically.

Also brought to my attention is the rape of North Afognak Island. Hopefully, we can preserve beauty and the eco-system for animal life as well as any progeny I might have.

Please advise fellow Settlement Trustees of my feelings.

Sincerely,
Rosalie Tupper
4088 West Hill Road
Homer, Alaska 99603

533 E. Fireweed Ave.
Palmer, AK 99645

October 26, 1994

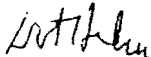
Exxon Valdez Oil Spill Trusteeship Council
645 G Street
Anchorage, AK 99501

Dear Sirs/Madams:

I would like to support the buy back of Native lands within Kenai Fjords National Park. These include some coastal areas between Aialik Bay and Nuka Bay that had been impacted by the Exxon Valdez oil spill. If these lands were placed under the National Park management, it would ensure the management integrity of the coast line for any restoration work needed or future monitoring.

The Kenai Fjords area offers relatively unique opportunities for studying vegetation colonization and development after disturbances – knowledge that could be useful in understanding potential responses to other disturbances or global change. I am a University of Alaska Fairbanks faculty member who has been working on vegetation colonization and succession in the Kenai Fjords area since 1991.

Sincerely,



Dot Helm

RECEIVED

OCT 31 1994

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

PHONE COMMENT LOG

Name	Affiliation	Phone	Address
An unidentified woman from Seward left a voice mail message			

Add to mailing list? Yes ☐ No ☐ Newsletters only ☐ Technical Docs + ☐

Date of call: 10/31/94 Talked to: Sandra

Subject of comments: Habitat Acquisition

Comments:

Supports park buy-back for Kenai Fjords using restoration money to buy back land from Natives so can't be developed. Should be a comprehensive package with no conditions.

OCTOBER 26 '94

RECEIVED
OCT 21 1994

JIM MYERS

EXECUTIVE DIRECTOR

EXXON VALDEZ SETTLEMENT TRUSTEE COUNCIL

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

I, DAVID P. HOLLIS, ENCOURAGE YOUR
COUNCIL TO PURCHASE AREAS OF
SHUYAK AND NORTH AFOGNAK ISLANDS
FOR USE AS A STATE GAME REFUGE.

THESE LANDS ARE IMPORTANT WILDLIFE
HABITAT THAT SHOULD REMAIN FREE
FROM LARGE SCALE CLEARCUT LOGGING.

SINCERELY,

David P. Hollis

P.O. Box 73426

FAIRBANKS, AK 99707

PHONE COMMENT LOG

Name	Affiliation	Phone	Address
Rae Elde		333-7068	6413 Colgate Dr. Anchorage, AK 99504

gave to Jew. → Add to mailing list? Yes ☒ No ☐ Newsletters only ☒ Technical Docs + ☐

Date of call: 10/31/94 Comment taker: LG Evans

Subject of comments: Habitat Acquisition in Kenai Fjords National Park.

Comments: Would like to see purchase of inholdings in Kenai Fjords National Park go forward. Park provides service to all Americans. Mrs Elde used to work in the park and thinks it is of high value.

PHONE COMMENT LOG

Name	Affiliation	Phone	Address
Helen Mathias		224-5361	
Seward			

Add to mailing list? Yes ☐ No ☒ ^{already on mailing list} Newsletters only ☐ Technical Docs + ☐

Date of call: 10/31/94 Comment taker: LJ Evans

Subject of comments: Habitat Acquisition in Kevai Fjords
Natl Park

Comments:

Supports buyback of native holdings
in Kevai Fjords National Park.

PHONE COMMENT LOG

Name	Affiliation	Phone	Address
Leyman Nichols		595-1224	Box 783 Cooper Landing, AK 99572

Add to mailing list? Yes ☒ No ☐ Newsletters only ☐ Technical Docs + ☒

Date of call: 10/31/94 Comment taker: J. Evans

Subject of comments: Habitat Acquisition in Kenai Fjords
National Park

Comments: Called in support of buying back lands
in Kenai Fjords. Thinks it would be tragic to
lose those scenic lands to logging.

PHONE COMMENT LOG

Name	Affiliation	Phone	Address
Don Holland		224-5238	P.O. Box 2147 Seward, AK 99669

Add to mailing list? Yes ☒ No ☐ Newsletters only ☒ Technical Docs + ☐

Date of call: 10/31/94 Comment taker: LG Evans

Subject of comments: Habitat acquisitions in Kenai Fjords
National Park

Comments: Calling in support of Trustee Council buy back
of private land in holdings in Kenai Fjords
National Park.

Rae Elde -
called in support
of Habitat Acquisitions
in Kenai Fjords
Park.

333-9068

Adventures and Delights
Equipment, Experience, and Service for the Traveler
Adventures & Delights Eco-Tours
Kayak Rentals for the Experienced Coastal Kayaker
Alaskan Coastal Kayaking School
414 "K" Street
Anchorage, Alaska 99501-2016
(907) 276-8282 Voice, or (907) 278-6058 Fax

October 31, 1994

Exxon Valdez Oil Spill Trustee Council
645 "G" Street
Anchorage, Alaska 99501

Dear Council:

We operate eco-sensitive tours by kayak touring the Kenai Fjords. The presence of wilderness is extremely important to these tours.

Adventures & Delights Eco Tours is the only wholly eco-centric tour and instruction provider operating from Seward into the coastal areas of Kenai Fjords National Park. We utilize human powered craft and practice leave-no-trace outdoor procedures. We have been commended by the eco-tourism community for our outdoor practice and education. We provide outfitting, wilderness guides and logistical support for other tour operators seeking to enter the area with their clients. These companies also highly value wilderness for their clients.

If the wilderness impression of Kenai Fjords National Park is compromised our clients will not be interested in the area for wilderness touring.

Our economic value to the Seward community was approximately \$151,000 in 1994, up from 108,000.00 in 1993.

Loss of wilderness coastal areas in the Kenai Fjords National Park will have an immediate and severe impact on our company, on the City of Seward and on the tourist income of the State of Alaska.

Eco-tourist traffic is recovering from the negative publicity of the Exxon spill. If the coastal areas of Kenai Fjords National Park lose their wilderness appearance and feel we will be moving our guests to more remote areas.

I strongly urge you to deal with the threat to these coastal area and move to protect them by re-inclusion within the National Park System through any means available to you.

Sincerely,



JAMES L. VERMILLION
Founder

Adventures and Delights

PHONE COMMENT LOG

Name	Affiliation	Phone	Address
Anonymous			SEWARD

Date of initial contact with EVOS: 10/27/94 Talked to: J. LAWRENCE

Comments:

HE SUPPORTED BUY BACK OF KENAI FISHERIES, ENGLISH BAY & PORT GRAHAM

DATE: 31-Oct-94

TO: Jim Ayers
Executive Director, Exxon Trustee Council
645 'G' street
Anchorage, Ak. 99501

FROM: Tim Joyce
P.O.Box KKB
Kitoi Bay
Kodiak, AK. 99697

Dear Mr. Ayers:

I support utilizing the Exxon Trustee Council funds to purchase additional land on Afognak Island to be placed in the existing Afognak state park. Afognak Island is unique in its biological diversification. The current land owners are willing to sell their land which is contiguous with the existing state park. The additional land joined to the state park would provide for more opportunities for tourism and outdoor recreation which otherwise might be lost.

Sincerely,



Tim Joyce

PHONE COMMENT LOG

Name	Affiliation	Phone	Address
Doris Cabana		235-6081	
Box 607			From large commercial fishing family in Lower Cook Inlet
Homer, AK 99603			

Date of call: 10/28/94 Talked to: LG

Subject of comments: Opposed to Habitat Protection purchases in Kenai Fjords

Comments:

Trustee Council is buying too much native lands on outer district between Seward and Homer. If so much land goes into the Park system, the Park Service can take fishing rights away.

Instead do things to help shores & marine life injured by the spill. Do things to help the fishery.

Especially concerned if they do buy native lands to make them part of Nat'l Park, the Park Service will prohibit fishing off the park lands and will prohibit fishermen landing on shore to check streams.

This family has made no profit fishing since 1988.

Comment taker: _____

PHONE COMMENT LOG

Name	Affiliation	Phone	Address
Jim Johnson		561-0160	2201 WEST 56 TH AVE APT 1

Anc Ak 99507

Date of call: 10.28.94 Talked to: Sherri Womas

Subject of comments: Elognak parcels

Comments:

Mr. Johnson was ^{recently} on Elognak Island and noticed a fair amount of logging in central Elognak.

We wanted to remind the Trustees of the 2 parcels on North Elognak Island

Comment taker: Sherri Womas

Dear Members of the Exxon Valdez Oil Spill Trustee Council,

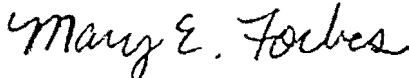
I am writing on behalf of the Kodiak Audubon Society. We are a group of about 80 citizens who advocate environmental education and responsible resource management.

We would like to thank you for your continued work toward habitat acquisition. We believe habitat protection is the most efficient way to aid recovery of the resources injured by the Exxon Valdez oil spill.

As you know, much of Afognak Island is rapidly being destroyed by clear cut logging practices. We would like to see as much Afognak land permanently protected as possible. The Pauls and Laura Lakes area would be an excellent addition to the newly created Afognak Island State Park. This combined parcel would enhance resource recovery as well as provide both local citizens and tourists with a prime recreation area.

We hope you will be able to successfully work with Afognak Joint Venture and provide protection for the Pauls and Laura Lakes area.

Sincerely,

A handwritten signature in cursive script that reads "Mary E. Forbes".

Mary E. Forbes
President, Kodiak Audubon Society

To The EVOS Trustees:

Please do another com-
prehensive deal:

Eyak, Afognak, and
Kenai Fjords!

Thanks—

Kachemak Bay Con-
servation Society

Oct 26, 1994

Post-It™ brand fax transmittal memo 7671		# of pages 1
To	Jim Ayers	From Carolyn May
Co.	Exxon Trustco Corp	Co. Joseph Van Os
Dept.		Phone # 206-463-5386
Fax # 907-276-7178		Fax # 206-463-5484

October 29, 1994

Jim Ayers, Excc. Director
Exxon Trustco Council
645 G Street
Anchorage AK 99501

RE: North Afognak Island

Dear Sir,

We are writing you to urge you to do everything possible to preserve the wilderness of North Afognak Island. We have sent several groups of amateur photographers to Afognak Wilderness Lodge on Seal Bay. Each group has gone home praising the pristine beauty of this area. Its bays, shores and woods are a haven for unique flora and fauna which our photographers delight in preserving on film.

Mr. Van Os, owner of Joseph Van Os Photo Safaris and a worldwide nature photographer, has proclaimed Afognak Island as one of the most beautiful places on earth. This from a man who has traveled extensively the world over.

We all urge you to speedily purchase the proposed land on North Afognak Island to keep it from being logged.

Thank you for your help in this matter.

Sincerely yours,

Carolyn May

Carolyn May
Office Manager and
Director of North American Operations



JOSEPH VAN OS PHOTO SAFARIS

P.O. Box 655, Vashon Island, Washington 98070 (206)463-5383 FAX (206)463-5484

October 29, 1994

Jim Ayers, Exec. Director
Exxon Trustee Council
645 G. Street
Anchorage AK 99501

RE: North Afognak Island

Dear Sir,

We are writing you to urge you to do everything possible to preserve the wilderness of North Afognak Island. We have sent several groups of amateur photographers to Afognak Wilderness Lodge on Seal Bay. Each group has gone home praising the pristine beauty of this area. Its bays, shores and woods are a haven for unique flora and fauna which our photographers delight in preserving on film.

Mr. Van Os, owner of Joseph Van Os Photo Safaris and a worldwide nature photographer, has proclaimed Afognak Island as one of the most beautiful places on earth. This from a man who has traveled extensively the world over.

We all urge you to speedily purchase the proposed land on North Afognak Island to keep it from being logged.

Thank you for your help in this matter.

Sincerely yours.

Carolyn May
Office Manager and
Director of North American Operations



JOSEPH VAN OS PHOTO SAFARIS
P.O. Box 622, Vashon Island, Washington 98070 (206)463-5583 FAX (206)463-5484

Kristine M. Vangstad

Tmi Mulick

Janie Taylor

Steve Hilsen

Michelle Devine

Stephen Boyd

Robbie Kaplan

Gary Dearth

Jim Henry

October 30, 1994
Exxon Valdez Oil Spill Trustee Council
645 G Street
Anchorage, AK 99501

Trustee Council,

I'm writing to the Exxon Valdez Oil Spill Council to implore them to use the oil settlement funds to acquire threatened habitat from willing private landowners. The following list are priority habitat acquisitions that we would like to be seen set aside for future generations to enjoy:

1. The Port Gravina/ Orca Bay; The old growth forests of eastern Prince William Sound near Cordova provide exceptional habitat for spill-injured species and support high value wilderness recreation and tourism.
2. Port Fidalgo; On-going logging activities here threaten the densely forested habitat along sheltered bays near Valdez and Tatitlek.
3. Knight Island Passage; Rugged mountainous island with intimate bays support growing wilderness recreation/tourism use and provide habitat for spill impacted species such as killer whales, harbor seals, bald eagles and salmon.
4. Kenai Fjords National Park; One of Alaska's crown jewels, the heart of this rugged coastline is threatened by logging and development on private lands within the park.
5. Port Chatham; This is the last stretch of intact forest habitat along the tip of the outer Kenai Peninsula coast.
6. Shuyak Straits; The Sitka spruce forest on northern Afognak is home to marbled murrelets, salmon, brown bear, elk and deer. The Shuyak Straits are a highly productive aquatic environment, a virtual "maritime interstate highway" for marine life.
7. Kodiak National Wildlife Refuge; Although logging poses no threat here, other proposed development activities would jeopardize prime brown bear habitat and other wildlife values.

The following people would like the Exxon Valdez Oil Spill Trustee Council to review the above listed areas to set aside using the Exxon settlement money.
Thank you,

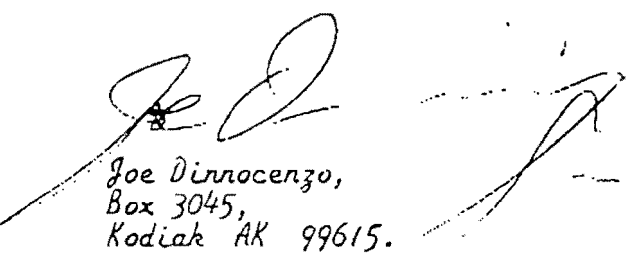
Jim Ayers, Executive Director
EXXON TRUSTEE COUNCIL,
645 "G" Street,
Anchorage AK 99501

FAX: 276-7178

Dear Mr. Ayers,

Please give the North Afognak Island the highest priority in your considerations to purchase as soon as possible. It's the most valued piece of our island area and we need to preserve what has not already been logged...2/3 of it has been logged.

Respectfully,



Joe DiNocenzo,
Box 3045,
Kodiak AK 99615.

LIGHTFOOT INC.
KEN KNOWLES
P.O. Box 1934
KODIAK, ALASKA 99615
(907) 486-6229 FAX (907) 486-6228

JOB _____
SHEET NO. _____ OF _____
CALCULATED BY _____ DATE _____
CHECKED BY _____ DATE _____
SCALE _____

OCTOBER 30, 1994

Exxon Valdez Trustee Council
Jim Ayers - Executive Director

FAX 776-7178

Dear Mr. Ayers

I am writing you on behalf of those of us interested in preserving North Adognack Island, especially Pauls & Thomas Lakes Areas, and to petition the Trustee Council to purchase these lands to protect them from logging operations. Also of interest are Port Gravina, Sheep Bay and Simpson Bay near Cordova.

Please help us to protect these valuable areas within the spill-affected area. These are high value fish, wildlife and recreational areas that are needs to be protected. Thank you in advance for your efforts in this matter. We appreciate your efforts thus far in helping to protect our areas.

Sincerely,

Ken Knowles

25 October 1994

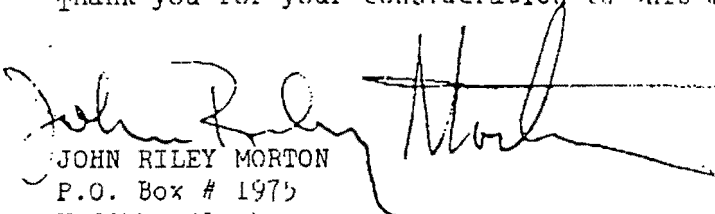
Jim Ayers, Executive Director
EXXON Trustee Council
645 G Street
Anchorage, Alaska 99501

SUBJECT: North Afognak/Pauls & Laura Lake/West Afognak Parcel

Dear Mr. Ayers,

Please consider the purchase of the above mentioned area to protect from future logging operations. It is a damn shame what the logging industry is doing to our beautiful Afognak Island. The closest thing I can compare the damage and discription to is a nuclear blast area or Artillery impact Range. I have lived, hunted and flown in Alaska, mostly Kodiak & Afognak Island all my life. It is really a shame that I will not be able to show my own children, what I was privelged to see, while growing up here.

Thank you for your consideration in this most important issue.



JOHN RILEY MORTON
P.O. Box # 1975
Kodiak, Alaska

907 486 3635

October 27th, 1994

Jim Ayers, Executive Director,
EXXON VALDEZ TRUSTEE COUNCIL,
625 "G" Street,
ANCHORAGE AK 99501

FAX: 276-7178

RE: North Afognak Island purchase

Dear Mr. Ayers,

Myself and my family strongly urge you and the council to speed up your purchase proceedings for the North Afognak Island area. This is a valuable area to all the Kodiak Island peoples, the local corporation (AGV) is willing to sell and it has been rated as the best piece of real-estate amongst all parcels rated by the ADF&G Habitat biologists for Exxon Trustee Council. Don't let this go to waste. We need to keep this last piece of Afognak Island pristine.

Yours truly,

Roger Smith

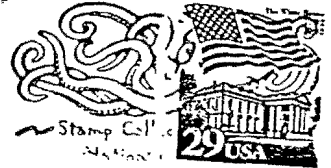
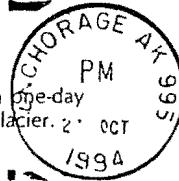
Roger Smith,
P.O. Box 2473
Kodiak AK 99615

Holgate Arm

Kenai Fjords National Park, Alaska

Photograph Courtesy National Park Service

Holgate Arm, located on the west side of Aialik Bay, is a destination for visitors on one-day wildlife boat trips. This glacier, unnamed, is seen by visitors on the way to Holgate Glacier. 2 OCT 1994



Oct. 27, 1994

I support the Kenai Fjords National Park

buyback of native selected lands in Kenai Fjords National Park. This is wilderness land in the heart of the park and should be maintained in its present protected status.

Thank you,
Kevin Walker

Co-Producer

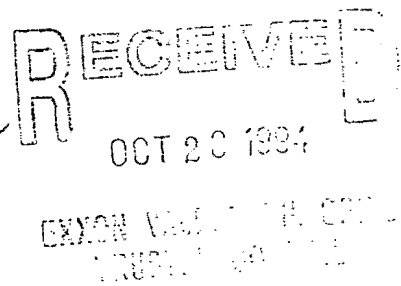
Alaska Natural History Association
Post Office Box 1727
Seward, Alaska 99664

Produced by

Beautyway, Box 340, Flagstaff, AZ 86002

Cooperative Publisher with Museums, Parks, and Travel Organizations.

Printed in Hong Kong



EVOS TRUSTEE COUNCIL
645 G STREET
ANCHORAGE AK 99501

FAX: 276-7178

November 26th, 1994

Jim Ayers, Executive Director,
EXXON Trustee Council,
645 "G" Street,
Anchorage AK 99501

RE: N. Afognak Island (Pauls/Laura Lake
& W. Afognak parcel)

Dear Mr. Ayers,

We have hunted and fished on & around Afognak Island for 40 years and there is almost nothing left, that hasn't been logged. The Elk populations are hunting because of the loggers and we want what is left at the north end of the island to remain untouched by chain-saws.

THIS IS A PRIZED AREA OF ALASKA. Please purchase it quickly so no more will be levelled.

Yours truly,

Fenn Morton

John Morton

John & Fenn Morton,
P.O. Box 44,
Kodiak AK 99615.

Mountain Goat (*Oreamnos americanus*)

Photograph by © D. Robert Franz

Occupying steep mountain slopes of the Rocky Mountains into western Canada and southeast Alaska, the Mountain Goat can move along hairline ledges of nearly sheer cliffs with relative ease. Single kids are usually born on narrow ledges in May or June and remain with their mother until next year's young is born.



Please purchase land within
the KENAI from Port
Graham and Nanwalek
natives.

Thank you.
Sharon Sevin
Seward, Ak.

Small Prints to Send, Give, Frame or Hang As Is.

RECEIVED

OCT 20 1984

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

Produced by Beautyway, Box 340, Flagstaff, AZ 86002
Cooperative Publisher with Museums, Parks, and Travel Organization

EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL
645 G STREET
ANCHORAGE AK 99501

Holgate Arm

Kenai Fjords National Park, Alaska

Photograph Courtesy National Park Service

Holgate Arm, located on the west side of Aialik Bay, is a destination for visitors on one-day wildlife boat trips. This glacier, unnamed, is seen by visitors on the way to Holgate Glacier.



Save the whales, seals,
birds, goats, eagles,
dolphins, glaciers, etc.
Let's leave this land
untouched in its most
beautiful state.

Kenai Fjords
National Park



Aialik Bay

Small Prints to Send, Give, Frame or Hang As Is.



Thank you for
your support.

Co-Producer

Alaska Natural History Association

Post Office Box 1727

Seward, Alaska 99664

Produced by

Beautyway, Box 340, Flagstaff, AZ 86001 P.O. 375
Cooperative Publisher with Museums, Parks, and Travel Organizations.

Jeannette Kins
Seward AK
99664

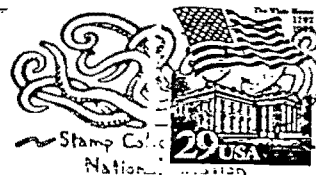
EVOS TRUSTEE COUNCIL

645 G STREET

ANCHORAGE AK 99501

Tufted Puffin (*Lunda cirrhata*)
Photograph by John W. Warden

The Tufted Puffin is characterized by the down-curved yellowish tufts hanging behind the eyes. Feeding at sea, this pigeon-sized bird can most often be found perching on a sea cliff.



Dear Council—

I urge you to purchase the native lands to protect the shores of our pristine Kenai Fjords Park lands. I would be devastated to see any of these areas logged. I would like to thank you in advance for purchasing these lands from the villages of Port Graham and Namwalek.

Susan M. Kaanta
P.O. Box 224
Seward, AK 99664

Small Prints to Send, Give, Frame or Hang As Is.

Exxon Valdez Oil Spill
Committee
645 G Street
Anchorage, AK
99501

RECEIVED
OCT 28 1994

EVOS TRUSTEE COUNCIL
645 G STREET
ANCHORAGE AK 99501

Moose (*Alces alces*)

Photograph by © William Breed

The largest deer in the world, moose are solitary in summer but may gather in small groups to feed on willows and aquatic vegetation near streams and lakes.



We support designating dollars to purchase native selected lands in Kenai Fjords National Park. The Park is the driving force behind the growing tourism industry in Seward. As a 16 yr resident of Seward we have seen the benefits of tourism economics. One of the most positive aspects is full employment of our young people - in good jobs that build experience & college entrepreneurial funds. New careers at home have been offered.

Keeping the Park whole means keeping the Park alive. NPS has been a good steward.

RECEIVED
OCT 28 1994

EVOS TRUSTEE COUNCIL
645 G STREET
ANCHORAGE AK 99501

EVOS TRUSTEE COUNCIL
645 G STREET
ANCHORAGE AK 99501



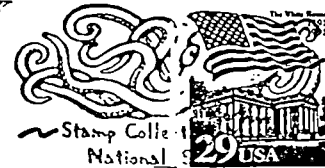
WB1

Cooperative Publisher with Museums, Parks, and Travel Organizations.

Produced by Beautyway, Box 340, Flagstaff, AZ 86002
Madelyn & Dan Walker 224-3848 Box 112 Seward 99664

Tufted Puffin (*Lunda cirrhata*)
Photograph by John W. Warden

The Tufted Puffin is characterized by the down-curved yellowish tufts hanging behind the eyes.
Feeding at sea, this pigeon-sized bird can most often be found perching on a sea cliff.



Gentlemen -

Please purchase the land in
Kenai Fjords National Park from the
Villages of Port Graham and Nanwalek.

We need to keep the park whole
under ONE OWNERSHIP. Thank you!
GPilch

GWYNNE PILCH

PO Box 145

SEWARD, AK 99664

288-3149 residence

Small Prints to Send, Give, Frame or Hang As Is.

SEND TO:

RECEIVED

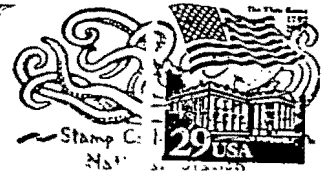
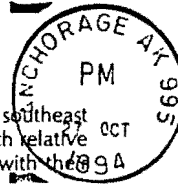
OCT 20 1994

EVOS TRUSTEE COUNCIL
645 G STREET
ANCHORAGE AK 99501

Mountain Goat (*Oreamnos americanus*)

Photograph by © D. Robert Franz

Occupying steep mountain slopes of the Rocky Mountains into western Canada and southeast Alaska, the Mountain Goat can move along hairline ledges of nearly sheer cliffs with relative ease. Single kids are usually born on narrow ledges in May or June and remain with the mother until next year's young is born.



Please purchase the land
in Kenai Fjords National
Park from the villages of
Port Graham & Manwalek.

Thank you

Barbara Hilderbrand
PO Box 3124
Seward, AK 99664

Small Prints to Send, Give, Frame or Hang As Is.

EVOS TRUSTEE COUNCIL
645 G STREET
ANCHORAGE AK 99501

RECEIVED
OCT 20 1994

EXXON VALDEZ OIL SPILL



Produced by Beautyway, Box 340, Flagstaff, AZ 86002
Cooperative Publisher with Museums, Parks, and Travel Organizations.

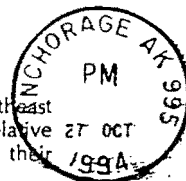
209

C803

Mountain Goat (*Oreamnos americanus*)

Photograph by © D. Robert Franz

Occupying steep mountain slopes of the Rocky Mountains into western Canada and southeast Alaska, the Mountain Goat can move along hairline ledges of nearly sheer cliffs with relative ease. Single kids are usually born on narrow ledges in May or June and remain with their mother until next year's young is born.



I feel strongly about the buying back of the Kenai Fjords National Park's land from the villages of Port Graham & Nanwalek. I believe that the economy of Seward would be threatened by the taking away of some tourist attractions. Please know that there is great support behind the buying back of this land.

Thankyou &
good luck!

Peace,
Angela Williams

Small Prints to Send: Give, Frame or Hang As Is.

EVOS TRUSTEE COUNCIL
645 G STREET
ANCHORAGE AK 99501

RECEIVED
OCT 23 1994

EXXON VALDEZ OIL SPILL
COUNCIL



Produced by Beautyway, Box 340, Flagstaff, AZ 86002
Cooperative Publisher with Museums, Parks, and Travel Organizations.

209

0 96787 10803 9

C803

Mountain Goat (*Oreamnos americanus*)

Photograph by © D. Robert Franz

Occupying steep mountain slopes of the Rocky Mountains into western Canada and southeast Alaska, the Mountain Goat can move along hairline ledges of nearly sheer cliffs with relative ease. Single kids are usually born on narrow ledges in May or June and remain with their mother until next year's young is born.



TO WHOM IT MAY CONCERN,

PLEASE CONSIDER THE ACQUISITION
OF LAND WITHIN THE HENAI FORD
NATIONAL ADST FROM THE VILLAGES OF
PORT GRAHAM AND NANTWIST. AS THIS LAND IS IN THE
INTEREST OF THE ENTIRE NATION!!

Small Payments to Service Give, Frame or Hang As Is.

RECEIVED
OCT 28 1994

EXXON VALDES OIL SPILL
TRUSTEE COUNCIL

STEVEN P. LAFLETTE
Box 936 - 99664

EVOS TRUSTEE COUNCIL
645 G STREET
ANCHORAGE AK 99501

Produced by Beautyway, Box 340, Flagstaff, AZ 86002
Cooperative Publisher with Museums, Parks, and Travel Organizations. 2

Box 1636, Seward, Alaska 99664

Mountain Goat (*Oreamnos americanus*)

Photograph by © D. Robert Franz

Occupying steep mountain slopes of the Rocky Mountains into western Canada and southeast Alaska, the Mountain Goat can move along hairline ledges of nearly sheer cliffs with relative ease. Single kids are usually born on narrow ledges in May or June and remain with their mother until next year's young is born.

Greetings, I am writing to encourage you to purchase 4 particular parcels:
Numbers ASV 03 or Pauls/Laura lake; KON 04 or Karluk River; TTG 01 or Upper Aialik; ENB 03 or North Arm Nuka Bay. The Karluk River and Pauls/Laura parcels support major salmon runs. The Pauls/Laura parcel is close to the Seal Bay parcel already purchased and could be co-managed with it. The Pauls/Laura parcel is prime elk habitat + is being threatened by logging. The Karluk River parcel has some of the finest brown bear habitat remaining in the world. 2 cabins have already been built in this area since it's selection by the native corporation, a bear viewing program was initiated this summer (1994) by the native corporation and a lodge and airstrip is planned. Please purchase this parcel so that the public can access this land, not through organized bear observation programs (native + USFWS concessionaire) that are expensive + almost prohibitive in cost. I am very familiar with both the Pauls/Laura and Karluk parcels. I have spent all or part of 9 summers in the Karluk area and part of 3 summers in the Pauls/Laura area.

The Upper Aialik and North Arm Bay parcels are integral parts of Kenai Fjords National Park. I would very much like to see all of the park land purchased as this maintains the integrity of the park as it was originally designated and intended. This also allows for easier as well as consistent land management practices if this land is kept all park land.

Thank you for your time. Good luck in the difficult choices before
Produced by Beautyway, Box 340, Flagstaff, AZ 86002

Cooperative Publisher with Museums, Parks, and Travel Organizations. 209

you and thanks very much for all your efforts as members of the Trustee Council. They are appreciated. Sincerely, Mark Kansteiner. *Mark Kansteiner*



TO: EVOS TRUSTEE COUNCIL
645 G STREET
ANCHORAGE, ALASKA
99501

RECEIVED
OCT 20 1994

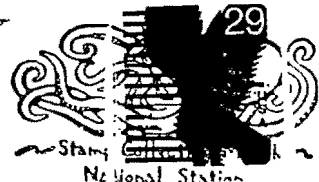
EVOS TRUSTEE COUNCIL
645 G STREET
ANCHORAGE AK 99501



C803

Tufted Puffin (*Lunda cirrhata*)
Photograph by John W. Warden

The Tufted Puffin is characterized by the down-curved yellowish tufts hanging behind the eyes. Feeding at sea, this pigeon-sized bird can most often be found perching on a sea cliff.



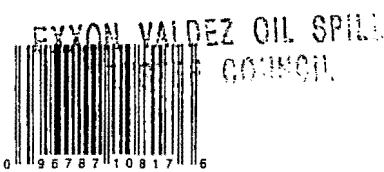
Council Members:

In order to restore ecological balance to Kenai Fjords National Park, I believe that all of the land that will be turned over to the villages of Port Graham and Umanak should be purchased by the National Park Service and made part of the Kenai Fjords National Park. Please use money set aside in the Oil Spill Restoration Fund for this purpose.

name or hang as is.

EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL
645 G STREET
ANCHORAGE AK 99501

RECEIVED
OCT 23 1994



Thank you,
Stirrat H Clark
10/27/94 224-3825/8652
Produced by Beautyway, Box 340, Flagstaff, AZ 86002
Cooperative Publisher with Museums, Parks, and Travel Organizations. 301

C817

Campbell's Glen

Bed & Breakfast

Keith and Jackie Campbell, P.O. Box 722, Seward, Alaska 99664

Telephone & Fax (907) 224-5631

10/26/94

To whom it may concern:

Having been in the tourist business of the past 3 years, I wanted to tell you how important the park is to the entire state. People who have stayed here have raved about the park, Kenai Fjords, that is, not Denali. It would be such a shame to let any area of the park slip. Buy it now and not be sorry 20 years from now.

Sincerely
Jackie Campbell

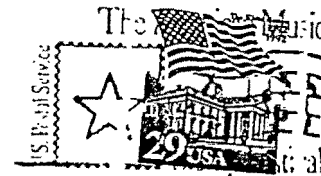
00700001

Holgate Arm

Kenai Fjords National Park, Alaska

Photograph Courtesy National Park Service

Holgate Arm, located on the west side of Aialik Bay, is a destination for visitors on one-day wildlife boat trips. This glacier, unglaciated, is seen by visitors on the way to Holgate Glacier.



Please ~~buy~~ ^{buy} the land in
the Kenai Fjords National
Park. There could never
be too much park.
It is the most beautiful
land God ever created.
Let's let all generations to
come enjoy it also.

Kenai Fjords
National Park



Aialik Bay

Small Prints to Send, Give, Frame or Hang As Is.

RECEIVED
OCT 20 1994

EVOS TRUSTEE COUNCIL
TRUSTEE COUNCIL

Co-Producer

Alaska Natural History Association

Post Office Box 1727

Seward, Alaska 99664

Produced by

Beautyway, Box 340, Flagstaff, AZ 86002

Cooperative Publisher with Museums, Parks, and Travel Organizations.

Jim Kimes

P.O. Box 375

Seward, AK 99664

EVOS TRUSTEE COUNCIL

645 G STREET

ANCHORAGE AK 99501

Printed in Hong Kong

U

10-27-94

P.O. Box 1540

VALDEZ, AK 99686

EVOS TRUSTEE COUNCIL

645 G STREET

ANCHORAGE, AK 99686

RECEIVED
OCT 28 1994

EVOS TRUSTEE COUNCIL

I WOULD LIKE TO ENCOURAGE THE TRUSTEES TO EXPEDITE THE PURCHASE OF LANDS WITHIN THE EVOS AREA. AS A RESIDENT OF PRINCE WILLIAM SOUND I BELIEVE THAT THE EYAK CORP. LANDS IN EASTERN PRINCE WILLIAM SOUND OFFER THE BEST VALUES WHEN CONSIDERING THE PROTECTION OF THE SOUND ECOSYSTEM. THIS ACQUISITION ALONG WITH THOSE IN KENAI FJORDS AND ON AFOGNAR ISLAND.

SECONDLY, I WOULD LIKE TO ENCOURAGE THE TRUSTEE COUNCIL TO ADJOURN AT LEAST ONE MEETING IN VALDEZ OVER THE NEXT COUPLE OF MONTHS. I BELIEVE IT IS IMPERATIVE THAT THE COUNCIL MAKE ITSELF DIRECTLY AVAILABLE TO THE PEOPLE WHO ARE MOST EFFECTED BY YOUR DECISION.

THIRDLY, THANK YOU FOR YOUR PROMPT MAIL-OUTS OF INFORMATION. PUBLICATIONS CONCERNING YOUR ACTIONS. THIS INFORMATION WAS VERY HELPFUL IN MAKING THE RECOMMENDATION ABOVE.

Matthew Kimmey
835-4817

U
October 26, 1994

James Ayers,
Director,
Exxon Valdez Oil Spill Restoration Trustees
645 "G" Street
Anchorage, AK 99501

DEC 7 1994
OCT 23 1994

RE: Forest habitat, Afognak Island and Prince William Sound

Mr. Ayers,

I am concerned that the Council is moving too slowly on acquiring critical habitat on Afognak Island. This island is rich in wildlife and fisheries resources which are threatened by extensive clearcut logging operations.

The northern section of Afognak is a very unique area and deserves special attention by the Trustee Council. One exceptional area, the Pauls and Lauras Lakes, should be acquired as soon as possible. You should then move to acquire the remaining timber lands on northern Afognak, and Shuyak Island.

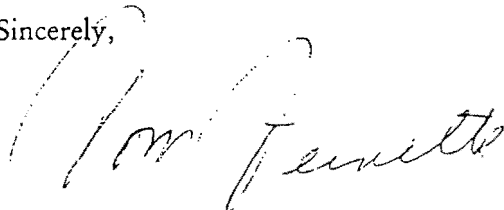
Please don't delay action on the Afognak lands. The loggers seem to be working day and night anymore. The damage that they have done to places like Afognak and Two Moon Bay over in Prince William Sound is ~~unbelievable~~! Didn't anybody learn anything from the timber disaster in the Pacific Northwest? People who call that forestry are either crazy, greedy, don't care, or all of the above. In general there is little or no hope for these characters. They are going to lay waste to Alaska's forests then blame everybody else when it's all gone.

The Trustees are the only people with the power to protect threatened forest habitat in the spill affected area. They can go down in history as wise responsible individuals that went the extra mile to protect these places, or they can be remembered for squandering the funds on bureaucrats, attorneys, and endless studies which inevitably say that it's bad to throw crude oil on fish and wildlife.

The Trustees seem to care about doing a good job, and they are all very capable individuals. If they would exert greater control over their bureaucrats they would undoubtedly have one great success after another. Kachemak Bay and Seal Bay were very encouraging actions. I hope that the Trustees will continue to put their collective efforts to work acquiring critical forest habitat on Afognak Island, and Prince William Sound.

* Please copy my letter to all of the Trustee Council

Sincerely,



7301 Clairborne Drive
Anchorage, AK 99502

U
RECEIVED
OCT 28 1994

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

October 25, 1994

James Ayers
Executive Director
Exxon Valdez Restoration Trustee Council
645 "G" Street
Anchorage, AK 99501

Dear Mr. Ayers,

Please take the following actions in the restoration process.

- Purchase all of the northern section of Afognak Island.
- Place a priority on the Pauls and Laura Lakes area in any purchase negotiations.
- Examine the "General Restoration and Research projects" very closely, and eliminate any which do not directly contribute to natural recovery (most of them).

Thank you for considering these comments. Please encourage the Trustees to act quickly in acquiring habitat areas. Thank them for their good work.

Sincerely,

Virginia Ulmer

Virginia Ulmer
2221 Muldoon Rd
Anchorage, Ak 99504

Please see that each of the Trustees receive a copy of this letter

James Ayers
Executive Director
EVOS Trustee Council
645 "G" Street
Anchorage, Ak 99501

October 26, 1994

RECEIVED
OCT 28 1994

Mr. Ayers,

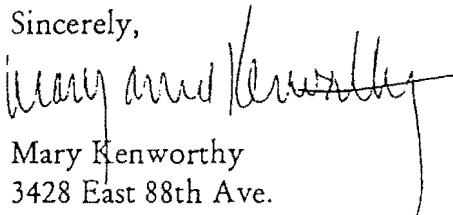
In general, the Trustee Council is doing good work. I am writing because of my concern over the delays in purchasing key habitat areas on Afognak Island. The Council identified and ranked many different areas of the Island in their "Large Parcel Evaluation & Ranking" project last year. This study noted that the north end of Afognak Island ranked very high for potential restoration benefits. I strongly support a large scale acquisition on north Afognak.

Afognak Island used to be part of the National Forest system. Since Afognak was transferred into private holdings in 1981, the Island has taken quite a beating. Clearcut logging has inundated much of the central and southern end of the Island. Under current management they will likely continue intensive clearcutting until there is next to nothing left.

The Trustee Council has a chance to make history by doing something very positive with the remaining settlement funds. There should be sufficient funding allocated to do a large scale, comprehensive acquisition on north Afognak; then the Trustees should proceed to acquire the remaining large timbered holdings on Afognak.

Thank the Trustees for their great work on Seal Bay. I hope they follow up their success by securing the Pauls and Lauras Lakes parcel.

Sincerely,



Mary Kenworthy
3428 East 88th Ave.
Anchorage, AK 99507

Fish for
Winter Kings
Halibut
Rock Fish

Tackle furnished
or bring your own

Winter King Charters

Ralph E. Lohse, Captain

Box 14

Cordova, Alaska 99574

(907) 424-7170

RECEIVED
OCT 28 1994

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

CVOS Trustee Council/
Attn: Jim Ayers Dir
645 G St
Anchorage, Ak

Dear Mr Ayers,

The protection of the timber resources
in Simpson, Sheep, & Grading Bays is vital
to my business and to any future
development of tourism and charter boating
in Cordova. We need that industry to
supplement our communities economic base.

Please suggest a timber "buy
back" to protect these vital areas for
the future enjoyment of thousands and the
my team
economic good of our community.

Sincerely,

Ralph E. Lohse

RECEIVED
OCT 23 1994

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

October 27, 1994

Exxon Valdez Oil Spill Trustee Council
645 G Street
Anchorage, AK 99501

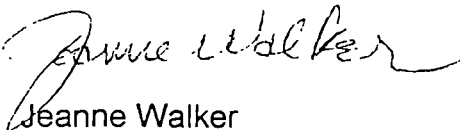
Dear Trustee Council:

Our organization, with over 150 members, is committed to boating interests in Alaska, particularly Resurrection Bay and Southcentral waters.

We are very concerned that the upcoming transfer of lands from Kenai Fjords National Park will negatively effect the public's access and enjoyment of the coastal waters of the southern Kenai Peninsula. It is distressing for recreational boaters to lose an area frequented for it's wilderness experience. We feel the park designation of this land represents it's best use, protecting this area for all to enjoy, not just a small group of people who might develop this area in a way that could ruin the wilderness experience.

We would like to see some of the restoration funds used to buy back this land. The land's original designation as National Park recognizes it's value to all persons and we would hope that the Council would give this land buy back a very high priority.

Sincerely,



Jeanne Walker
Secretary
Kenai Fjords Yacht Club
PO Box 2505
Seward, Alaska 99664



Shastan Company, Inc.

Real Estate Marketing, Development and Construction

Lic. No. 382749

Jay Halbert, President

October 21, 1994

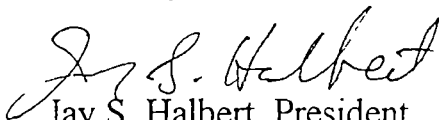
Mr. Jim Ayers, Executive Director
Exxon Valdez Settlement Trustee Council
625 "G" Street
Anchorage, AK 99501

Re: The North Afognak State Game Refuge

Dear Mr. Ayers,

I am writing you to ask for your help in having the rain forests of North Afognak saved from logging. This is some of the most beautiful and wild land on this earth and some of the last virgin timber available for wildlife. My time and money is available to help achieve this. Would you please make this your top priority for the EVOS funds. If I can help in any way please do not hesitate to call or write.

Sincerely,


Jay S. Halbert, President
Shatan Company, Inc.

RECEIVED
OCT 28 1994

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

Oct 26 1994

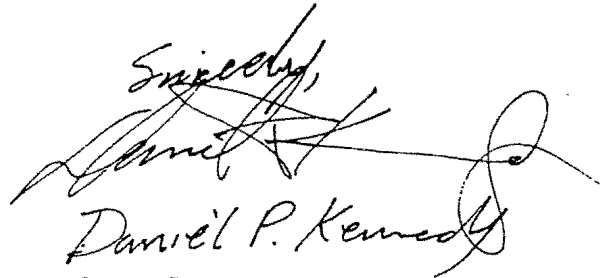
Jim Ayers

Exxon Valdez Settlement Trustee Council
645 "G" Street
Anchorage Alaska, 99501

Dear Jim,

I know it is always a difficult process on how to decide on what is most important in saving of our wildlands for future generations.

I do believe Timber rights should be purchased from Eyak Corporation to protect Port Gravina, Smeep Bay and Simpson Bay. I also believe all of North Afognak Island should be purchased especially the (Pauls and Lauras Lakes Area) seeing as how this was the highest rated biologically diverse area in your study. Thank You for your efforts in protecting this area for the future to date. Many who have yet to see this great land will be thankful for your wise efforts.

Sincerely,

Daniel P. Kennedy
P.O. Box 81571
Fairbanks, Alaska
99708

OCT 26 1994

Please distribute to other committee members

Ruth Sheridan
4704 Kenai
Anchorage
Alaska 99508

Oct. 26, 1994

Jim Ayers, Exec. Director
Exxon Valdez Settlement Trustee Council
645 G St.
Anchorage 99501

Dear Jim Ayers:

I appreciate the efforts of the Exxon Valdez Oil Spill Trustees to use the settlement funds judiciously and in the interests of all Alaskans, and commend you for your good work.

I'd now like to ask you to closely examine the Eyak Corp. lands near Cordova, especially Gravina, Sheep Bay and Simpson Bay, and suggest that you purchase all of Eyak's timber rights.

May I also call your attention to North Afognak Island, particularly the "Pauls and Lauras Lakes Area" - the highest biologically rated area in your own study - and ask you to purchase all of Afognak Island.

Would you please inform the Council members of my request.

Thank you again.

For a better world,

Ruth Sheridan

Oct 26/94

Sam Ayers, Executive Director

Exxon Trustee Council

645 "G" St,

Anchorage, AK 99501

FAX: 276-7178

MR AYERS

Please purchase N. Afognak Island
from the willing sellers (A.T.V). It would
be criminal to allow the balance to be
destroyed when everyone in Faround Kodiak
wants this preserved.

Cordially,
Darlo Dayton
P.O. Box 556
Kodiak AK 99615

Tufted Puffin (*Lunda cirrhata*)
Photograph by John W. Warden

The Tufted Puffin is characterized by the down-curved yellowish tufts hanging behind the eyes. PM
Feeding at sea, this pigeon-sized bird can most often be found perching on a sea cliff.



Please purchase land
in Kenai Fjords National
park with oil
spill money.

RECEIVED

OCT 27 1994

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

EVOS TRUSTEE COUNCIL
645 G STREET
ANCHORAGE AK 99501

Sm. - 4-cent Give, Frame or Hang As Is.

Sincerely,

Herald T. Swan

Produced by Beautyway, Box 340, Flagstaff, AZ 86002
Cooperative Publisher with Museums, Parks, and Travel Organizations. 301



C817

ANNIE MCKENZIE'S
BOARDWALK HOTEL

P.O. Box 72 SELDOVIA, ALASKA 99663

PHONE 907-234-7816

10/25/94

Jim Ayers, EXEC DIRECTOR
EXXON VALDEZ SETTLEMENT COUNCIL
645 G ST
ANCHORAGE AK 99501

OCT 27 1994

DEAR MR AYERS,

PLEASE USE YOUR SUBSTANTIAL INFLUENCE ON THE
TRUSTEES COUNCIL TO PROTECT VITAL AREAS FROM
CLEARCUTTING. NORTH AFDENIAK, THE EYAK CORP. LANDS,
PORT GRAVINA, SHEEP BAY, SIMPSON BAY ARE ALL
DESERVING AREAS TO BE LEFT IN A PRISTINE STATE.

THANKS FOR YOUR HARD WORK.

Sincerely
Annie McKenzie

Please make copies of this letter to other members.

many sea birds and marine mammals were recorded in 1986 compared to the 1976 data".
(A Re-Survey of Seabirds and Marine Mammals Along the South Coast of the Kenai Peninsula, Alaska, During the Summer of 1986. Mike Nishimoto and Bud Rice).

The opportunity, and responsibility, to slow down or even halt the continued degradation of the park sits squarely on the shoulders of the EVOS Trustee Council. Through your actions alone does the Kenai Fjords National Park have a chance of surviving what is already a critical period in its existence. Increased private landholdings in the park would put a foot on the throat of an already damaged ecosystem, and it would destroy the very flavor that over 200,000 visitors to the park come to taste — wilderness.

I urge you, therefore, to fund the buyback of the projected native corporation landholdings in the Kenai Fjords National Park. It's not a choice, it's a must.

I. L. Brittain
Box 1936
Seward, AK 99664

Sincerely,
Michael L Brittain

Oct. 26, 1994

RECEIVED

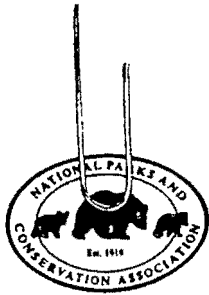
OCT 27 1994

Dear Councilmembers,

I am writing you ^{EXXON VALDEZ OIL SPILL} ~~to express~~ my most sincere concerns about the possible degradation of the Ketchikan Fjords National Park.

I have lived in Seward for 12 years, had a pleasure boat here for 20 years, and have worked as captain of a sight-seeing vessel on day trips into the park.

My concern is the possible conveyance of over half of the park's coastline into private ownership. If this happens it would simply mean the end of the park as we know it. To open this area to resource development would be the last resounding, crushing blow to an ecosystem that has already felt damaging hits from not only the EVOS, but also logging on the southern peninsula (Windy Bay area) and overfishing of its waters (which, unfortunately, are not included in the park). Even before the EVOS the ecosystem was being stressed to the point that in a population survey "about half as



National Parks and Conservation Association



ALASKA REGIONAL OFFICE

Exxon Valdez Oil Spill Trustee Council
645 G Street
Anchorage, Alaska

October 24, 1994

RECEIVED
OCT 20 1994

Dear Trustees:

In early November, as part of the Trustee Council's overall restoration effort, you will be considering the public acquisition of certain privately owned lands. On behalf of the National Parks and Conservation Association (NPCA), I urge you to dedicate funds for the acquisition of lands owned by Alaska Native corporations within the boundaries of Kenai Fjords National Park. With more than 450,000 members, NPCA is America's only private nonprofit citizen organization dedicated solely to protecting, preserving and enhancing the U.S. National Park System.

On June 5, 1993, NPCA wrote the Trustee Council and set forth some of the fundamental reasons why acquisition of Native owned lands within the park would be an appropriate and meaningful use of restoration dollars and a significant investment in a magnificent unit of the National Park System. Since that time, I have had the opportunity to work with local citizens and National Park Service personnel regarding planning efforts for the "front country" of the park. As I have become more familiar with the area's resources, land patterns and public uses, I am even more convinced that land acquisition is vitally important to the park's long term future - to the health of certain of its wildlife, to the wild and undeveloped character of its coastline, and to the enjoyment of millions of people who, over the years, will have the opportunity to experience these values in one of Alaska's most accessible national parks.

NPCA is extremely concerned that, despite the efforts of landowners and agency personnel, a final acquisition package may not be completed in time for consideration by the Trustees at the upcoming meeting. After so much effort and substantial progress, it would be tragic if the opportunity for acquisition of lands within the park were now lost. In the event that final land acquisition proposals are not ready for action, NPCA would strongly urge the Trustees to set aside an appropriate amount of funds to cover estimated acquisition costs. If continued delay is a serious concern, the Trustees might place a limit on the amount of time the monies would remain available. Land acquisition efforts are always extraordinarily difficult. Whatever the final result NPCA urges the Trustees to act now to preserve the window of opportunity in Kenai Fjords.

Sincerely


Chip Dennerlein

Alaska Regional Office
329 F St., Ste. 208, Anchorage, AK 99501
Tel: (907) 277-6722 • Fax: (907) 277-6722

National Office
1776 Mass. Ave., N.W., Washington, D.C. 20036
Tel: (202) 223-6722 • Fax: (202) 659-0650



October 25, 1994

James Ayers, Executive Director
Exxon Valdez Restoration Trustee Council
645 "G" Street
Anchorage, Ak 99501

RECEIVED
OCT 26 1994

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

RE: Afognak Island Habitat - Pauls & Lauras Lakes

Mr. Ayers,

I want to thank the Council for their efforts to acquire and protect important habitat on Afognak Island. The Seal Bay acquisition was an excellent example of good team work among the Council members.

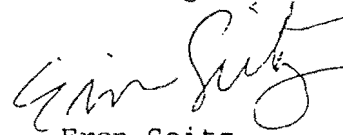
I am writing because I am concerned about the adjacent property to Seal Bay. Your staff have given the Pauls and Lauras Lake area the highest rating among the many land parcels which they have reviewed. I have concerns that this area may be logged because of delays in the Council process. It would be tragic to lose such a beautiful and valuable area when the Trustees have so many resources at their disposal.

The best thing that we can do with the remaining settlement money is to buy important habitat areas and see that they are protected. Afognak Island offers some of the best choices for benefiting resources which suffered great abuse during the oil spill.

I hope you will cut back on unnecessary projects which are being pushed by the droves of people that seem to want to feather their own nest - keep a sharp eye on government agency waste and foolish research projects.

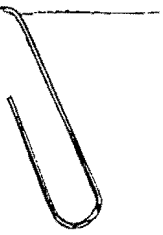
Again, Thank the Council for their efforts on habitat protection.

Best Regards,



Eron Seitz
217 N. Klevin, #1
Anch., Ak 99501

Please copy to Council members



October 26, 1994

James Ayers
Director, EVOS Trustee Council
645 "G" Street
Anchorage, AK 99501

RECEIVED
OCT 27 1994
EXHIBIT
COUNCIL

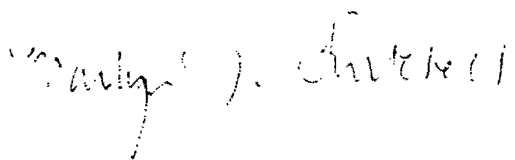
Dear Mr. Ayers,

I wanted to thank the Trustee Council for successfully acquiring and protecting lands in Kachemak Bay, and Seal Bay. The Trustees managed to procure these wonderful places under very difficult circumstances; I commend them for their good team work. I am very appreciative of the Councils efforts toward habitat acquisition; purchasing high quality wildlife habitat is the best possible use of settlement funds.

At this point in time I am very concerned about the remaining high quality habitat on northern Afognak Island. I feel that places like Pauls and Lauras Lakes and Shuyak Straits are in great danger of being lost if the Council delays acquiring them. Much of Afognak has been wrecked by clearcut, cash it out quick, and run management which will leave nothing for our children. It appears like the Trustee Council are the only ones that can pull anything good out of this dreadful situation.

I'm going to put my faith into your efforts. You have some very capable people working on these issues and I know you're all trying hard. People down the road will appreciate your work when they visit beautiful forested places like Seal Bay.

Sincerely,


Marlyn Twitchell
1846 - B, Bootlegger Cove Drive
Anchorage, AK 99501

HC 33 Box 3181
WASILLA, AK 99657
OCT 25, 1994

JIM AYERS, EXECUTIVE DIRECTOR
EXXON VALDEZ SETTLEMENT TRUSTEE COUNCIL
645 G ST.
ANCHORAGE, AK 99501

DEAR MR. AYERS & COUNCIL MEMBERS:

I AM WRITING TO ENCOURAGE YOU TO
USE SOME OF THE FUND CREATED BY
THE COURT SETTLEMENT FROM THE
EXXON VALDEZ OIL SPILL TO PURCHASE
SPECIFIC TIMBERED LANDS.

THOSE LANDS INCLUDE PORT GRAVINA,
SHEEP BAY, & SIMPSON BAY NEAR CORDOVA
AND THE NORTHERN END OF AFOGNAK
ISLAND.

THANK YOU FOR ALL YOU HAVE DONE
TO PRESERVE PRISTINE TIMBER LAND
THUS PROTECTING WILD LIFE AND
BEAUTIFUL RECREATIONAL AREAS.

SINCERELY,

INGRID COOK
Ingrid Cook

U

October 25, 1994

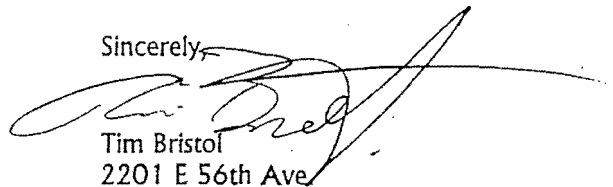
James Ayres
Director
EVOS Trustee Council
645 "G" Street
Anchorage, Ak 99501

Dear Mr. Ayers,

I am writing to ask that you expedite land purchase agreements for habitat areas on Northern Afognak Island. The Trustee Council identified habitat areas on North Afognak as some of the most valuable in the oil spill area; I would be very distressed to see these places damaged by the extensive clearcuts which are devouring the rest of the Island.

The Council is doing a good job - I appreciate your efforts. Thank you for considering my comments.

Sincerely,



Tim Bristol
2201 E 56th Ave
Apt. # 1
Anchorage, Ak 99501

Please copy my letter to all of the Council

RECEIVED
OCT 20 1994

October 25, 1994

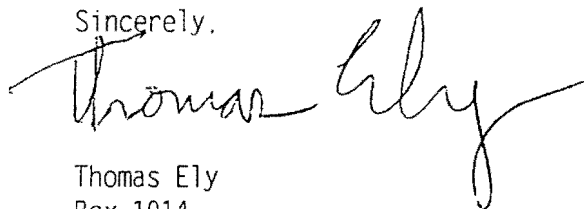
James Ayers
Executive Director
Exxon Valdez Settlement Trustee Council
645 "G" Street
Anchorage, Ak 99501

Mr Ayers,

I am writing to ask that the Trustee Council purchase three land parcels in the north Afognak area. The lands which I am interested in seeing the Council acquire are identified in the land review process as Pauls/Lauras Lakes (AJV 03), Shuyak Straits (AJV 01), and Shuyak Island (KIB 01). I would like to see these lands owned and managed by the state in a designation which protects the habitat resources. These areas support significant game resources and should be managed in a manner which allows hunters and sportsmen to enjoy the areas without unduly restrictive regulation. I feel that the state representatives of ADF&G in the Kodiak area do a fine job of game management and they should be given deference on management questions.

Thank the Trustees for their good work on the Afognak Island issues. I am very appreciative of their efforts so far.

Sincerely,



Thomas Ely
Box 1014
Haines, AK 99827

Please copy my letter to all of the Trustees

Jeffrey C. Callahan
1142 H STREET • ANCHORAGE, ALASKA 99501

RECEIVED

OCT 26 1994

Jim Ayers
Executive Director
Exxon Valdez Settlement Trustee Council
645 G Street
Anchorage, AK 99501

EXAMined October 24, 1994
TRUSTEE COUNCIL

DEAR MR AYERS:

I would like to express my gratitude to you and the rest of the EVOS Trustees for their devoted effort to these difficult negotiations. Your hard work is appreciated.

Please give additional consideration to the Eyak Corp. lands around Cordova. These areas, including Port Graving, Sheep Bay and Simpson Bay are part of an abundant and rich forest ecosystem that should be protected. Please purchase all of the Eyak Corp. timber rights.

Please purchase all of N. Afognak Island especially the Pauls and Lauras Lakes Area. The beauty and wild pristine nature of Afognak is one of my favorite areas of Alaska. Your own study rates this area as one the highest biologically.

Thanks again for your efforts.

Jeff C Call

LAW OFFICE OF
GLENN E. CRAVEZ, INC.
550 W. 7TH AVENUE, SUITE 1600
ANCHORAGE, ALASKA 99501

TELEPHONE
(907) 276-3390

FAX
(907) 276-8238

October 21, 1994

OCT 26 1994

Jim Ayers, Executive Director
Exxon Valdez Settlement Trustee Council
645 G Street
Anchorage, Alaska 99501

EXXON VALDEZ SETTLEMENT TRUSTEE COUNCIL
645 G STREET
ANCHORAGE, ALASKA 99501

Dear Mr. Ayers:

First, I want to thank you and your fellow council members for all your time, effort, and hard work to date in connection with the Council. Your task is an unenviable one in some ways. On the other hand, your willingness to undertake this difficult assignment speaks highly of your dedication to public service.

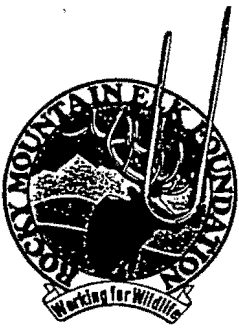
Next, I have a few comments to offer regarding possible land and timber rights purchases, and I ask that you share this letter with all council members. Please designate for purchase all of northern Afognak Island, including but not limited to the Pauls and Lauras Lakes area which your study gave a high priority to in terms of wildlife habitat within the spill zone.

Also please designate for purchase Eyak Corporation lands near Cordova including those at Port Gravina, Sheep Bay, and Simpson Bay. Also please consider purchase of Eyak's additional timber rights in the area, either in whole or in part. This region provides a superb habitat for wildlife which is worthy of protection from timber harvesting.

Again, thank you for your consideration and your efforts to date.

Very truly yours,


Glenn E. Cravez



ROCKY MOUNTAIN ELK FOUNDATION

2291 W. Broadway
Missoula, MT 59802
P.O. Box 8249

Missoula, MT 59807-8249
(406) 523-4500

Field Office Fax (406) 523-4550
General Office Fax (406) 523-4581

October 20, 1994

RECEIVED
OCT 20 1994

James Ayers, Executive Director
Exxon Valdez Settlement Trade Council
645 "G" Street
Anchorage, Ak 99501

EXXON VALDEZ OIL SPILL
TRADE COUNCIL

Dear Mr. Ayers,

The Rocky Mountain Elk Foundation (RMEF) supports protecting wildlife lands on Northern Afognak Island through state purchase utilizing Exxon Valdez spill settlement funds. The Elk Foundation believes the conservation of important habitat, as determined by professional biologists and land managers, is a fundamental step necessary for the perpetuation of wild, free-ranging wildlife species.

The Elk Foundation has cooperatively funded research on Afognak and Raspberry Islands elk with the Alaska Department of Fish and Game. The elk herds now enjoyed by Alaska's citizens will depend on continuing management of the animals and protection and enhancement of their habitat. Protection of key wildlife habitat today will increase future management opportunities and maintain more options regarding use and enjoyment of renewable natural resources.

RMEF encourages the Trustee Council to support acquisition of the Northern Afognak Island parcels. The existing wildlife values and linked human services warrant wildlife habitat conservation efforts that will benefit the people of Alaska and the nation.

Thank you for the opportunity to comment and please feel free to contact RMEF Director of Conservation Programs Kevin Lackey (406/523-4542) with any questions or information needs. We respectfully request copies of this letter to be sent to all Exxon Valdez Settlement Trustee Council representatives.

Sincerely,

Ron Marcoux
Group Manager, Conservation Programs

cc: Carl Rosier, Alaska Fish and Game Department Director
Byron Donaldson, RMEF Alaska Field Director
Kelly Hatfield, RMEF Kodiak Chapter Chairman

RECEIVED
OCT 21 1994

OIL SPILL
RECORD

Robert R. Leedy
HC83 Box 1598
Eagle River, AK 99577
10/22/94

Dear Mr. Ayers:

I am writing to request that you give more consideration to the purchase of land and/or timber harvest rights in eastern Prince William Sound. There is high potential for Eyak Corporation to strip the entire coast in Gravina, Sheep + Simpson Bays. A lot of political attention has been focused on purchasing lands + habitats not affected by the spill and some areas that never could be impacted. You need to focus more efforts in coastal Prince William Sound. That is where restoration funds are supposed to be focused. If we'd had a low rather than high pressure system in 1989 during the spill, these are the lands that would have been hit. I ~~had~~^{have} personally spent many enjoyable weeks in Port Gravina, Sheep + Simpson Bays on and off for almost 30 years. It's a crime to see the logging occurring on both sides of this area. — Please put some dollars where they are supposed to be spent. Thanks
Bob Leedy

people of Alaska and to their posterity
can never be made good again.

We appreciate all the Council has
done so far to use the settlement
funds to preserve habitat in
key areas. Now that same dedica-
tion is needed to preserve lands
faced with imminent clearcutting,
namely, the Eyak Corporation lands
mentioned above and all of
North Afognak Island.

Please copy this letter so that
all council members may
be aware of our concerns
and recommendations.

Thank you.

Respectfully,
Sallie Hogg
SALLIE HOGG

Norman Hogg
NORMAN HOGG

P.O. Box 212595
Anchorage, AK 99521-259
October 22, 1994

Jim Ayers
Executive Director
Exxon Valdez Settlement
Trustee Council
645 G Street
Anchorage, AK 99501

R
OCT 26 1994

EXXON

TRUSTEE

Dear Mr. Ayers:

My husband and I would be grateful if the Exxon Valdez Settlement Trustee Council would please consider using the 1991 Court settlement funds to purchase all of the Eyak Corporation's timber rights, especially those relevant to the Port Gravina, Sheep Bay and Simpson Bay areas.

Additionally, we would be grateful if the Council used the settlement funds to purchase all of North Adognak Island, but especially the Pauls and Lamas Lakes Area.

The areas mentioned are heavily forested and face destruction by clearcutting unless "bought back." With that destruction will come loss of habitat for fish and wildlife and loss of recreational opportunities. Because of the scale of clearcutting envisioned, the loss of wildlife and recreational values to the

(over)

23 October



Dear Mr Ayers,

I am writing about the possible purchasing of timbered wetlands in South east Alaska with the Exxon Valdez Settlement money.

I appreciate previous efforts of the Exxon Valdez Settlement Trustee Council and am hoping you will make every effort to purchase all of North Adognak Island and some of the Egan Corporation Lands near Cordova. — On North Adognak Island, I hope you will prioritize "Pauls and Lauras Lakes area" since it has been ranked as the best wildlife habitat in the spill zone.

Near Cordova, I am especially concerned with the pristine areas of Port Graham, Sheep Bay, and Simpson Bay.

Please copy this letter for all Council members. Thank you.

Sincerely,

Carrie Farr

"recycling reduces waste, saves energy, protects resources"

100% recycled paper

Box 84
Tahana AK
99777

farr
box 84
tahana
99777

Jim Ayers, Executive Director
Exxon Valdez Oil Spill Trustee Council
645 G Street
Anchorage, AK 99501

RECEIVED
OCT 20 1994

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

Dear Mr. Ayers and Trustees:

Residents of Kachemak Bay have long supported habitat acquisition as a vital way to restore the fish, wildlife, and bird populations that were devastated by the Exxon Valdez oil spill. Many areas that these same populations rely on today are threatened by clearcut logging and other industrial development.

Many residents of Homer and the surrounding areas worked for years to assure that private inholdings within Kachemak Bay State Park would be protected from logging. We sincerely appreciate the work of the Trustees to see that this important habitat was not lost. But, other areas are still threatened. We encourage the Trustees to act quickly and fairly to purchase land and timber rights in these areas. We are specifically concerned about habitat on northern Afognak Island, the vast forested bays and lowlands surrounding Cordova in Prince William Sound, and the coastal holdings within Kenai Fjords National Park.

This is a once in a life time opportunity to prevent an overwhelming loss of habitat. We look forward to seeing the strides made in acquisition deals that come out of the Trustee's November 2 meeting.

Nina Faust
235-6262

Tanya Williams
235-2350

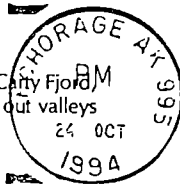
Nina Faust
Homer AK 99603



TO - Jim Ayers
645 G Street

Aerial View of McCarty Fjord
Kenai Fjords National Park, Alaska

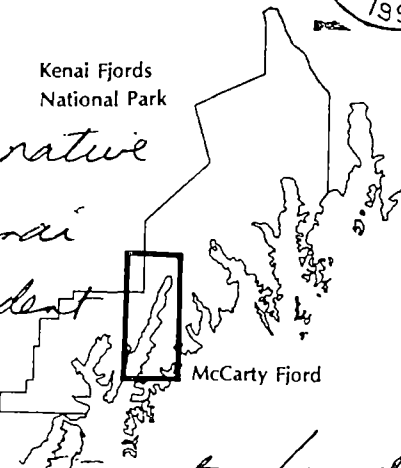
McCarty Glacier in the distance and Dinglestad Glacier on the left tumble toward McCarty Fjord, the longest (23 miles) glacial fjord in the park. Fjords are formed by glaciers carving out valleys below sea level.



Dear Persons,

Please endorse the buy back of native lands in the Kenai Fjords. As a resident of Seward I can think of no better use of funds than protecting these areas. The Kenai Fjords is a national treasure and it would be appropriate to use the Exxon Spill monies to further protect by acquiring lands.

Kenai Fjords
National Park



McCarty Fjord

Small Prints to Send, Give, Frame or Hang As Is.

RECEIVED
OCT 20 1994

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

EVOS TRUSTEE COUNCIL
645 G STREET
ANCHORAGE AK 99501

Produced by Beautyway, Box 340, Flagstaff, AZ 86002
Cooperative Publisher with Museums, Parks, and Travel Organizations.

Printed in Hong Kong

Jerry S. Dixon
Box 1058
Seward, AK 99664

Holgate Arm

Kenai Fjords National Park, Alaska

Photograph Courtesy National Park Service

Holgate Arm, located on the west side of Aialik Bay, is a destination for visitors on one-day wildlife boat trips. This glacier, unnamed, is seen by visitors on the way to Holgate Glacier.

TO WHOM IT MAY CONCERN:

THE PURPOSE OF MY WRITING
THIS CARD IS TO DEMONSTRATE
MY STRONG SUPPORT FOR THE COUNCIL'S
BUYBACK OF THE LANDS IN THE KENAI
FJORDS NATIONAL PARK WHICH ARE
BEING DEEDED TO THE NATIVE
CORPORATIONS. IT IS CRITICALLY
IMPORTANT, BOTH ECOLOGICALLY
AND ECONOMICALLY, TO KEEP
THESE LANDS INTACT. THANK YOU.

Handwritten signature

Co-Producer

Alaska Natural History Association

Post Office Box 1727

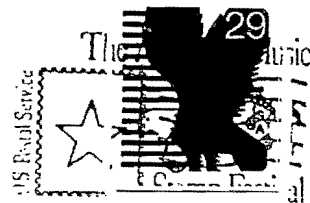
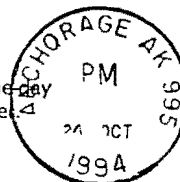
Seward, Alaska 99664

Produced by

Beautyway, Box 340, Flagstaff, AZ 86002

Cooperative Publisher with Museums, Parks, and Travel Organizations. 102

Printed in Hong Kong



Kenai Fjords
National Park

Aialik

EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL
645 G STREET
ANCHORAGE AK 99501

RECEIVED
OCT 20 1994

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

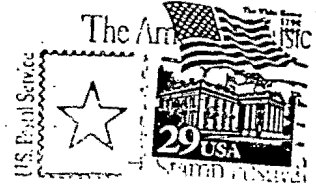


C710

Aerial View of McCarty Fjord
Kenai Fjords National Park, Alaska

10/20/94

McCarty Glacier in the distance and Dinglestad Glacier on the left tumble toward McCarty Fjord, the longest (23 miles) glacial fjord in the park. Fjords are formed by glaciers carving out valleys below sea level.



Hello Trustees: We in Seward
value the Kenai fjords for its
beauty and economic importance
to our community. We endorse
the buy back and conveyance
to the National Park. The long
view will benefit many over
time. Thank you.

Kenai Fjords
National Park

McCarty Fjord

Small Prints to Send, Give, Frame or Hang As Is.

RECEIVED

OCT 20 1994

EXXON VALDEZ OIL SPILL
TRUSTEE BOARD

EVOS TRUSTEE COUNCIL
645 G STREET
ANCHORAGE AK 99501

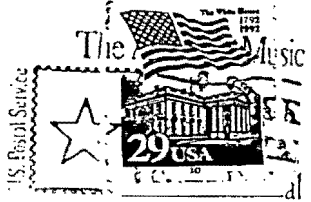
Produced by Beautyway, Box 340, Flagstaff, AZ 86002
Cooperative Publisher with Museums, Parks, and Travel Organizations. c

Printed in Hong Ki

Seward, AK 99664

Steller Sea Lions (*Eumetopias jubatus*)
Chiswell Islands, Alaska Marine National Wildlife Refuge,
near Kenai Fjords National Park, Alaska
Photograph by Marty Hoffman

The Steller Sea Lions occupy rocky shores and coastal waters along the Pacific Coast from Alaska to Southern California. They eat a variety of fish, clams, and crabs, for which they will travel 100 miles from shore.



I am writing to say I support
the purchase of the land in
Kenai Fjords National Park from
the villages of Port Graham &
Nanavalek.

R. D. Drachler
SEWARD AK.

Small Prints to Send, Give, Frame or Hang As Is.

RECEIVED
OCT 26 1994
EXXON VALERO OIL SPILL
TRUSTEE COUNCIL

Produced by Beautyway, Box 340, Flagstaff, AZ 86002
Cooperative Publisher with Museums, Parks, and Travel Organizations. Printed in Hong Kong

EVOS TRUSTEE COUNCIL
645 G STREET
ANCHORAGE AK 99501

Orca Breaching (*Orcinus orca*)

Photograph by © John Hyde

The Orca (or Killer Whale) grows to 31 feet in length. It is ferocious in eating, sometimes attacking baleen whales and seals, as well as fish, squid, sea turtles, and birds. It ranges from the Chukchi Sea to the equator in the Pacific and from pack ice south to the Lesser Antilles and Gulf of Mexico in the Atlantic region.

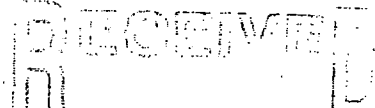
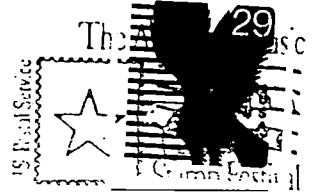
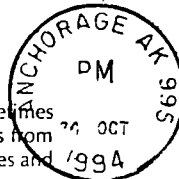
on behalf of my family and
the membership of the Seward Chamber
of Commerce we urge you to
proceed with the acquisition of
lands included in the boundaries
of the Kenai Peninsula Fjords
National Park. It is critical
to the integrity of the park and the
preservation of this natural resource
to keep these public & part of our
National Park Heritage! Please support this!

Claine R. Nelson, Executive Director

Produced by Beautyway, Box 340, Flagstaff, AZ 86002

Cooperative Publisher with Museums, Parks, and Travel Organizations. 309

Seward Chamber of Commerce



OCT 20 1994

Small

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL
645 C STREET
ANCHORAGE AK 99501



C798

Mountain Goat (*Oreamnos americanus*)

Photograph by © D. Robert Franz

Occupying steep mountain slopes of the Rocky Mountains into western Canada and southeast Alaska, the Mountain Goat can move along hairline ledges of nearly sheer cliffs with relative ease. Single kids are usually born on narrow ledges in May or June and remain with the mother until next year's young is born.



RECEIVED

OCT 20 1994

EXXON VALLEY TRUSTEE COUNCIL

Give, Frame or Hang As Is.

EVOS TRUSTEE COUNCIL
645 G STREET
ANCHORAGE AK 99501

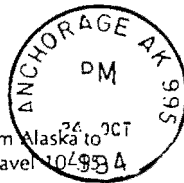
Produced by Beautyway, Box 340, Flagstaff, AZ 86002
Cooperative Publisher with Museums, Parks, and Travel Organizations. 209



C803

Steller Sea Lions (*Eumetopias jubatus*)
Chiswell Islands, Alaska Marine National Wildlife Refuge,
near Kenai Fjords National Park, Alaska
Photograph by Marty Hoffman

The Steller Sea Lions occupy rocky shores and coastal waters along the Pacific Coast from Alaska to Southern California. They eat a variety of fish, clams, and crabs, for which they will travel 100 miles from shore.



Dear Council Members,

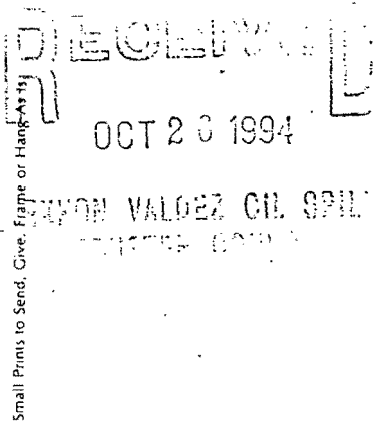
This past summer I spent several weeks in Aialik Bay and NW Fjord in the Kenai Fjords NP. Living in Seward for four years I was surprised that this magnificent area was at our doorstep. Please protect it by authorizing a buy back of native properties with spill funds. It is a magnificent area and deserves protection.

Deborah L. Dixon
Box 1058

Produced by Beautyway, Box 340, Flagstaff, AZ 86002

Cooperative Publisher with Museums, Parks, and Travel Organizations. 007

Seward, AK 99664



EVOS TRUSTEE COUNCIL
645 G STREET
ANCHORAGE AK 99501

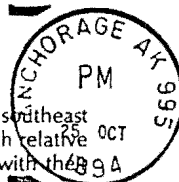
Mountain Goat (*Oreamnos americanus*)

Photograph by © D. Robert Franz

Occupying steep mountain slopes of the Rocky Mountains into western Canada and southeast Alaska, the Mountain Goat can move along hairline ledges of nearly sheer cliffs with relative ease. Single kids are usually born on narrow ledges in May or June and remain with the mother until next year's young is born.

I am writing to say I support the purchase of the land in Kenai Fjords National Park from the villages of Port Graham & Nanulik.

*Patricia Shacklett
Seward Alaska*



RECEIVED

OCT 26 1994

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

EVQS TRUSTEE COUNCIL
645 G STREET
ANCHORAGE AK 99501

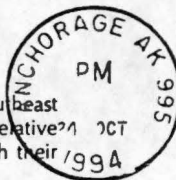
Small Prints to Send, Give, Frame or Hang As Is.



Mountain Goat (*Oreamnos americanus*)

Photograph by © D. Robert Franz

Occupying steep mountain slopes of the Rocky Mountains into western Canada and southeast Alaska, the Mountain Goat can move along hairline ledges of nearly sheer cliffs with relative ease. Single kids are usually born on narrow ledges in May or June and remain with their mother until next year's young is born.



RECEIVED

OCT 20 1994

nd, Give, Frame or Hang As Is.

EXHIBIT 101, 101, 101, 101,
TRUSTEE COUNCIL

EVOS TRUSTEE COUNCIL
645 G STREET
ANCHORAGE AK 99501

Produced by **Beautyway**, Box 340, Flagstaff, AZ 86002
Cooperative Publisher with Museums, Parks, and Travel Organizations. 209

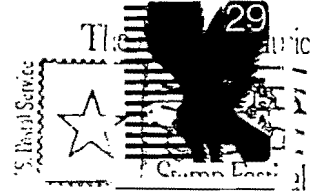


C803

Orca Breeching (*Orcinus orca*)

Photograph by © John Hyde

The Orca (or Killer Whale) grows to 31 feet in length. It is ferocious in eating, sometimes attacking baleen whales and seals, as well as fish, squid, sea turtles, and birds. It ranges from the Chukchi Sea to the equator in the Pacific and from pack ice south to the Lesser Antilles and Gulf of Mexico in the Atlantic region.



Dear Trustees:

On behalf of the citizens and businesses of Seward, I strongly endorse the Kenai Fjords land buyback.

This and future generations are entitled to experience one of the last vestiges of pristine wilderness.

Further, the Seward economy has come to depend on the park to a very large extent. Total preservation is essential to the future stability of the area.

Thank you for your consideration, and please vote in favor of preservation of the Kenai Fjords National Park. Sincerely,
Heene Hanson

Produced by Beautyway, Box 340, Flagstaff, AZ 86002

Cooperative Publisher with Museums, Parks, and Travel Organizations. 309

RECEIVED

OCT 20 1994

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL
645 G STREET
ANCHORAGE AK 99501

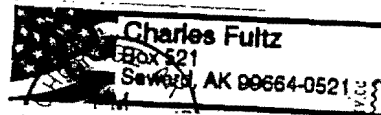


C798

Mountain Goat (*Oreamnos americanus*)

Photograph by © D. Robert Franz

Occupying steep mountain slopes of the Rocky Mountains into western Canada and southeast Alaska, the Mountain Goat can move along hairline ledges of nearly sheer cliffs with relative ease. Single kids are usually born on narrow ledges in May or June and remain with their mother until next year's young is born.



Greetings:

Please let the National Park Service buy back as much land as they can to keep the Kenai Fjords National Park for the visitors to the area. It is a resource that should be kept as it is for people in the future to see. There are very few sites in the world like it. Opportunities to see it should be open to the public. I have lived in Seward for 22 years and have seen most of it many times.

RECEIVED
OCT 26 1994

**EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL**

**EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL
645 C STREET
ANCHORAGE AK 99501**

Thanks

Rev. Charles E. Fultz

P.O. Box 521

Seward, AK, 99664

Produced by Beautyway, Box 340, Flagstaff, AZ 86002
Cooperative Publisher with Museums, Parks, and Travel Organizations. 209

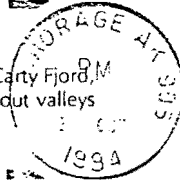


C803

Aerial View of McCarty Fjord
Kenai Fjords National Park, Alaska

10-21-94

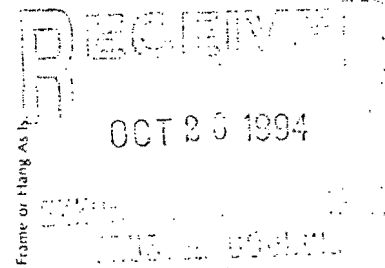
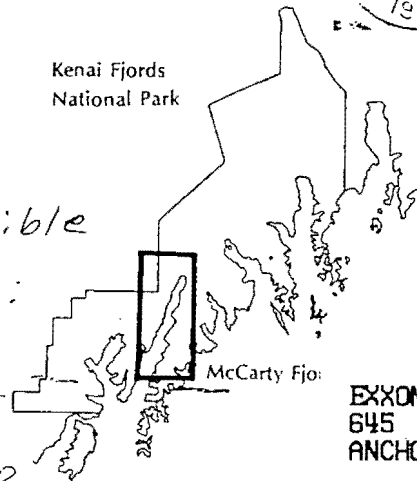
McCarty Glacier in the distance and Dinglestad Glacier on the left tumble toward McCarty Fjord, the longest (23 miles) glacial fjord in the park. Fjords are formed by glaciers carving out valleys below sea level.



Dear Council,

I would like to express my concern to you over the possible loss of keeping Kenai Fjords National Park intact. Please see the future of a segregated park and avoid it. Thank you

Kenai Fjords National Park



OCT 23 1994

EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL
645 G STREET
ANCHORAGE AK 99501

John Butler

Produced by Beautyway, Box 340, Flagstaff, AZ 86002
Cooperative Publisher with Museums, Parks, and Travel Organizations

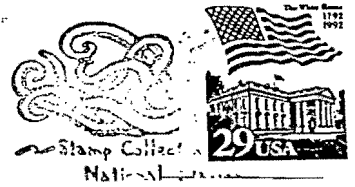
Printed in Hong Kong



C625

Holgate Arm
Kenai Fjords National Park, Alaska
Photograph Courtesy National Park Service

Holgate Arm, located on the west side of Aialik Bay, is a destination for visitors on one-day wildlife boat trips. This glacier, unnamed, is seen by visitors on the way to Holgate Glacier.



Dear Council Members -

On November 2nd, you will have a one-time opportunity to make a positive decision for preservation of the Kenai Fjords - myself and many others from Seward support buying back the heart of Kenai Fjords National Park.

Don't let this opportunity moment pass - what a meaningful purchase it would be - Port Graham & Nanwalek will also profit from the decision in years to come.

Kenai Fjords National Park

Aialik Bay

Small Prints to Send, Give, Frame or Hang As Is.

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL
645 G. Street
ANCHORAGE, AK.

RECEIVED
OCT 26 1994

EVOS TRUSTEE COUNCIL
645 G STREET
ANCHORAGE AK 99501

ELAINE S. REAUSAW
P. O. BOX #1222
SEWARD, ALASKA 99664

iff, AZ 86002

Printed in Hong

Cooperating Museums, Parks, and Travel Organizations.

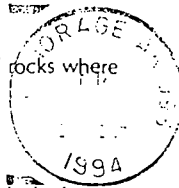
Horned Puffin (*Fratecula corniculata*)

These pigeon-sized birds are found on sea cliffs and rocky or grass-covered islets and rocks where they feed from the nearby cold ocean waters.

Photograph by © John Warden

John Warden

John Warden is a professional nature photographer based in Alaska. His award-winning photographs have appeared in over 100 magazines and textbooks worldwide.



I would like to support the purchase of land in the Kenai Fjords Natl. Park with the EVOS monies. This area was affected by the oil spill and I think it is very important to preserve this park in its natural state. ~~By purchasing a~~ there will be a time for this ecosystem to heal. Our family and many tourists enjoy the beauty of the park.

Marianna Keil
PO Box 3496
Seward AK 99664

Produced by

Beautyway, Box 340, Flagstaff, AZ 86002

Cooperative Publisher with Museums, Parks, and Travel Organizations. 301

RECEIVED

OCT 20 1994

EVOS TRUSTEE COUNCIL

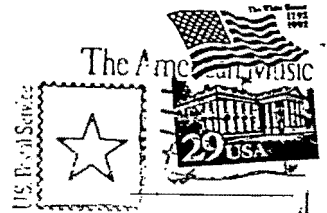
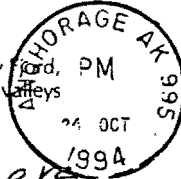
EVOS TRUSTEE COUNCIL
645 G STREET
ANCHORAGE AK 99501



C816

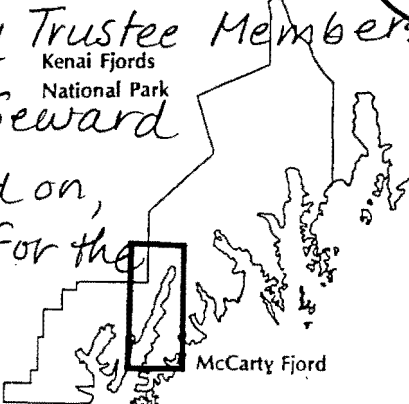
Aerial View of McCarty Fjord
Kenai Fjords National Park, Alaska

McCarty Glacier in the distance and Dinglestad Glacier on the left tumble toward McCarty Fjord, the longest (23 miles) glacial fjord in the park. Fjords are formed by glaciers carving out valleys below sea level.



Dear Mr. Ayers and Trustee Members,

I have lived in Seward for 10 years, off and on, and permanently for the last 6 of those. I have watched the number of summer visitors increase over the years and many of them come here to see the Park. I urge you to buy the coastal lands in question - if we lose these, we lose the heart of Kenai Fjords and a major tourist destination. Thank you, Ann Ghicadus



Please do not write on this card. If you wish to send, give, frame or hang As is.

OCT 26 1994
EXXON VALLEY OIL CO.
TRUST

EVOS TRUSTEE COUNCIL
645 G STREET
ANCHORAGE AK 99501

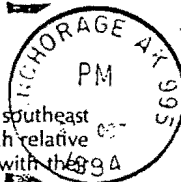
Produced by Beautyway, Box 340, Flagstaff, AZ 86002
Cooperative Publisher with Museums, Parks, and Travel Organizations.

Seward, AK 99664

Mountain Goat (*Oreamnos americanus*)

Photograph by © D. Robert Franz

Occupying steep mountain slopes of the Rocky Mountains into western Canada and southeast Alaska, the Mountain Goat can move along hairline ledges of nearly sheer cliffs with relative ease. Single kids are usually born on narrow ledges in May or June and remain with the mother until next year's young is born.



G. WICKSTROM
PO Box 1795
SEWARD AK 99664

OCT 20 1994

EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL

z. Frame or Hang As Is.

THIS NOTE IS TO INDICATE MY SUPPORT FOR THE
KENAI FORDS NATIONAL PARK IN THEIR ATTEMPTS TO
ACQUIRE LANDS WITHIN THE PARK BOUNDARIES.

THE ECONOMIC IMPACT ON THE SEWARD COMMUNITY
BY VISITORS TO THE PARK IS VERY GREAT. THE
NATIVE CORPORATIONS TAKING TITLE TO THOSE LANDS
AND WHO ARE WILLING TO SELL HOLD LANDS THAT THE PARK
CAN NOT AFFORD TO LOSE.

EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL
645 G STREET
ANCHORAGE AK 99501

PLEASE CONSIDER THE NEEDS OF THE KENAI FORDS
NATIONAL PARK LAND ACQUISITION PROGRAM AS YOU
DECIDE WHERE OIL SPILL FUNDS SHOULD GO.

Produced by Beautyway, Box 340, Flagstaff, AZ 86002
Cooperative Publisher with Museums, Parks, and Travel Organizations. 209



C803

for the whole community. My interest was to improve the relationship between the community and the municipality and I feel that has improved.

My thanks to you Cordovans who continued to support me in our recent election despite the fact that I was not among those who won.

My congratulations to Jeff Guard and Bob Smith and I hope that they too will have the interest of the whole community as well.

Thank you, Mayor Margy Johnson, for your leadership and effort to draw the community together. A true politician is able to resolve conflict. Keep up the good work.

Thank you to each council member whom I have worked with on the council, I have appreciated all of you.

Patsy Fisher
Cordova

Thanks for buyback

The residents of Kachemak Bay are appreciative of your (Exxon Valdez Oil Spill Trustee Council's) work to purchase the inholdings of Kachemak Bay state park. Many interest groups worked long and hard to support the park buyback. Thank you for understanding the importance of habitat protection and restoration.

We cannot sit back and rest though. We realize there are many habitat areas in the Exxon Valdez oil spill zones that need aid in the recovery of fish and wildlife species. Just like Kachemak Bay, there are many residents of Cordova and Kodiak that are working together with the community and private land owners to accomplish positive habitat protection. So many Alaskans are concerned about habitat issues. It has been over five years now. We all encourage the trustee council to do everything in their power to expedite and assist in accomplishing habitat protection.

Many of us young Alaskans hope to look back with a sense of accomplishment — knowing we have helped preserve and protect our future — the habitat of Prince William Sound and Kodiak's areas.

Shannon McBride
Homer

Revisit Capital move

The FRANK initiative is on the November ballot again as Ballot Measure No. 5. Many people have asked me why, since we adopted it in 1978, we have to discuss again. The

office.

I have closely followed the track record of Don Young for the past two years. Knowing the tendency of my fellow Alaskans to blank out the news and the reports that have been aired on the voting record of Don Young, I am here to refresh your memories.

Don Young stood tall and voted 'No' on the Brady Gun Bill. This is a complete violation of our constitutional rights.

Young stood tall and voted 'No' on the North American Free Trade Agreement. This is another violation of the Constitution and a treaty that has brought economic disaster to America.

Young stood tall and voted 'No' on the horrendous Crime Bill. A bill that violates every American's Constitutional rights. He damn near spiked it.

Young's firm "No" on the Lobbyist Reform Bill may have raised a few eyebrows... until one understands the "rider" that was slipped in at the last minute. The rider labeling anyone a lobbyist who calls in their opinions on an upcoming bill to their congressmen or to the White House.

Under this lobbyist classification every caller would have to give their name, social security number, address and place of occupation. Failure to do so by the caller could slap he or she with a \$10,000 fine.

Think about this — how many are going to call, voicing their opinion, if they have to face a goon squad, ready to manhandle them to jail or to court? This pure dictatorship is muzzling the freedom of expression.

Don Young's stand on issues is affecting your freedom.

Look at it, read it and study it. Then maybe, just maybe, each of you will vote on the facts and not from your opinions.

Brooke Adkinson, Sr., a self-described "hermit," resides on Hinchinbrooke Island.

the capital to a site not less than 30 miles from Anchorage or Fairbanks. The exact site was to be chosen from a list prepared by what became known as the Capital Site Selection Commission. In 1976, three sites — Willow, Mt. Yenlo and Larson Lake — all in the Mat-Su Valley, were placed on the ballot and Willow was selected.

No price tag had been tied to Willow or any other site, so in 1977 three Fairbanks residents Carolyn Bushey, Charles B. Bettisworth and Mary A. Nordale, formed the FRANK Committee (then known as the Frustrated Responsible Alaskans Needing Knowledge) to circulate a petition to put the FRANK initiative on the ballot. The petition drive worked and in 1978 the FRANK Initiative and a bond proposition in the amount of \$966 million, part of a financing package prepared by the commission for the capital move, were on the ballot. Voters approved the FRANK Initiative and rejected the \$966 million bond proposition.

The legislature then enacted a bill to set up a Capital Site Planning Commission to develop a plan for the new capital city and determine both the total costs and the bondable costs of the move as required by the FRANK Initiative. That effort resulted in a bond proposition

again without a price tag. The FRANK Committee was reactivated to circulate another initiative, almost identical to the first one, to require cost disclosure and voter approval of the move costs if voters approve the move proposition.

Do we want to spend the money to move the capital? Maybe yes, maybe no. We should at least be given a chance to make the choice. The FRANK Initiative guarantees us that choice.

Guarantee your choice. Vote yes on Ballot Measure No. 5.

Mary A. Nordale
Juneau

IFQ Alliance needs Cordova fishermen

Cordova fishermen, the Alliance Against IFQs need you. We are in federal court with a strong case awaiting the last phase of oral arguments. How strong a case do we have? Consider what the IFQ and CDQ supporters have been saying and doing.

1) Clem Tillon was quoted in the Kodiak Daily Mirror on June 3, "I've looked at the lawsuit. Maybe it can get the lower court to change the outcome."

2) Seattle based FVOA had their lobbyists scampering in Washington, D.C. trying to attach a rider amendment to a bill specif-



"Cordova should not be alcohol because one should drink alcohol,"

Sage Bilder
first-gr



"I think we're reacting. No one is to be responsible themselves or actions. I think choice should be left to each person what they can responsibly handle. Now news is telling us glasses of wine can help prevent heart-attack. It comes down to personal responsibility,"

Wolfgang Hager
on
trucking com

G
Go1

Afognak Wilderness Lodge

SEAL BAY, ALASKA 99697

CATERING TO ADVENTUROUS VACATIONERS • PHOTOGRAPHERS • FISHERMEN • HUNTERS

Radio Phone Contact: (907) 486-6442
FAX: (907) 486-2217

ROY & SHANNON RANDALL
Owners & Operators

October 21st, 1994.

Jim Ayers, Executive Director,
EXXON VALDEZ TRUSTEE COUNCIL,
645 "G" Street,
Anchorage AK 99501

FAX: 276-7178

RE: North Afognak Island purchase

Dear Mr. Ayers,

We have lived and operated our lodge in the heart of North Afognak Island for the past 21 years and have lived here for 9 years previous to that...since 1964. We ourselves know that it is one of the choicest pieces of real-estate in the State of Alaska and through the years, this has been often confirmed by our international clientele (who have seen most of the better portions of this globe). As you know, the ADF&G habitat staff that works with the Trustee Council has also rated N. Afognak as the highest quality lands in the State.

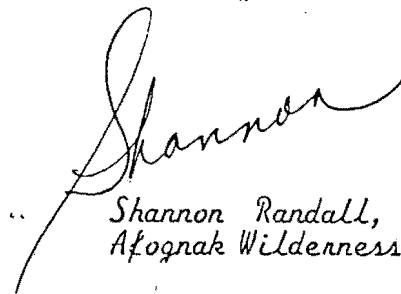
Because of this up-front knowledge of the high quality of these lands, the initial purchase of 42,000 acres was made in the last year.

Please vote to ADD ON these contiguous lands for an even larger State Park preserve that will be protected from logging. This is all that is left of this great jewel...which all the Kodiak Island area inhabitants great prize.

Afognak Joint Venture is eager to sell. The local people are eager to have you buy. You have all the data that proves it to be a wise choice. Please follow through.

We are all anxious to see the desires of the people met in our area and trust that your good judgement will align with ours.

Condiially,



Shannon Randall,
Afognak Wilderness Lodge.

Enclosures - copies for distribution to
Council members

CAROL JENSEN
4800 E. 112th Avenue
Anchorage, Alaska 99516-1612
(907) 346-3321

November 1, 1994

Mr. Jim Ayers, Executive Director
Exxon Valdez Settlement Trustee Council
645 G Street
Anchorage, AK 99501

Mr. Ayers & Council:

I'm writing to urge you to take action to acquire and protect the following areas, which otherwise will be clearcut by logging companies:

All of North Afognak Island (highest priority...Pauls & Lauras Lakes area)
Port Gravina, Sheep Bay and Simpson Bay (near Cordova)

Successful management of habitat, wildlife, all land and water resources depend on a commitment to total ecosystem management. One enemy of this type of management (and an enemy of wildlife and their habitat) is the timber industry. Unfortunately, this industry, as well as other environmentally damaging industries, has enormous support within the Federal and State governments. If Coghill or Campbell are elected governor, we will see protection for all state timberland destroyed, and along with it the wildlife, jobs and recreational, fishing and tourist opportunities and dollars.

Time is running out for protection of these lands. The purchase of all of Eyaks timber rights is essential to insure protection to maintain a healthy habitat and diverse wildlife populations.

The above areas are particularly important due to their extraordinary wildlife and marine habitats and their proximity to other heavily logged timber areas that are displacing the wildlife. The public has indicated it wants as much land protected from development as possible. These are very difficult decisions that have been placed in your hands. I believe hearing directly from the public on specific areas should be helpful to you.

Thank you for your attention, consideration, and most of all your hard work.

Sincerely,



Carol Jensen



**P.O. Box 1353
Valdez, AK 99686
Phone: 907-835-4300
Fax: 907-835-5679**

November 1, 1994

TO: Exxon Valdez Trustees
FROM: Nancy R. Lethcoe, President

RE: Habitat Acquisition

The Alaska Wilderness Recreation and Tourism Association supports habitat acquisition projects that are region wide and include lands used by recreation and tourism companies. As you know, Judge Holland ruled that recreation and tourism businesses could not sue Exxon for their loss of use of natural resources because this was covered by the settlement monies received by the Trustees.

We are very concerned that a disproportionate amount of Exxon Settlement monies allocated for habitat acquisition projects will be spent on the Kodiak area. This would have an adverse impact on recreation and tourism companies who are looking forward to settlement monies being spent on lands in the Eyak, Chenega, Kenai Fjords, and north Afognak Island areas.

Respectfully submitted,

Nancy R. Lethcoe

Afognak Wilderness Lodge

SEAL BAY, ALASKA 99697

CATERING TO ADVENTUROUS VACATIONERS • PHOTOGRAPHERS • FISHERMEN • HUNTERS

Radio Phone Contact: (907) 486-6442

FAX: (907) 486-2217

ROY & SHANNON RANDALL

Owners & Operators

October 21st, 1994.

Jim Ayers, Executive Director,
EXXON VALDEZ TRUSTEE COUNCIL,
645 "G" Street,
Anchorage AK 99501

FAX: 276-7178

RE: North Afognak Island purchase

Dear Mr. Ayers,

We have lived and operated our lodge in the heart of North Afognak Island for the past 21 years and have lived here for 9 years previous to that...since 1964. We ourselves know that it is one of the choicest pieces of real-estate in the State of Alaska and through the years, this has been often confirmed by our international clientele (who have seen most of the better portions of this globe). As you know, the ADF&G habitat staff that works with the Trustee Council has also rated N. Afognak as the highest quality lands in the State.

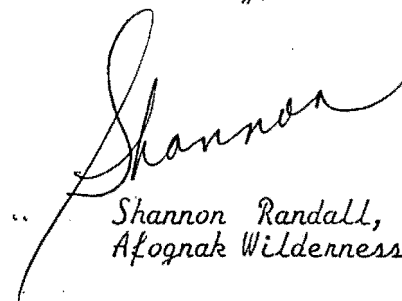
Because of this up-front knowledge of the high quality of these lands, the initial purchase of 42,000 acres was made in the last year.

Please vote to ADD ON these contiguous lands for an even larger State Park preserve that will be protected from logging. This is all that is left of this great jewel...which all the Kodiak Island area inhabitants great prize.

Afognak Joint Venture is eager to sell. The local people are eager to have you buy. You have all the data that proves it to be a wise choice. Please follow through.

We are all anxious to see the desires of the people met in our area and trust that your good judgement will align with ours.

Cordially,



Shannon Randall,
Afognak Wilderness Lodge.

Enclosures - copies for distribution to
Council members

DRAFT**RESOLUTION OF THE
EXXON VALDEZ SETTLEMENT TRUSTEE COUNCIL**

We, the undersigned, duly authorized members of the Exxon Valdez Settlement Trustee Council, after extensive review and consideration of the views of the public, find as follows:

1. The Tatitlek Corporation owns or is entitled to receive title to the surface estate, including timber rights, of land (the "Lands") within the oil spill affected area consisting of approximately 60,000 acres, in the following seven parcels:

- a. Sawmill Bay parcel, consisting of approximately 1,521 acres of land in fee, ("Sawmill Bay parcel");
- b. Heather Bay parcel, consisting of approximately 468 acres of fee at Emerald Cove and approximately 2,177 acres of land at Columbia Bay subject to a conservation easement, ("Heather Bay parcel");
- c. Galena Bay parcel, consisting of approximately 1,301 acres of land in fee, and approximately 10,100 acres of land subject to a conservation easement, ("Galena Bay parcel");
- d. Bligh Island parcel, consisting of approximately 8,805 acres of land subject to a conservation easement on Bligh, Busby and Reef Islands, ("Bligh Island parcel");
- e. Two Moon Bay parcel, consisting of approximately 4,410 acres of land in fee at Hells Hole, approximately 883 acres of land in fee at Port

Fidalgo, and approximately 25,072 acres of land in the Snug Corner Cove/Two Moon Bay parcel including Goose Island, subject to a conservation easement, ("Two Moon Bay parcel");

- f. Sunny Bay parcel, consisting of approximately 2,445 acres of land subject to a conservation easement ("Sunny Bay parcel"); and
- g. Whalen Bay parcel, consisting of approximately 1,979 acres, of land in fee ("Whalen Bay parcel"), subject to pre-existing rights.

These parcels and the interests to be conveyed are generally depicted on a map dated October 20, 1994, entitled "Tatitlek Wildlife Habitat Conservation and Acquisition Proposal." These Lands were selected pursuant to the Alaska Native Claims Settlement Act. The subsurface rights are owned by Chugach Alaska Corporation. Conservation easements would be conveyed in perpetuity.

2. The Lands include important habitat for species of wildlife for which significant injury resulting from the oil spill has been documented. There is substantial evidence that the Lands are important wildlife habitat. Harlequin ducks, bald eagles, black oyster-catchers, marbled murrelets, pigeon guillemots -- all species that suffered injury from the oil spill -- utilize these parcels (depending on the species), for feeding, nesting, loafing, molting, and wintering. The highest nesting concentrations of the pigeon guillemot in eastern Prince William Sound occur on one of these parcels (Bligh Island). Harbor seal haul outs and intertidal and subtidal biota are all found in substantial quantity along the shore line. The lands provide concentration areas for feeding and shelter and contain feeding areas for river otters and sea otters. There are 61 anadromous streams, 6 lakes, 3

salt water lagoons, and 2 large estuaries utilized by waterfowl, on these Lands. The Lands in general have historically supported high value wilderness-based subsistence food gathering and recreation uses including hunting, boating and fishing. The area has high scenic values and cultural resources.

3. Existing laws and regulations, including but not limited to the Alaska Forest Practices Act, and Anadromous Fish Protection Act, the Clean Water Act, the Alaska Coastal Management Act, the Bald Eagle Protection Act and the Marine Mammals Protection Act, are intended, under normal circumstances, to protect resources from serious adverse affects from logging and other developmental activities. However, restoration, replacement and enhancement of resources injured by the EXXON VALDEZ oil spill present a unique situation. Without passing on the adequacy or inadequacy of existing law and regulation to protect resources, biologist, scientists and other resource specialists agree that, in their best professional judgment, protection of habitat in the spill affected area to levels above and beyond that provided by existing law and regulation will likely have a beneficial affect on recovery of injured resources and lost or diminished services provided by these resources.

4. There is public support for the acquisition of the Lands.

5. The purchase of the Lands and interests in the Lands is an appropriate means to restore a portion of the injured resources and services in the oil spill area.

THEREFORE, we resolve to accept the Seller's proposal to sell The Tahtilek Corporation parcels in a combination of fee simple and conservation easement interests in the Lands consisting of approximately 60,000 acres, and authorize the expenditure of funds,

the exact amount of which will be determined through an appraisal and negotiation process to be completed prior to September 1, 1995, for this acquisition subject to satisfaction of the following conditions:

(a) Completion of an appraisal or appraisals of the Lands conducted at the direction of the Trustee Council and, if so desired by the Seller, an appraisal conducted at the direction of the Seller by June 15, 1995;

(b) Completion of a satisfactory hazardous substance survey;

(c) Compliance with the National Environmental Policy Act;

(d) Completion of a satisfactory title search and assurance that Seller is able to convey fee simple title and conservation easements, as appropriate, by warranty deed or other appropriate instrument to the surface estate for the Lands;

(e) No timber harvesting or further road development will be initiated on the Lands by Seller or Seller's agent or contractor prior to closing, except where indicated by the Seller to the Trustee Council based on contracts in existence on October 30, 1994;

(f) Completion of title search by June 15, 1995;

(g) Title to the Lands to be conveyed in fee shall be conveyed to the State of Alaska or to the United States, subject to terms and conditions as determined in the negotiation process.

(h) Conservation easements on the Lands as identified on the previously referenced map, dated October 20, 1994, shall be conveyed to the State of Alaska or to the United States of America, subject to terms and conditions as determined in the negotiation process.

(i) Other terms, conditions, appraisal guidance, agreements, purchases price and refinements to the land package, that are necessary and appropriate for the successful completion of the wildlife habitat conservation and acquisition through the Exxon Valdez Trustee Council, of lands owned by The Tatitlek Corporation and identified in this Resolution will be considered in the land appraisal and negotiation process and addressed in an approval/ratification resolution to be presented to the Trustee council upon conclusion of the negotiation process.

DATED this ____ day of November, 1994 at Anchorage, Alaska.

PHILLIP JANNICK
Regional Forester
Alaska Region
USDA Forest Service

JOHN A. SANDOR
Commissioner
Alaska Department of
Environmental Conservation

STEVEN PENNOYER
Director, Alaska Region
National Marine Fisheries Service

CARL L. ROSIER
Commissioner
Alaska Department of Fish
and Game

GEORGE FRAMPTON
Assistant Secretary for
Fish, Wildlife and Parks
Department of the Interior

CRAIG TILLERY
Assistant Attorney General
State of Alaska

DRAFT

	TRUSTEE COUNCIL FUNDS	FEDERAL RESTITUTION & OTHER	TOTAL	ACREAGE UNDER PROTECTION (ROUNDED OFF)
AKI	\$36.0 Million (\$10 Million Down)	\$10 Million	\$46.0 Million	120,000
OLD HARBOR	\$11.25 Million (\$4 Million Down)	\$3.25 Million	\$14.5 Million	110,000
KONIAG	\$21.5 Million (\$3 Million Down)	\$7 Million	\$28.5 Million	60,000 (in fee title) 56,000 (7-year easement)
TOTALS	\$68.75 Million (\$17 Million Down)	\$20.25 Million	\$89.0 Million	346,000 Total Acres Protected
Conditional Reserve For Karluk & Sturgeon			\$16.5 Million	
Total			\$105.5 Million	

MOTION

(Draft 11/3/94)

MOVE THAT:

These projects are approved contingent on a review of each project's equipment needs and submission of an *Exxon Valdez* Oil Spill property list consistent with a uniform system of managing Trustee Council inventory.

Motion to Adopt a Final Exxon Valdez Restoration Plan

Whereas, the Restoration Plan provides long-term guidance for restoration that will help the Trustee Council achieve its mission to "efficiently restore the environment injured by the *Exxon Valdez* oil spill to a healthy, productive, world renowned ecosystem, while taking into account the importance of the quality of life and the need for viable opportunities to establish and sustain a reasonable standard of living;"

Whereas, having long-term direction for the restoration process will aid restoration and help the recovery of the injured resources and services;

Whereas, the Restoration Plan is the culmination of a multi-year process, directed by the Trustee Council, with considerable participation of scientists, the public, and the Public Advisory Group;

Whereas, over 2000 people from inside and outside Alaska participated in developing the Draft Plan, and hundreds more helped by reviewing the Draft Restoration Plan or its accompanying Environmental Impact Statement;

Whereas, the plan was the subject of a year-long NEPA process, and the plan reflects the policies chosen in the preferred Alternative of the Environmental Impact Statement and recorded in the Record of Decision, signed last Monday; and;

Whereas, the Public Advisory Group helped develop the Draft Restoration Plan, and reviewed and supported it by recommending Alternative 5 of the EIS, which the Plan reflects.

Therefore be it resolved, the Trustee Council hereby adopts the *Exxon Valdez* Oil Spill Restoration Plan to give long-term guidance to the restoration process.

MOTION ON WORK PLAN

TO ADOPT THE RECOMMENDATION OF THE EXECUTIVE DIRECTOR AS REFLECTED IN THE EXECUTIVE DIRECTOR'S MEMO AND IN ATTACHMENT A, WITH THE CONDITIONS AND RECOMMENDATIONS FOR SPECIFIC PROJECTS AS DESCRIBED BY DR. SPIES IN HIS SERIES OF MEMOS IN ATTACHMENT D.

~~Tyann - Alaska advisory board -~~

~~- Hunter McCarty =~~

~~Chris Blackburn -~~
~~Kodiak~~

~~Cheryl Sutton.~~

~~Kris Norosz~~

HABITAT PROTECTION PARCEL ANALYSIS

PARCEL #: OLD05a		PARCEL NAME: Three Saints Bay	
LANDOWNER: Old Harbor Native Corporation		PARCEL ACREAGE:	SCORE: 47.5
INJURED RESOURCE / SERVICE	POTENTIAL FOR BENEFIT	COMMENT	
Pink Salmon	Low		
Sockeye Salmon	None		
Cutthroat Trout	None		
Dolly Varden	Low		
Pacific Herring	High	Documented spawning.	
Bald Eagle	High	Fourteen documented nest sites.	
Black Oystercatcher	High	Documented nesting area; feeding area.	
Common Murre	Moderate	Heavy concentration of winter feeding in Sitkalidak Strait.	
Harbor Seal	Moderate	Probable haulout in adjacent area; feeding.	
Harlequin Duck	Moderate	Probable feeding, possible nesting; molting on John Island.	
Intertidal/subtidal biota	Moderate	Shallow intertidal on west shore; John Island rocky intertidal with mussel beds and Fucus.	
Marbled Murrelet	Moderate	Feeding in nearshore waters; probable nesting.	
Pigeon Guillemot	Moderate	Feeding concentrations in nearshore waters particularly in winter; small colonies on John Island.	
River Otter	Moderate	Feeding and known latrine sites along shoreline; possible denning.	

10/21/98

HABITAT PROTECTION PARCEL ANALYSIS

PARCEL #: OLD05a	PARCEL NAME: Three Saints Bay	
Sea Otter	Low	Limited feeding along shoreline.
Recreation/Tourism	Moderate	Some use by Old Harbor-based marine outfitters; hunting; good anchorage; wildlife viewing; several cabins on parcel.
Wilderness	Moderate	Two cabins.
Cultural Resources	High	Evidence of cultural resources on site. First Russian settlement in Alaska.
Subsistence	High	Utilized by residents of Old Harbor for deer, fish, waterfowl, marine mammals harvesting and trapping.
ECOLOGICAL SIGNIFICANCE: Anadromous fish stream also supports populations of coho salmon. Steller's eiders feed in nearshore waters.		
ADJACENT LAND MANAGEMENT: U.S Fish and Wildlife Service. Small inholdings present within area.		
ADDITIONAL CONSIDERATIONS: Two species, Northern sea lion and Steller's eider, occur near parcel and may be formally listed as threatened species in the near future.		
PROTECTION OBJECTIVE: 1) Maintain water quality and riparian habitats for anadromous fish, river otter, and harlequin duck; 2) maintain nesting and perching opportunities for bald eagle and pigeon guillemot; 3) minimize disturbance to nearshore and intertidal habitat use; 4) maintain existing human uses.		

RANKING CRITERIA								
1	2	3	4	5	6	7	8	TOTAL
5H, 9M	Y	Y	Y	N	N	Y	Y	47.5

1. Parties other than landowner may own partial rights (e.g., timber, minerals)

3.

$$\begin{array}{r} 48 \\ 30 \overline{) 1440.00} \\ \underline{120} \\ 240 \\ \underline{240} \\ 0 \end{array}$$

APPENDIX 1

RESERVING TO Old Harbor Native Corporation from the lands so granted the following described easement:

The residents of Old Harbor, Alaska (which are defined to mean those persons maintaining their primary, permanent abode in Old Harbor, Alaska) (hereinafter "residents") shall have the right to enter upon and travel across the above-granted lands for the purposes of engaging in customary and traditional uses (hereinafter "uses" or "such uses") of wild, renewable resources for direct personal or family consumption as food, shelter, fuel, clothing, tools, or transportation; for making and selling of handicraft articles out of nonedible by products of fish and wildlife resources taken for personal or family consumption; for barter, or sharing for personal or family consumption; and for customary trade. As used herein, the term -

(1) "family" means all persons related by blood, marriage, or adoption, or any person living within the household on a permanent basis; and

(2) "barter" means the exchange of fish or wildlife or their parts, taken for subsistence uses--

(A) for other fish or game or their parts; or

(B) for other food or for nonedible items other than money if the exchange is of a limited and noncommercial nature.

In exercising the rights reserved herein, the residents may utilize such means of transportation as are permitted to the general public on adjacent federal lands and all means of transportation which were customarily utilized by the residents for engaging in such uses on the above-granted lands as of

January 1, 1994; provided however, that the Secretary may impose such reasonable restrictions on such means of transportation as may be necessary to protect the natural and other values of the Kodiak National Wildlife Refuge (hereinafter KNWR). Nothing herein shall be construed as (1) allowing such uses to interfere with the Secretary's responsibility to manage the above-granted lands for the purposes for which the KNWR is established, (2) permitting the level of such uses of wild, renewable resources upon the above-granted lands to be inconsistent with the conservation of healthy fish and wildlife populations, or (3) preventing the Secretary from closing the above-granted lands to such uses of a wild, renewable resource if necessary for reasons of public safety, administration, or to assure the continued viability of such resources; provided however, that the Secretary shall not limit or preclude such uses of fish and wildlife on the above-granted lands by the residents for purposes of public safety or administration unless the Secretary has taken all other reasonable actions necessary to remedy the conditions giving rise to the proposed limitations or preclusions, including, but not limited to, the termination of all other activities, consumptive or non-consumptive, on such lands that contribute to such conditions. The Secretary shall, consistent with his other legal obligations, manage the above-granted lands in a good faith manner which acknowledges and seeks to preserve the rights described in this easement. Nothing herein shall be construed to create any fiduciary or trust obligation whatsoever on the part of the Secretary, his successors and assigns, or the United States and its assigns for the management of such lands. Nothing herein shall be construed to affect the authority of the State of Alaska to regulate or prohibit the taking of fish and wildlife upon the above-granted lands. Nothing herein shall be construed to affect the authority of the United States under the provisions of any federal law governing the conservation or protection of fish and wildlife, including, but not limited to, the National Wildlife

514 Refuge System Administration Act of 1966 (80 Stat. 927; 16 U.S.C. 668dd-jj), the Fur Seal Act of
515 1966 (80 Stat. 1091; 16 U.S.C. 1187), the Endangered Species Act o 1973 (87 Stat. 884; 16 U.S.C.
516 1531-1534), the Marine Mammal Protection Act of 1972 (86 Stat. 1027; 16 U.S.C. 1361-1407), the
517 Act entitled "An Act for the Protection of the Bald Eagle," approved June 8, 1940 (54 Stat. 250; 16
518 U.S.C. 742a-754), the Migratory Bird Treaty Act, (40 Stat. 755; 16 U.S.C. 703-711), the Federal Aid
519 in Wildlife Restoration Act (50 Stat. 917; 16 U.S.C. 669-669i), the Fishery Conservation and
520 Management Act of 1976 (90 Stat. 331; 16 U.S.C. 1801-1882), the Federal Aid in Fish restoration
521 Act (64 Stat. 430; 16 U.S.C. 777-777k) or any amendments to any one or more of such acts.

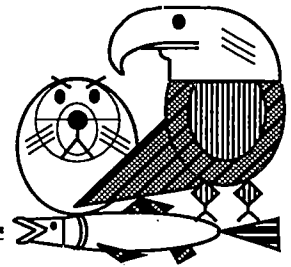
522 This easement is a covenant running with the above-granted lands and shall be binding upon the
523 United States and its assigns, except that such easement shall not survive to the extent that the
524 above-granted lands are conveyed to Old Harbor Native Corporation.

Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 G Street, Suite 401, Anchorage, Alaska 99501-3451

Phone: (907) 278-8012 Fax: (907) 276-7178



MEMORANDUM

To: Trustee Council

From: James R. Ayers
Executive Director

Date: November 1, 1994

Subj: Additional Public Comments on the 1995 Work Plan

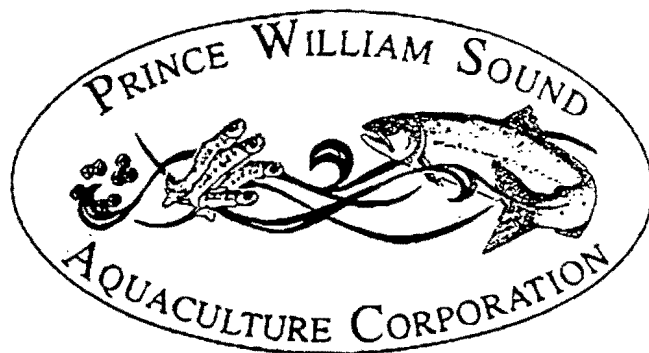
Enclosed are public comments regarding the 1995 Work Plan received after October 24, when your packets were sent to you.

Jra/raw

Trustee Agencies

State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation

United States: National Oceanic and Atmospheric Administration, Departments of Agriculture and Interior



October 25, 1994

Jim Ayers, Executive Director
EVOS Trustee Council
645 G Street
Anchorage, AK 99501

Mr. Ayers,

I am led to believe that a recommendation may be forth coming from you to the Trustee Council to fund planning and permitting for project #95093, subprojects -A, -B and -C. Discussions with Molly McCammon, Craig Tillary and James Brady, as well as a recent letter from Dr. Bob Spies, have underscored this possibility and the level of funding to be recommended.

This recommendation and subsequent planning/permitting funding in support of project #95093 will be a positive notification from the Trustee Council of intent to take a more active position in restoration of injured salmon resources and damaged services.

In support for this recommendation, the PWSAC Executive Committee provide the attached resolution. It is important to recognize the collaborative nature of the proposal, the conceptualized activities which are to be addressed, the fact that little actual direct restoration has taken place, and that planning and permitting can be accomplished before the 1995 field season. Therefore, it is vital that in adopting a recommendation for planning and permitting funding, that the Trustee Council decide to revisit #95093 in late winter/spring 1995, to make final funding decisions on work to be undertaken next summer.

With these thoughts in mind, I will look forward to a productive EVOS Trustee Council meeting November 2-3.

Sincerely,

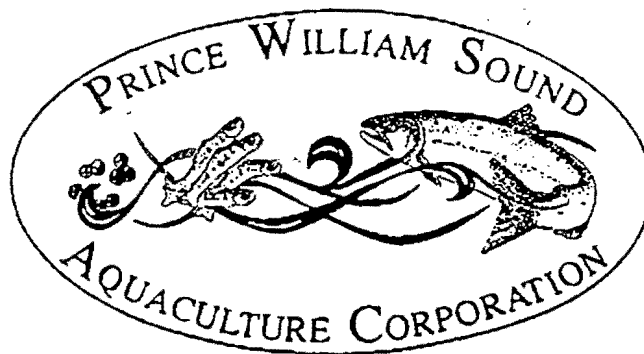
Bud Perrine

Bud Perrine
Vice Chairman

cc Dr. Robert Spies

Post-It™ brand fax transmittal memo 7671		# of pages • 2
To	Jim Ayers	From
Co.	EVOS Trustee Council	Co.
Dept.		Phone #
Fax #	276-7178	Fax #
		424-7511
		424-7514

Resolution 94-7EC



Position on EVOS Proposal #95093 Including Subprojects -A, -B, -C.

WHEREAS, PWSAC supports natural spawning stock salmon restoration and has proposed to the EVOS Trustee Council a collaborative proposal to restore natural spawning stock salmon in both oil damaged streams and streams important to subsistence users, and implement actions to reduce harvest pressure on injured stocks; and

WHEREAS, salmon stocks have been recognized as injured and services from those resources lost or damaged; and

WHEREAS, since 1989 little action has been taken to implement projects designed to directly restore these resources and services; and

WHEREAS, PWSAC has continued to respond to legal and scientific concerns in its proposal revisions; and

WHEREAS, PWSAC and project collaborators have full intention to implement project #95093 including subprojects A, B and C during the field season beginning May, 1995; and

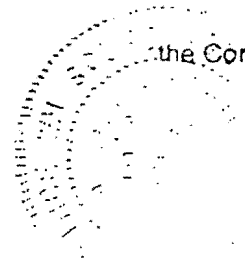
WHEREAS, PWSAC believes the collaborative parties can complete all necessary planning and permitting prior to the 1995 field season, now

THEREFORE BE IT RESOLVED, that PWSAC supports the EVOS Trustee Council Executive Director and Chief Scientist recommendation to fund project #95093 planning and permitting, with the condition that the EVOS Trustee Council revisit the proposed projects prior to the field season and provide its decision on funding for FYY-95 at that time.

CERTIFICATION

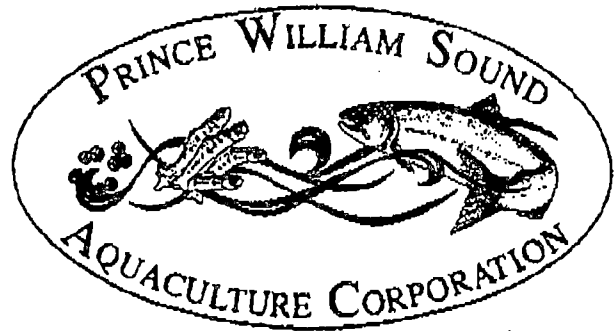
I HEREBY CERTIFY, that I am the duly elected, qualified and acting Vice Chairman of the Prince William Sound Aquaculture Corporation, an Alaska corporation; that the foregoing is a full, true and correct copy of a resolution duly and legally adopted at a regular meeting of the Board of Directors Executive Committee on October 24, 1994 at which a quorum was present, and that such resolution is now in full force and effect and duly recorded in the minutes of the Board of Directors.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the seal of the Corporation this 25TH of October 1994.


Bud Perrine
Vice Chairman

October 27, 1994

EVOS Trustee Council
645 G Street
Anchorage, AK 99501



Dear Council Member,

Prince William Sound Aquaculture Corporation, the Native Village of Eyak Tribal Council, and the University of Alaska School of Fisheries and Ocean Sciences propose a collaborative and integrated program (Project # 95093-A, -B, -C) to restore natural spawning salmon stocks and services injured as a result of the oil spill.

Recent communications with agency representatives associated with the EVOS Trustee Council and staff at the EVOS office lead us to anticipate a recommendation will be placed before you to fund planning and permitting aspects of proposal 95093. In light of this information, the PWSAC Executive Committee of the Board approved the attached resolution which was forwarded to Executive Director Jim Ayers along with the October 25 cover letter to Mr. Ayers.

Two elements require focus:

1. PWSAC and collaborating partners support the recommendation concept to fund project planning and permitting;
2. PWSAC and collaborating parties condition their support on the EVOS Trustee Council revisiting for funding. In late winter or early spring, the projects as detailed and permitted so that field work on feasible project components can begin in 1995.

The recommendation as it has been currently presented is to allocate \$100,000 for planning and permitting. We believe this is unrealistic considering NEPA complexity and costs. PWSAC projected \$25,000 for each Environmental Assessment (EA). We project 8 EAs may be required for a total of \$200,000. This is only our best estimate in that we have not been informed by parties of authority as to how many EAs will be required to permit the proposed work. A more realistic figure for planning and permitting is \$250,000 to \$300,000. A detailed budget for planning and permitting will be presented at the November 2 Trustee Council meeting.

I hope you will consider the actual planning and permitting requirements and not just approve a sum which appears to have been arbitrarily suggested and without input from the project proposers. This is very important.

Sincerely,

Dan Hull
Chairman

Village of Eyak
 P.O. Box 1388
 Cordova, Alaska 99574-1388
 (907) 556-1388

Oct. 27, 1994

To: Dr. Robert Spies, Chief Scientist, Exxon Valdez
 Oil Spill Trustee Council
 From: Stephen C. Riedel

I have read your letter to Howard Ferren dated Oct. 22 and agree with the need for adequate funding for the planning and permitting process. What I can not accept is for PWSAC, The Village of Eyak, the University of Alaska, and involved Government agencies to work out an agreement on what can be done, how to do it, and to begin the permitting process only to find there are no funds available to start actual work until 1996. It will require a lot of work to come to a consensus on this project and all aspects may not be agreed upon by next spring. The parts of this project that can be agreed upon and have the necessary permits in place by spring need to be funded for actual work in the summer of 1995.

If after the Nov. 1994 Trustee Council meeting there is no mechanism in place to re-visit this project after the planning and permitting phase is completed, actual work in the field will not begin until the summer of 1996, over 7 years after the spill.

The Natives and Fishermen who make their entire living off the resources of Prince William Sound have waited long enough. It is the responsibility of the E.V.O.S. Trustee Council and involved Government Agencies to find solutions. Research, planning, and studies are not enough. We need restoration to begin now.

Stephen C. Riedel

Post-It™ brand fax transmittal memo 7671		# of pages ▶ 1
To: Dr. Robert Spies	From: Stephen C. Riedel	
Co. EVOS Trustee Council	Co.	
Dept.	Phone # 424-3241	
Fax # 276-7178	Fax #	

The Native Village of Eyak Tribal Council

P.O. Box 1388

Cordova, Alaska 99574-1388

(907) 424-7738 • Fax (907) 424-7739

October 28, 1994

Carl L. Rosier
Commissioner
Alaska Department of Fish and Game
1255 West 8th Street
Juneau, Alaska 99811-0300

Mr. Rosier

I writing this letter to request your support for our Joint Venture with Prince William Sound Aqua-Culture and the University of Alaska, projects 95093-A, 95093-B, & 95093-C, to restore oil damaged wild salmon stocks in Prince William Sound.

While many people have visited Prince William Sound, it has been The Eyak Tribe's home for the past 7000 years.

When we heard The Exxon Valdez Trustees Council was set up to fund the restoration of the oil damage to Prince William Sound, we were overjoyed. However, it has been five and one half years since the spill, and we still don't see any restoration action taking place. We hear a lot of talk, but no action.

I have looked up the definitions of the words, restore, talk, and act, in the dictionary. I have included them in this letter in case you people have forgotten the meanings of these words.

restore (re-stor'), v.t. to bring back to it's former strength; repair; rebuild; heal or cure; re-invigorate; renew; amend; reclaim; store again.

talk (tawk), v.i. to utter words; speak familiarly; converse; prattle; v.t. to utter; make a subject of conversation; n. familiar converse; colloquy; subject of discourse; rumor.

act (ack't), n. an action; process of doing; a decree, edict, or enactment; the judgment of a court; a formal writing; one of the principal divisions of a drama; a thesis maintained by a candidate for a degree at a university; v.t. to do; perform; play as on the stage; set in motion; v.i. to exert force or energy.

The definitions of these words were taken from "Webster's American Reference Dictionary", published in 1938. This dictionary was given to me by my father. While the dictionary is 56 years old, I don't think the meanings of these words have changed.

MOITAH

We need people who understand the meaning of the work "restore". They also need to know the difference between the words, "talk" and "act".

Our Tribe is the largest Tribe in the Prince William Sound area. We are tired of waiting for the restoration process to begin.

If we are required to do more study, fund us \$250,000-300,00, to get further study done and reconvene the Trustees Council in the spring to fund the full project, so we can start the actual restoration this next season. We have wasted enough time.

Sincerely yours,



Bob Henrichs
President
Eyak Tribal Council
Native Village of Eyak



October 27, 1994

Mr. James R. Ayers, Executive Director
Exxon Valdez Oil Spill Trustee Council
645 G Street
Anchorage, AK 99501

Re: Funding of Alaska Native Community Projects

Dear Mr. Ayers:

It has come to my attention that Alaska Native restoration projects for which funding is deemed important to the communities of the Chugach Region have received little or no interest, assistance or satisfaction from the Exxon Valdez Oil Spill Council.

These restoration projects are of particular importance because of their relationship to the Alaska Native subsistence economy. As you must know, access to a healthy subsistence resource is as important to a rural community as the well-stocked markets are to the urban community.

The following list of projects deal directly with resource enhancement and/or replacement, and habitat restoration:

PROJECT NUMBER
95093 A - B - C
95124 A - B
95125
95127
95131
95134
95272

We at Chugach Alaska Corporation support and endorse the efforts of the communities of Eyak, Tatitlek, Chenega, Nanwalek and Port Graham and strongly urge the EVOS Trustee Council to consider and approve their proposed projects.

Please feel free to contact us for any further information or assistance regarding these proposals.

Sincerely,

CHUGACH ALASKA CORPORATION

A handwritten signature in dark ink, appearing to read 'John A. Christensen Sr.', is written over a horizontal line.

John A. Christensen Sr.
Chairman of the Board

JAC:jc

10/21/94

Dear Council members,

Please do not allow the "Alaska
Sea Life Center" to become a
reality. Marine mammals who
survived the Valdez oil spill do
not need to be harassed!

Sincerely,
J. W. W. W.

H



LYNN MORAN

343 East 6th Street Apt. 3B, New York, NY 10003

Exxon
Trust
Restoration
645
Anchorage