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PUBLIC COMMENTS ON
SMALL PARCELS

1-1-1

**SUMMARY OF COMMENTS FROM PUBLIC ADVISORY GROUP
INFORMAL BRIEFING
NOVEMBER 17, 1995**

The Executive Director briefed the Public Advisory Group at an informal session on the proposed small parcel package to be considered by the Trustee Council on November 20. This was not a formal meeting, it was not publicly noticed, and no votes were taken. The following is a summary of the comments received:

Overall comments

- The small parcel package is a worthwhile effort and the Council should move forward with these actions.
- The Council should ensure that all lands to be acquired do not receive further public access to the detriment of the habitat and the injured resources. An additional concern was expressed about agencies' future funding and their future ability to manage these lands.
- Is there enough money within the Trustee Council's overall financial plan to commit this amount to small parcels? Yes, there is based on accrued interest, lapsed money from projects, and the fact that all the planning for the various categories is based on a range of estimates.

PWS 17 - Ellamar

- Nancy Lethcoe questioned how this acquisition would provide for access to the uplands since the surrounding land is owned by Tatitlek Corporation. The restoration benefits report will be revised to reflect that the acquisition will ensure access to shorelands for camping areas.

PWS 52 and 05 - Valdez Duck Flats and Hayward Parcel (Zook)

- Dave Cobb questioned the relative ranking of these two parcels, one being high and the other moderate. Information was given to him that PWS 52 scored more highly on the basis of threat and management potential.
- Nancy Lethcoe noted that PWS 05 had Hudsonian Godwits on it.

KEN 54 and KNA package

- Brenda Schwantes asked why the appraised values appeared so low compared to a parcel such as Lowell Point. It was explained that the larger parcels tended to have acreage that wasn't river frontage, was less suitable for development, and hence less valuable.

Kenai River parcels

- Dave Cobb thought that restoration benefit for pink salmon habitat in the Kenai River was a stretch, and suggested that the benefit was actually overall fish habitat.



Post-It™ brand fax transmittal memo 7671 # of pages 1

To: SHARON OR GARY	From: MARK
Co. M.	Co. KENAI
Dept. REALTY	Phone 260-2805
Fax 2	Fax RECEIPT

ADVISORY BOARD

Resolution 95-01

A Resolution to the Exxon Valdez Trustee Council supporting the acquisition of Kenai River properties important for their fish habitat and recreational values.

Whereas certain lands along the Kenai River which are important to restoring valuable riparian habitat for species injured by the Exxon Valdez oil spill have been offered for sale by their owners, and

Whereas these lands include the following lands: Salamatof Parcel, KEN 54; Cone Parcel, KEN 34; Stephanka Tract, KEN 1004; Kobylarz Subdivision, KEN 10; River Ranch, KEN 148; and the Girves Parcel, KEN 1006, and

Whereas, if these lands are purchased, there is greater likelihood that important fish habitat and recreation lands can be protected and maintained for the public, instead of sold to private individuals and developed, and

Whereas the management of these lands is to be divided between the US Fish and Wildlife Service and the Alaska Department of Natural Resources for the public's benefit, and

Whereas, the acquisition of the Salamatof Parcel and Stephanka Tract is especially critical for restoring former USFWS lands to the Kenai National Wildlife Refuge so that they can be protected for their resource values.

Therefore, be it resolved the Kenai River Special Management Area Advisory Board fully supports the purchase of these lands by the Trustee Council to be held for the public by the United States Fish and Wildlife Service and the Alaska Department of Natural Resources, and managed in accordance with the purposes of the Kenai National Wildlife Refuge and the Kenai River Special Management Area.

Jim A. Richardson
Jim A. Richardson, President

11/17/95
Date



Sierra Club

Alaska Field Office

241 E. Fifth Avenue, Suite 205, Anchorage, Alaska 99501
(907) 276-4048 • FAX (907) 258-6807



November 17, 1995

Exxon Valdez Oil Spill Trustee Council
645 G Street
Anchorage AK 99501
fax 907-276-7178

RE: Small Parcels -- Kenai Natives Association package

Dear Trustee Council Members,

The Sierra Club has long supported federal acquisition from willing sellers of private inholdings within the Kenai National Wildlife Refuge. In particular, we have supported the proposal negotiated between the U.S. Fish and Wildlife Service (FWS) and the Kenai Natives Association (KNA) for FWS to acquire a package of KNA land parcels within the Refuge.

We urge the Trustee Council to adopt the recommendation of its executive director by contributing four million dollars (\$4,000,000) of oil spill restoration funds towards the completion of this purchase.

The Kenai National Wildlife Refuge is extremely valuable wildlife habitat for many species, including several species injured by the Exxon Valdez oil spill. Acquisition and protection of private lands within its boundaries will greatly improve FWS's ability to manage the whole Refuge for the protection of wildlife populations and for the benefit of Alaskans and other Americans.

Thank you for your attention.

Sincerely,

Pamela Brodie
Alaska Rainforest Coordinator

Printed on Recycled Paper.

SMALL PARCEL NOMINATION

PWS-5 (Duck Flats)



P.O. Box 1353
Valdez, AK 99686
Phone: 907-835-4300
Fax: 907.835.5679

To: Molly McCammon, PAG Group
From: Nancy R. Lethcoe
Date: April 14, 1995

I am sorry I am not able to attend the April 20-21 meeting, but I must be in Fairbanks for a promotional show for our business. I look forward to joining you at the June 13-14 meeting — unless we receive so many bookings I am unable to get away.

I have concerns about three small parcels I wish to bring to your attention:

1. The University of Alaska has two land parcels adjacent to the Valdez Duck Flats. The Forest Service agreed to sponsor one parcel which is the site of its Valdez information center. The other, adjacent parcel, was not sponsored. I did not realize that this area was two separate parcels until quite recently and have been trying to identify why the Forest Service did not sponsor both parcels (please see attached letter to Phil Janik).

The US Fish and Wildlife Service lists the Valdez Duck Flats as an Area of National Significance, because Hudsonian Godwits nest here. The unsponsored parcel is a significant portion of the Valdez Duck Flats viewshed for the Information Center, but more importantly, the alder shrublands and saltmarsh extending out to the mudflats are important habitat for microtines, river otter, weasel, numerous nesting birds, and a rich mudflats flora and fauna. This is an important staging area for shorebirds during the spring and fall migrations. Bald eagles perch on the dead limbs of the cottonwoods while feeding in the area. The spruce forests (on inner point on southern boundary) are thought to be nesting sites for marbled murrelets which are seen in the Duck Flats area. Harbor seals and Steller Sea lions feed in the adjacent mudflats at high tide and haul out on the rocky islets. Some years, in the winter large flocks of common murre move into this area to feed. Sea otters feed in this area year round. The AT Transient Pod of Killer Whales and others have been spotted in Port Valdez and may be feeding on the animals that feed in the Duck Flats. Some of the area may be used as a nursery for out-migrating salmon fry and as a milling area for spawning salmon. I am told that some local residents gather eggs for subsistence use in this area.

According to Martin Epstein, the University of Alaska is a willing seller, although they also have someone who wants to purchase the land for an RV park. Construction of an RV park here would not only destroy this biologically rich parcel and adversely affect the adjacent mudflats, but it would also have a significant impact on the visual quality and wildlife viewing opportunities for local residents and other tourists. Currently, at least 200,000 visitors pass this area annually. The Forest Service estimates that 80,000-120,000 stop at their interpretive center. Local businesses conduct wildlife watching trips by kayak trips in the area. Valdez AWRTA members and local residents would like to see wildlife viewing and interpretive areas constructed — perhaps across the highway in conjunction with the City's Gazebo.

AWRTA, P.O. Box 1353, Valdez, AK 99686

p. 2

We are most concerned about the loss of habitat and opportunities to view wildlife dependent upon that habitat.

2. The second parcel is at Jack Bay. Please see my attached letter to Martin Epstein. This parcel is very important to local recreational users, AWRTA business members, and the cruise/tourboat industry. We strongly support purchasing and adding it to the Jack Bay Marine Park. We would hope to see the habitat protected, while perhaps adding some amenities to the area, such as trails, mooring buoys, and tent camping sites. The area is viewed by all tourboat and cruiseship passengers entering and leaving Port Valdez. Logging would impact the visual quality. The old growth forest provides nesting, shelter, and perch sites for numerous birds. We do not know if any marbled murrelets nest in the area, but river otter, weasel, and mink are known to occur. Offshore, sea otters, harbor seals, Steller sea lions and killer whales use the adjacent waters. The site also has intertidal zone values.

3. I have received a fax from Michael McBride of Kachemak Bay Wilderness Lodge describing the Fox Island Small Parcel. I would like to suggest that this site be reviewed for possible purchase and inclusion in the Kachemak Bay State Park.

Sincerely,



Nancy R. Lethcoe



RECEIVED
R

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

4/26/95

Dear Mrs McComron

Thank-you for your support in purchasing the two small parcels in Duck Flats (PWS)

Our boating company uses Duck Flats extensively. We conduct nature tours for cruise ship clients, local residents and others who visit our town. You are probably aware that Duck Flats is the home of numerous marine mammal & birds that were negatively impacted by the Valdez Oil Spill including Harbor Seals, sea lions, herring gulls, eiders, arctic terns, pink salmon, etc.

My concern is the recent proposed development of a R.V park, main area on the West Side of Duck Flats. From my observations this area is vital to marine birds. This is where we have observed numerous species of duck congregating during storms. We kayak the area during high tide and bird watch at other times. In my opinion it is important to preserve it and therefore I urge you and the EVOS Council to consider purchasing it.

Sincerely

Hedy Sarney
Owner/manager

P.O. BOX 1821
V A L D E Z
A L A S K A
9 9 6 8 6
T E L / F A X
(907)835-2814
(800)TO KAYAK
Outside Alaska

SMALL PARCEL NOMINATION

PWS- // (*Horseshoe Bay*)

DEPARTMENT OF NATURAL RESOURCES

DIVISION OF PARKS AND OUTDOOR RECREATION

WALTER J. HICKEL, GOVERNOR

3601 C STREET, SUITE 1200
ANCHORAGE, ALASKA 99503
PHONE: (907) 762-2600

MAILING ADDRESS
P.O. BOX 107001
ANCHORAGE, ALASKA 99510-7001

June 7, 1994

RECEIVED
JUN 09 1994

Mr. Jim Ayers, Executive Director
Exxon Valdez Oil Spill Trustee Council
645 G Street
Anchorage, Alaska 99501

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

Dear Jim:

I am certain the Trustee Council is receiving many nominations for small parcel acquisitions. As both a participant and observer of this important process, I would like to offer a recommendation for a purchase which I believe is important.

In 1983, the Alaska Legislature created the Horseshoe Bay State Marine Park on the northwest shore of LaTouche Island in Prince William Sound. Unfortunately, within the statutory boundary of this marine park is a large patented private parcel. The property is owned by Lucy and Cliff Groh of Anchorage. I have had contact with the Grohs on the importance of this parcel for several years. They are now willing to sell the land, have nominated it to the Council for purchase, and I urge that it be acquired.

I have visited this site, which was oiled by the Exxon spill, and have always viewed it as biologically rich and important. Horseshoe Creek has salmon, the Bay itself is a small bight with is heavily used by pelagic birds. I possesses important recreation values. The surrounding lands are a state park and if the Groh property were developed, it would have a negative impact on this legislatively-designated protected area.

I hope the Trustee Council will purchase this property.

Sincerely,



Neil C. Johannsen
Director
Alaska State Parks

FOCUS COMPANY

"Commercial Real Estate Brokerage & Consulting"

February 7, 1995

Mr. Alex Swiderski
Assistant Attorney General
State of Alaska
Department of Law
1031 W. 4th Avenue, Suite #200
Anchorage, Alaska 99501

(Via FAX 278-7022)

Re: Exxon Valdez Restoration Trustee Council; Small Parcel
Habitat Protection and Acquisition Process; "PWS 11" parcel
located on LaTouche Island in Prince William Sound

Dear Mr. Swiderski,

Thank you for speaking with me by phone last Thursday regarding the above.

As I explained to you, I represent the owner of the above referenced parcel of real property.

The property is an approximate 315 acres at Horseshoe Bay. The 315 acres consists of subdivided Tracts 1, 2, and 5 and 129 platted lots comprising 202 acres, and Tracts 3 and 4 comprising 113 acres.

The property is "T" shaped with 1678 feet of waterfront on Horseshoe Bay. Many maps indicate that the State's Horseshoe Bay State Marine Park encompasses the waterfront at Horseshoe Bay. This is, in fact, not correct, in that the private parcel referenced herein comprises the most of the beachfront at Horseshoe Bay, including Horseshoe Creek. The private parcel, in fact, bisects Horseshoe Bay State Marine Park.

I have extensive exhibits which support the ownership, parcel size, relationship to the State Park, etc.

I, and the owners, believe that the highest and best use of the property is to include it in the Park. The some 134 legal parcels are currently under one ownership. It appears that this a unique situation within the Small Parcels in the Sound. The owner is a willing seller. Protection of this parcel at this time would prevent numerous future inholder situations.

(Mr. Alex Swiderski, page 2)

The property appears to optimally have met the threshold criteria analysis. In addition, the detailed analysis concerning (1) potential benefits to restoration, (2) threat to the parcel, and (3) ability to manage the parcel, should show this parcel as a prime candidate for protection via acquisition.

The potential benefits to restoration should be very similar to the nearby Chenega "PWS 07" parcel which was rated high.

The threat to the parcel is as previously explained, i.e. the sale of various small portions to various owners.

The ability to manage is spoken to adequately by Neil Johanssen's letter.

The State of Alaska appears to be a willing custodian of this property (see letter of June 7, 1994 Johanssen to Ayers attached hereto).

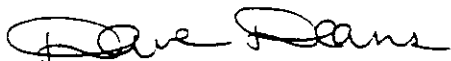
I have also attached hereto for your reference:

1. Excerpts from AS 41.21.304(9) creating the State Marine Parks
2. Plat #83-7 of Horseshoe Bay Subdivision filed July 28, 1983, in the Valdez Recording District
3. A map showing the relationship of the property to Horseshoe Bay and the State Park

The request herein is that the Department of Law sponsor/support the acquisition of this property in the upcoming Trustee Council meeting, which meeting we understand will include Small Parcels as an agenda item.

I will deliver an original of this writing to you on February 8, 1995, and also phone you to discuss.

Respectfully Submitted,



Dave Deans,
President and Broker

enclosures

SMALL PARCEL NOMINATION

KEN-12 (*Baycrest*)

Kachemak Bay State Park Citizens Advisory Board

March 8, 1995

Resolution

regarding: Overlook Park (ID KEN 55) and Baycrest (ID KEN 12)

Whereas Overlook Park was ranked of Moderate importance and in the first fourteen of your ranking for parcels that merit acquisition, and

whereas the 97 acre Overlook Park is valuable for habitat protection because of extensive tidal pools, intertidal habitat, and a bench with open meadows, bogs, freshwater ponds, and a variety of birds and mammals including moose and bear, and

whereas the intertidal habitat contains an especially diverse flora and fauna, and

whereas Overlook Park is situated below the Sterling Highway scenic overlook west of Homer and is part of the magnificent view of Kachemak Bay and Cook Inlet that is enjoyed by residents of and visitors to Homer, and

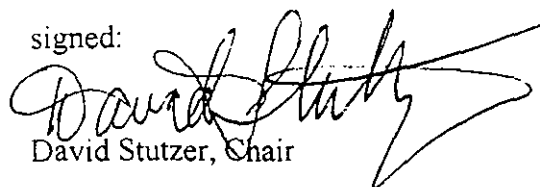
whereas Neil Johannsen, Director of the Division of Parks and Outdoor Recreation, has stated that the Division would willingly act as the principal managing agency "since the parcel is in view of and in close proximity to our existing Homer ranger station and would not create an undue burden on our ability to operate and maintain other state parks in the area", and

whereas Baycrest is a 90 acre parcel east of Overlook Park which would provide upland access to it, and

whereas Baycrest is in imminent danger of development which would erode the bluffs and damage both the bench and the tidal pools, therefore

be it resolved that the Kachemak Bay State Park Citizens Advisory Board request the Exxon Valdez Trustee Council purchase these properties due to their importance to the spill affected area and their contribution towards the restoration of lost values and services. If a choice must be made between the two, Overlook Park is the higher priority.

signed:


David Stutzer, Chair

**KACHEMAK BAY STATE PARK
CITIZEN'S ADVISORY BOARD**

P.O. Box 3248
Homer, Alaska 99603

DAVE STUTZER, CHAIRMAN

Resolution 95-2

Resolution in support of small parcel acquisition of Overlook Park (KEN 55 and Baycrest (KEN 12)

Whereas, the Kachemak Bay State Park Citizen's Advisory Board whose membership includes citizens appointed by the Director of Alaska State Parks to advise the Division of Parks and Outdoor Recreation regarding management issues and make recommendations, and

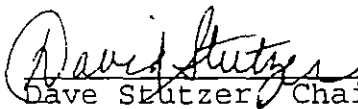
Whereas, this board has a long standing history of support for the management of properties important for the health and welfare of the people, and

Whereas, this board has the same long history of support for the inclusion of properties important for habitat and resource protection into the State Park system, and

Whereas, the Overlook Park and Baycrest properties meet all criteria for small parcel acquisition, are a logical inclusion into the State Park system and have a wide public support in the Homer area for such inclusion,

We resolve, by unanimous vote, that the acquisition and protection of these parcels is important to the people of Alaska and for the management of the habitat and resources therein.

Resolution approved:


Dave Stutzer, Chairman, KBSP Citizens' Advisory Board

Approved March 8, 1995

RECEIVED
MAR 20 1995
EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

RESOLUTION 95-24

A RESOLUTION OF THE CITY COUNCIL OF HOMER,
ALASKA SUPPORTING THE ACQUISITION AND
PROTECTION OF OVERLOOK PARK AND BAYCREST
WHICH ARE IMPORTANT TO ALASKA AND TO HOMER.

WHEREAS, the 97 acre Overlook Park situated below the Sterling Highway scenic overlook west of Homer is a bench of open meadows, bogs, freshwater pounds and home to a variety of birds and mammals including moose, bear and eagles and is a pristine and fragile habitat unsuitable for commercial/residential development; and

WHEREAS, strong community support in the form of signed petitions in the past has indicated its ideal use as a park; and

WHEREAS, Overlook Park (parcel ID KEN 55) is currently under consideration for purchase by the Exxon Valdez Oil Spill Trustee Council for habitat protection and restoration; and

WHEREAS, Neil Johannsen, Director of Alaska State Parks, has stated that this parcel has habitat, scenic, and recreation value and that Alaska State Parks would willing act as the principle managing agent "since the parcel is in view of and in close proximity to our existing Homer ranger station and would not create an undue burden on our ability to operate and maintain other state parks in the area"; and

WHEREAS, in addition, parcel Baycrest (ID KEN 12) adjacent to Overlook Park is a logical addition, its natural systems being contiguous with the latter; acquisition of this parcel could facilitate access to Overlook Park and to the intertidal areas zones of both parcels; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of Homer, Alaska supports the acquisition and protection of Overlook Park and Baycrest which are important to Alaska and to Homer; and

BE IT FURTHER RESOLVED that the City Council of Homer, Alaska requests purchase of these properties by the Exxon Valdez Oil spill Trustee Council, noting that if a choice must be made between the two that Overlook Park is the higher priority.

PASSED AND ADOPTED BY THE CITY COUNCIL OF HOMER, ALASKA this 3rd day of April, 1995.

CITY OF HOMER


HARRY E. GREGOIRE, MAYOR

ATTEST:


MARY L. CALHOON, CITY CLERK



KIEN-12

AUG 01 1994
EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

July 22, 1994

Exxon Valdez Oil Spill Trustee Council
645 G. Street, Suite 402
Anchorage, Alaska 99501

reviewed 8/8
by group
Ken

Dear Trustee Council members,

The Kachemak Heritage Land Trust would like to ask that an 88+ acre parcel owned by Michael Bullock (known as Country Club Estates, tracts 1, 2 and 4) adjacent to Overlook Park be purchased for habitat protection. Combined with the Overlook Park property (nominated by owners Sandra Cronland, Joyanna Geisler, Michael McNiven, Sharon Whytal and David Lloyd) it would help to protect valuable habitat, and provide access to over 175 acres of benchland, lakes, cliffs, ocean beach and rare tidepools. By nature of their combined acreage the two parcels together would be of sufficient size to safely protect the natural integrity of the area.

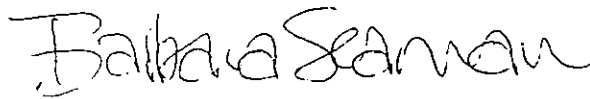
The property owned by Mr. Bullock is key to the future access of Overlook Park. It is also in immediate danger of development. Mr. Bullock intends to put a 30 lot subdivision in on his benchland adjacent to Overlook Park. He has obtained Army Corps of Engineer permits and is actively pursuing other permits and approvals. His road is already punched through from Augustine Drive to the beach. Development of Mr. Bullock's land would contribute to the rapid decline in the marine life in the tidal pools by adding to the natural sloughing of the bluff and thereby speeding the rate of erosion. Detrimental effects can already be seen from the road construction done to date.

Mr. Bullock has notified KHLT that he has applied to the Exxon Valdez Oil Spill Trustee Council for the acquisition of this property. He has stated that he would prefer to see this land under protection

as a park, but cannot afford to hold onto it much longer in its present state. Kachemak Heritage Land Trust asks that the Trustee Council purchase these two properties and in doing so, both protect special natural habitat and prevent harmful development in one grand move.

Thank you very much for your time. We remain available for any questions concerning Overlook Park or the Bullock property. We appreciate your efforts and wish you the best of luck in this complicated process.

Sincerely,

A handwritten signature in cursive script that reads "Barbara Seaman".

Barbara Seaman
President

7/14/95

Dear Molly,

I thought these articles might be of interest to you.

This was to have been the Nature Conservancy's 1st project in Alaska.

Paul Fischer called.

In one of the articles I mentioned the presence of 3 eagles nests in the valley. When I last looked for the one visible from the

I overlooked through binoculars. I couldn't find it. 10-12 years ago I watched eaglets in the nest from the overlook way sides.

Another nest was in the meadow on private land to the N.E. + one was on Ciri land to the W.

Best wishes

George Rydley
938 Arapahoe Ln
Boulder CO 80302

RECEIVED
JUL 20 1995

EXTRA VALDEZ OIL SPILL
POLICE COUNCIL

The Nature Conservancy

Washington/Alaska Field Office
1601 Second Avenue, Suite 910, Seattle, Washington 98101
(206) 624-9623

EXXON ALASKA OIL CO.
TRUST

January 31, 1985

Senator Paul A. Fischer
Senate District D.
Box 784
Soldotna, Alaska 99669

Dear Senator Fischer:

This is to acknowledge our receipt of your letter requesting our assistance in the acquisition of the Abbott property near Homer. We were very pleased to learn of your strong support for the project, and are now in the process of obtaining an option from the owner based on your interest and optimism regarding the needed appropriation.

Since we hope to secure the land for park purposes and protect it for the future, we have offered to pay \$10,000 for an option until the end of this fiscal year. This option payment is non-refundable, so we are in effect "betting" that amount in anticipation of your success in securing the needed funding for the purchase. If the appropriation is made and approved by the Governor we will exercise the option, purchase the property, and later transfer it at our cost to the DNR.

I plan to be in Juneau for the latter part of next week, and hope that we will have an opportunity to meet at that time. I would like to be able to bring you further up-to-date on our efforts to secure the Homer property and also to provide you with some information regarding our efforts to establish a new Alaska Natural Heritage Program. We sincerely hope that you may be able to assist us in this effort.

Sincerely,



Elliot Marks
Washington/Alaska Director

em:mlm



Grass-roots effort needed to protect bluff town

by George Ripley

There are very few people in this town, both resident and visitor, who have not shared in the enjoyment of one of this region's simplest and yet most profound pleasures. Some have been so awe-stricken by their first view of Kachemak Bay that they knew immediately that this would be their home. The Kachemak region weaves an almost magical charm. Even long-term residents are not jaded by the experience and take pleasure during all the seasons of the year in driving up to the edge of town to get a new perspective on the setting sun or the magnificence of Southcentral Alaska. During the summer months the wayside overlooks atop the hill are continuously full of excited visitors, almost all of whom get out of their cars to fully appreciate the powerful beauty of the high headland that is Bluff Point, the gateway to Kachemak Bay. These waysides are the type of charismatic place where it would be appropriate to hold an Easter morning convocation. Carnivals can in no way match the natural splendor of this setting.

"Welcome to Kachemak Bay" the sign says, and as people stumble from the confinement of their cars they are happily struck again and again by the beauty that surrounds them: Mount Iliamna, Augustine, Cape Douglas, the Shelikof, the Kachemak Alps, the Spit; boats and ships of all kinds heading to and fro on the seas below; songbirds and eagles in the air above and, spread at their feet, a perfect cameo of the wilderness they've hoped to find.

With lakes, meadows, forests and beaches, this beautiful cameo known as "the valley" gives peace to weary souls. It also provides for an exceptionally vital wild habitat. Three eagle nests exist in the valley. From the overlooks with binoculars one can see eaglets in the nest. Moose, bear and coyotes roam the woods and meadows. Beaver and swans can be seen in the lakes. Seals and sea otter fish the rocky tidepools of the rugged headland. Huge schools of salmon hug the shore as they move up Cook Inlet. Several species of whales can be seen from above as they feed offshore.

In 1984 the community of Homer gave broad support to an effort to make the valley a part of the state park

Moose, bear and coyotes roam the woods and meadows. Beaver and swans can be seen in the lakes. Seals and sea otter fish the rocky tidepools of the rugged headland. Huge schools of salmon hug the shore as they move up Cook Inlet. Several species of whales can be seen from above as they feed offshore.

system. The Chamber of Commerce and the city quickly recognized its value to the tourism industry as the very "gatepost" to Kachemak Bay. Fish and Game biologist Dave Holdermann recognized the valley as a unique and richly condensed micro-habitat. Borough officials, highway officials, parks officials, legislators and the state resources commissioner all gathered in Homer and agreed that this project was eminently worthy and should be put on the "front burner." The Seattle director of the Nature Conservancy was present and said that he had "never seen a bureaucracy say 'Yes!' to a project so quickly." Helping the state to acquire the valley was to become the Nature Conservancy's first Alaska project.

So what happened? The project sped quickly to the office of a freshman legislator in Juneau where it was ignored. It made a token appearance on the final budget but then was cut by the governor and the valley was back up for grabs.

About that time newcomers drove over the crest of the hill, stopped at the overlook, and decided to make their lives in Kachemak Bay. When they drove to town they discovered that the beautiful valley was for sale. Concerned that nothing mar the beauty of their new home, they successfully set about buying the property themselves in an attempt to protect it until such time that it could become a park. That has been their hope, yet their ability to continue holding the land has nearly come to an end. It is once again for sale. Now is the time for the community to again request of the state whatever moderate sum is required to protect the valley (a mere 250 acres) for the benefit of all and

future generations — this valley that has been recognized by all experts as having outstanding and unique value.

What needs to be done? Grass-roots networking, lobbying, educating, planning, negotiating. It won't be an easy job regardless of its popular appeal. The groundwork needs to be done by volunteers working through a volunteer organization. The community at large needs to show its support.

An educational/interpretive display placed in the wayside overlooks could help in the nonpolitical education of the traveling public — there should be a display there anyway; those waysides are a very neglected public asset.

A well-organized petitioning effort could probably raise 2,000-3,000 signatures by Labor Day. (The previous effort 9 years ago netted 1,200 signatures in April and May.)

Private donors interested in protecting the beauty of the region could be sought for tax-exempt contributions.

The borough, the state, and the Exxon Trustees Council could all be requested to help.

The owners would be willing sellers.

On the subject of access it is considered that the primary value of the valley is as a viewing park, similar to the Grand Canyon. Wildlife observation and habitat protection will remain the primary objective. Current means of access would not be enhanced in the foreseeable future.

Gov. Hickel's editorial in the 6/29/93 Homer Tribune underscores the reason to protect the Overlook Park: "At 62%, Alaska tied with Vermont for first place among states where residents rank their first interest as wildlife viewing or photography."

This may well be an idea whose time has come, provided that at least one committed individual assumes the job. That it comes so quickly on the heels of the saving of Kachemak Bay State Park serves to provide notice that Kachemak Bay deserves recognition as being synonymous with "park land."

George Ripley spent 16 years as a local parks advocate and currently resides in Dutch Harbor. He can be reached by calling 581-3444.

Homer News

East rema

Money for the Road project is up until the leg reconvenes, but it has the support of the commissioner of the Transportation, Knapp.

According to M two bills, SB173 and both contain provisions for the \$50,000 needed in final plans for the road. The \$850,000 will Bill Sheffield said try to find for East is also in SB173.

"It's not dead yet. Mr. Knapp Tuesday matter will be clear when the legislature reconvenes perhaps as Friday.

Mr. Knapp said supports the idea of a East Hill Road, recently flown over miles in question that has never driving the road during breakup.

"I probably could made it up, anyway said.

He said a lot of people on the hill and depend on the road daily.

"Something needs done," he said. "It will be expensive." He put the cost of the road at over \$6 million.

The \$850,000 in SB173 will be used in chasing rights-of-way and relocating utilities. Knapp said he supports

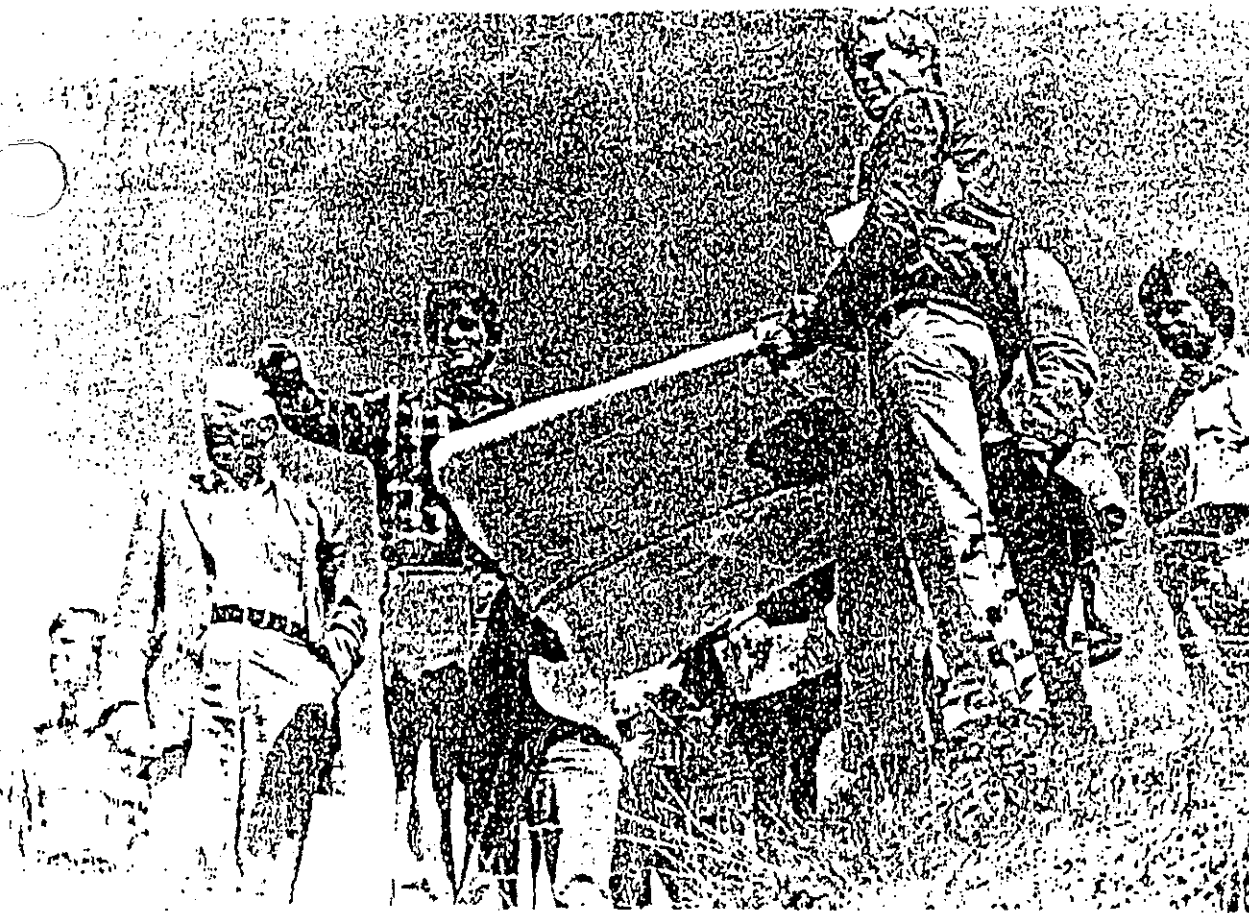


Photo by Hal Spencer

standing on the bluff at the top of Baycrest Hill, George Ripley points out various parts of the proposed Overlook Park to Alaska State Director Neil Johansen, right, Borough Mayor Stan Thompson, left, and other visiting officials, Friday.

State, borough officials view park site

State parks and transportation officials viewed the site of a proposed overlook below Baycrest Hill Friday, and said they will pursue development of the "Homer Overlook."

After seeing the land they returned to City Hall to discuss the proposal. George Ripley, state parks director and promoter of the park, said he was

in the arrangement, is a plan to upgrade the turnoffs at the top of the bluff which is a natural scenic draw to tourists.

"We got a solid commitment by the state to pursue this park as a priority," said Mr. Ripley. "I walked out of the meeting feeling totally relieved as if they'd lifted the entire project from my shoulders."

Conservancy.

Rep. Milo Fritz, R-Anchorage, and Sen. Paul Fischer, R-Soldotna, have indicated they would sponsor legislation in its behalf. Well over 1,000 local residents have signed petitions favoring the park.

Eighty acres of the land is designated as Kenai Borough land. The state owns 11 acres, while 46 acres

would be built until large numbers of people begin making their own trails into the area, thereby creating potential hazards to themselves and the environment, said a park prospectus.

Eleven acres now owned by the state of Alaska sits on the western rim of the bluff. Park sponsors propose that this land be



Land suggested for a park lies below the Sterling Highway near the viewpoint on Baycrest Hill.

Photo by George Ripley

Pion begu

Ways to m Avenue safer travel and mo will be addr citizen advisor ed to guide the major reconst ject.

A number drainage and po blem areas or were noted at a ing last week. said City Plan Helminiak, peo cerned with the at Main Street Street, with the snow berms al side, and with safety.

For instance people found t many traffic de made at the crossing, streets — East End together.

Some of th meeting, and ot tatives of busin munity grou selected for committee, she is not yet compl

Upgrading Avenue is the c one priority for year, and lead projects prese state Legislati ding.

The advisory will be to help and a profess

Park proposed below Baycrest look-out

Between the overlook on Baycrest Hill and the beach lies a gentle bench land which provides a home for wildlife and an opportunity for people, says George Ripley.

Informally know as "The Valley" or "The Slides," the small pocket of land is a 'cameo of Alaskan wilderness' Mr. Ripley said. If it were preserved that way, he continued, area

limit access, Mr. Ripley says many people could enjoy the place by means of a stairway down the steep ground and a trail system below.

According to Mr. Ripley, only about 12 acres, up near the highway, is owned by the state. Along the middle ground, between the highway and the bench is about 80 acres owned by the Kenai Peninsula Borough, about 46 acres owned by

about 34 acres owned by the Hillstrand family. Along the beach is about 110 acres in the old Abbott homestead, and about 26 acres owned by the Wilkins family of Homer.

Sooner or later the land may be developed privately, Mr. Ripley said. He hopes that through land trades the state could obtain the area for a park.

The location has historical significance as well. Mr.

Kachemak is thought to stem from the Russian term for "smoky bay." Smoldering coal seams along this part of the bluff caused the smoke, he said.

Mr. Ripley said he is presenting the idea to local organizations and individuals, and is aiming to get 4,000 signatures on a petition to present to the state.

SMALL PARCEL NOMINATION

PWS-17 (*Ellamar Subdivision*)



The Ultimate in Recreational Property

Prince William Sound

June 9, 1993

Steven Pennoyer
Director, Alaska Region
Federal Trustee Council Member
NMFS
P. O. Box 21668
Juneau, Alaska 99802

RE: Ellamar Properties, Inc., Prince William Sound

Dear Mr. Pennoyer:

We have received your recent letter concerning the potential acquisition of land in Prince William Sound by the U.S. Government acting through the Secretaries of Agriculture, Commerce and Interior in order to protect habitat in the spill area.

My wife and I are the sole stockholders in Ellamar Properties, Inc. Ellamar Properties, Inc. owns and has developed a 201 acre parcel of land at Ellamar, in Prince William Sound, which is located in the oil spill area and within Chugach National Forest. The community is located 22 miles southwest of Valdez and 2 miles North of Tatitlek. The land was patented as a copper mine in the early 1890's and substantial amounts of copper, silver and gold were mined on the property. We acquired the property in the early 1980's and have developed a recreational subdivision that has 157 lots. We have constructed, at very substantial cost, a total of 11,718 linear feet of subdivision dirt roads and have repaired the old dock so that it can accommodate a 100' float so that residents can moor their boats to load and unload passengers and freight. We have also constructed four mooring buoys with rafts on three of them for boat mooring. There are two salmon creeks on the property and Virgin Bay, on which Ellamar is located, has an excellent silver salmon run.

We have sold thirty-six lots and a number of buyers have built recreational cabins. The original miners donated 10 acres to a church and there are 5 houses on land we did not own. There are nine residences on property owned or previously owned by Ellamar Properties, Inc. We are actively selling lots and expect a good year in 1993 sales. We own the remaining 121 lots free and clear of any indebtedness. We have filed a registration concerning the property with the Office of Interstate Land Sales Registration,

Steven Pennoyer
June 9, 1993
Page Two

U.S. Department of Housing and Urban Development. No other subdivision in Prince William Sound has complied with the registration requirements.

The following documents are attached:

- (a) Excerpt from Cruising Guide to Prince William Sound
- (b) Plat of the subdivision showing prices
- (c) Property Report for subdivision required by HUD, OILSR
- (d) Covenants, Conditions and Restrictions

One of your reports requests a response to specific questions and we wish to advise you as follows:

- (1) We would sell the remaining 121 lots in the subdivision.
- (2) The parcel contains key habitats in Prince William Sound.
- (3) We acknowledge that the government cannot purchase the lots at a price in excess of fair market value. We are presently selling the lots at prices comparable to those shown on the attached plat. For your convenience, we have calculated the asking prices on the attached plat and they total \$2,797,500. We understand that the property is subject to an appraisal process.
- (4) At one time there were 800 people living at Ellamar, according to some historical accounts. We anticipate that a number of fishing and hunting lodges will be constructed on the commercial lots. The government and the resources of the area would benefit from this acquisition since continued sale of lots would create a substantial inholding in the Chugach National Forest.
- (5) The property acquired, or portions of it, could reasonably be incorporated into public land management systems, either by the State or Federal governments.

If there are any questions, please call me.

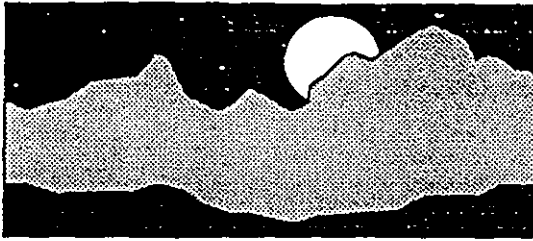
Very truly yours,

ELLAMAR PROPERTIES, INC.

By: Clifford J. Groh, Sr.
Clifford J. Groh, Sr.
President

CJG/jr

cc: Members of Trustee Council



From the desk of....

Marc Swanson

PO Box 748
Seward, Alaska 99664

(907) 224-7349

RECEIVED

MAY 18 1995

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

Eric Myers
Director of Operations
Exxon Valdez Oil Spill Trustees Council
645 G Street
Anchorage, AK 99501

Dear Mr. Myers,

Thank you for sending me information regarding the small land acquisition information on the Lowell Point (Seward, AK) and Ellamar land holdings (Prince William Sound). I am very acquainted with both and would like to address each separately.

Lowell Point Land Acquisition

The land which is currently being considered for acquisition is multi-faceted. First, it represents an ecosystem which is unique to Seward. Despite being built on the edge of Resurrection Bay, Seward's waterfront is neither diverse nor especially captivating from a tidepool point of view. Typically Seward's beaches are loose, sharp edged cobble of shale. Because of the wave action and loose substrate, intertidal animals and 'grungies' are unable to develop a foothold.

In contrast, the land at Lowell Point offers two distinct (and unique to Seward area) tidal lands. First, a sand beach lies in front of the land being considered. Though free of tide pools, residents and visitors fish on this beach since king, silver, and pink salmon tend to school in this bite while waiting to go to the head of the bay. Secondly, a sheltered rock embankment and tidal area lies to the west of the Lowell Point land. Students and visitors often come to this area to observe the intertidal organisms. Access to this tidal area provides a wonderful educational opportunity to observe these tidal pools. As a teacher I especially appreciate access to this ecosystem for students to better understand the ocean which they live next to.

In addition to biological and educational considerations, Lowell Point has, in the past, provided recreational access beyond the 'end of the road.' First, kayakers use this strip of beach as a staging ground for trips into Kenai Fjords National Park. It's wide strip of beach and it's distance from motorized boat launches provide an ideal place for kayaks to gear up and launch into the semi-protected waters of the bay. Hikers also would benefit from this land acquisition. The trailhead to Caines Head Recreational Area (one of the finer hikes in the Kenai

Fjords National Park) begins near this point at the community sewage lagoon. The trailhead has always posed some challenges stemming from stench and access across public lands. With the acquisition of the Lowell Point property, access would be less of a problem and hikers would not be greeted by Seward sewage at the trail head.

Currently there has been an influx of building at Lowell Point. The only access to the lands described in this letter is now through the narrow strip of land which is being considered by the Trustees. This is the last opportunity to retain this eco-recreation system for residents and visitors to the area. Please, this is a valuable opportunity that will not be possible in the future.

I hope you will agree that acquisition of this property should warrant a high ranking. Thank you.

Ellamar Properties

I have mixed emotions regarding the acquisition of the Ellamar properties. I am a landholder in Ellamar. Frankly, I would personally benefit greatly from the Trustees acquiring the remaining available lots in the Ellamar Subdivision. My uneasiness with the acquisition stems from my personal involvement with the *Exxon Valdez* Oil Spill. My wife, Letty, and I were teachers in Tatitlek at the time of The Spill. We have seen how the Spill affected the Sound, its creatures, its people. We have seen how The Spill brought out the best in some folks...and the worst in many. Greed seemed at times to be the driving emotion amongst many people. Letty and I hoped to distance ourselves from this greed and not allow us to be caught up in self-preservation attitude which has been so prevalent since The Spill. Simply, we do not want to, in any way, benefit from the spilling of oil into the Sound.

It is ironic, then, that suddenly we stand to gain directly from the Spill settlement. It is not a situation that we are comfortable with, however certainly Ellamar is worthy of the objectives of the Trustees. It would make us proud to see Ellamar evolve from a place of mining and development exploitation to a place of historical and natural legacy for the public to enjoy for perpetuity.

The Scenery:

I trust you have been to Ellamar and realize it to be a place of awe. The view of the Sound, from Ellamar defines serenity, particularly on a calm summer evening as the sun sets below the western horizon. The land around Ellamar has many unique recreational opportunities. Since Ellamar sets beside a sheltered cove and is on a wide, meadowed bench, Ellamar provides the recreationist with a secure harbor with nearly endless hikes into the surrounding hillside.

One of my favorite treks follows the old wooden pipeline which supplied water from a diversion dike to the mining operations below. Continuing past the dike,

the hiker travels into thick woods which eventually breaks into meadows with small clear brooks emerging from mountain springs. I have seen few places that can compare with the serenity of these upper meadows of Ellamar

Wildlife

Wildlife such as bear, deer, goats as well as smaller mammals inhabit the surrounding area. Black bear are often seen throughout the summer. There are stories of a large brown bear being seen between Tatitlek and Ellamar but so far it seems more of legendary material.

The coves provide shelter and habitat for birds, both transient, residential, and migratory. The 3 coves are filled with gulls feeding on herring while shore birds and sea ducks feed in the sheltered waters. Though I know of no eagle nests per se, at times I have seen 20-30+ eagles in trees waiting to feed on fish in the creek.

The reef that extends southward from the northern cove is unique in formation, substrata, and sea life. The reef is rock with sand underneath. It provides a relative unique environment and is an ideal hide-out for octopus and some shellfish. Letty and I enjoy going out to this reef during low-spring tides to catch octopus. They make an awesome chowder. Since The Spill, the reef does not seem to be as productive. I have not caught nearly the number I once did. Whether this is a direct result of the Spill is not known.

The southern cove provides some type of unique habitat for silver salmon. Though silvers are not known to spawn in these waters, they still school up and cycle around in this small bay. Subsistence fishermen from the village often come here to catch the fish before they move on to their natal waters.

Cultural Aspects

Ellamar has a rich cultural history that reaches far back beyond the mining and cannery days. Certainly this history in itself should be considered when making the decision to acquire the land. In addition, indigenous people inhabited this land years before Western influence. There is evident from a possible village site with house pits 1/2 mile north of the subdivision. In addition, there are remnants of a historic burial/cemetery site on the peninsula which creates the southern cove to the peninsula. I've been told this is the cemetery for the mining operation though markers show the sign of Russian Orthodoxy.

My Concerns


If the Trustees chose to continue the process towards land acquisition of Ellamar Subdivision I have some concerns.

First: I think that Ellamar presents unique recreational opportunities while offering a beautiful natural and cultural setting. Ellamar could be a marvelous place for a state park but only if effects to the natural setting and the existing cultural resources could be minimized.

Second: Knowing the developer and his original intentions of profit, I hope measures have been taken to keep additional parcels from being sold while the Trustee's negotiations are proceeding. If the Trustees are serious about acquiring Ellamar, I hope that it requires ALL remaining parcels be purchased. I am concerned that without such stipulations, the developer will attempt to sell the choice parcels which would negate any positive affects of the land acquisition.

I hope you agree that Ellamar is worthy of the Trustee's objectives for land acquisition. It would be a fitting legacy to the disastrous spill to have land, which was within sight of the grounded tanker, set aside for the enjoyment of future generations and to the protection of this valuable ecosystem. Should you have any questions regarding Ellamar that I may be able to address please feel free to contact me at my home phone number.

Sincerely,

A handwritten signature in dark ink, appearing to read "Dan F. Swenson", followed by a long horizontal line extending to the right.

Rick Johnston
Box 3066
Soldotna, Alaska 99669

Faye E. Heitz
U.S Army Corp of Engineers
Alaska District Regulatory Branch (1165b)
Post Office Box 898
Anchorage, Alaska 99506-0898

Dear Sirs:

Thank you for the opportunity to comment on wetland permit reference number 4900833, Coal Creek #2, for fill of the Coal Creek/Kasilof River wetlands by McClane and Associates and the related general permit application number 91-3 for the potential cumulative fill of approximately 11,000 cubic yards.

I have examined the application thoroughly and have compared the intended fill's impact with my knowledge of this tidally influenced estuary. Quite frankly I am concerned that the Corp of Engineers would contemplate issuing either permit. The loss of these rare estuarian areas would violate both the intent and text of the Clean Water Act, the Alaska Coastal Zone Management Act and the President Bush's stated intent to protect wetlands. Filling such rare and important habitats would be poor public policy. There has been much discussion in Alaska and other areas about the loss of wetlands and how such loss is diminishing North America's ability to maintain waterfowl and other migratory bird populations. There has also been discussion about how the administration's "no net loss" goal for wetlands destruction is unfair and goes beyond the intent of various Federal laws and unnecessarily protects low value wetlands. However even those who favor a modification of the no net loss theory point to high value wetlands and say "These are the" critical areas that must be protected not wetlands with few values." The Kasilof River and Coal Creek wetlands that would be impacted are unquestionably just such high value wetlands that must be preserved. Not only are they adjacent and contiguous to the very important Kasilof River and its anadromous fish habitat, they provide important nesting, resting, feeding and seasonally critical staging habitat to numerous migrating birds including mallards, pintails, white fronted geese, snow geese, Canada geese, Sand hill cranes, greater and lesser yellow legs and numerous other birds. Raptors also hunt in the open tidal flats that would be lost. Eagles perch in the area feeding in Coal Creek and on salmon that may be stranded on the flats after a flood tide.

Just several day's ago for example, I counted 50 to 70 sandhill cranes on the wetland areas surrounding where Coal Creek empties into the Kasilof River. Last year I saw several white front geese in the area. Although not positively identified as the Tule White fronted goose that possibility cannot be ruled out.

The Kasilof and Kenai River Flats are critical spring feeding areas to Wrangell Island bound snow geese. They are among the first snowfree tidal areas and are important migratory feeding locations. This declining population of geese have no alternatives for feeding and nesting on their northward migration.

The Kasilof River Tidal Flats which include Coal Creek's lower meander have been identified by the Kasilof River Advisory Board and the Alaska Department of Fish and Game as critical habitat. Several areas of the Kasilof Tidal Flats are in private ownership and the cumulative impact of developments such as those proposed by McClane and Associates could result in a significant loss of critical habitat and public values.

The Kasilof River Flats and particularly the Coal Creek confluence with the Kasilof River represent a rare habitat and on a nationally significant scale. Nearly half of the nations shorelines are in Alaska, but only a small percent of these are vegetated. The remainder are rocky and include habitat of much less importance. The lower Coal Creek tidal plain floods with salt water and mixed fresh and salt water numerous times a year. Such tremendous tidal fluctuation in Cook Inlet and the resultant estuaries are unique ecosystems.

There are several brackish marshes and ponds which would or could be filled by the proposal which are clearly not mentioned or examined in the general permit proposal. The extent of the wetlands may also be underestimated. Several small ponds which are directly adjacent the anadromous upland lots in the proposed development are recharged at every high tide and are rich biotic communities. It appears from the Coal Creek II general fill application that these tidal edge wetlands could be most at risk should a lot owner dispose of waste material. These small ponds are unique and quite valuable from a habitat stand point and are the kinds of habitats that are intended to be protected by various Federal laws. Not only would existing habitat be affected, the tidal flooding which occurs would result in chronic discharge from the loose fill and the gravel pads into the remaining estuarian vegetation and the Kasilof River. Any mounded fill areas on the flats would become peninsulas or islands completely surrounded by water. If a wind comes up which is common during the flood tides and other times of the year erosion and soil discharge would be constant. The proposed general permit also calls for each of fourteen properties to be able to push waste material onto the tidal flats. This particularly portion of the proposal is particularly contrary to the public interest and the most difficult to control via government or deed restrictions. Issuing a general permit to fill these wetlands would no doubt result in cumulative loss. Utilization of a general permit in this instance is clearly inappropriate and directly counter to Section 404(b)(i) of the Clean Water Act.

The road across the wetlands area and the culvert across lower Coal Creek would significantly alter the ecological balance of this riparian area as well as cause seasonal flood waters to back up behind the proposed road. It could also prevent common navigation of the lower creek at high tide. Creek flooding during 1990 would have washed the proposed road away or significantly damage it, resulting in additional material being washed onto the flats or into the creek. The entire Coal Creek bottomland was under water during spring 1990. The proposed road would have released water but the water would have backed up behind the road also.

The Coal Creek corridor leading to the Kasilof River is an important wildlife movement corridor with black bear, moose and other wildlife utilize the creek "bottom" for movement from adjacent upland areas to the Kasilof Flats. Moose commonly calf in the open areas to escape predators and insects. As the

upland areas around Coal Creek have been developed the creek bottom and the Tidal Flats have become increasingly valuable as wildlife movement areas. A development of this magnitude would require over 2,000 dump trucks of gravel resulting in significant noise, dust and home range disturbance.

Although McClane and Associates have upland on both sides of lower Coal Creek, they have no reasonable expectation to build a road across the wetlands and creek, nor should individual property owners expect to get preapproval to fill the tidal marshes. McClane and Associates can develop either side of Coal Creek and get road access by crossing Coal Creek on the main highway and gaining upland access to their property. Issuance of a general permit in this instance would not be appropriate considering the high wildlife, fishing and ecological value of the area, and the high variability of the results of fill adjacent various properties.

If these rare and valuable wetlands are lost then we are accepting the loss of numerous migrating birds and anadromous fish over time. Section 406 (b)(1) of the Clean Water Act clearly restricts discharges and fill in to aquatic areas where less environmentally damaging, practicable alternatives exist. Clearly there are alternatives for each prospective lot owner not to fill these tidal areas. And clearly there is an upland road alternative to the proposed Williamson drive.

The proposed activity is clearly not dependent on wetlands or being located in aquatic environment. Prehistorically, historically and today persons have occupied the Coal Creek/Kasilof River confluence area without building out on the tidal flats. I suggest perhaps there is wisdom in this trend and that all activity can be located in non wetland upland areas.

I have only recently discovered that this proposal was under review and have not had an opportunity to research and offer additional technical input. I have talked to numerous individuals that upon hearing of this proposal were very concerned and surprised that the Corp. would even seriously contemplate authorizing the proposal. Many persons I have talked to are involved in the commercial and sportfishing business that operate seasonally. Preparing thoughtful comments at this time of year is difficult. Further, the Kasilof River Planning Team has drafted plans that would call for protection of the Kasilof River Tidal Flats. The draft plan is under review and has not yet been presented to the Borough Assembly or other appropriate leaders. Approval of this permit and or consideration of it without a public hearing would foreclose the planning groups options.

Finally, I would like to note that the Coal Creek and Kasilof River confluence is an important archeological area with historical and prehistorical features on both banks of the uplands. Cache pits, Barabara depressions and other prehistory features are common within the proposed area and it was utilized by residents in the early twentieth century.

Sincerely,

Richard Johnston
Richard Johnston

DEPARTMENT OF NATURAL RESOURCES

DIVISION OF PARKS AND OUTDOOR RECREATION
Office of History and Archaeology

WALTER HICKEL GOVERNOR

3601 C STREET, Suite 1278
ANCHORAGE, ALASKA 99503
PHONE (907) 762-2622

MAILING ADDRESS
P.O. Box 107001
ANCHORAGE, ALASKA 99510-7001

May 23, 1991

File No.: 3130-1R COE

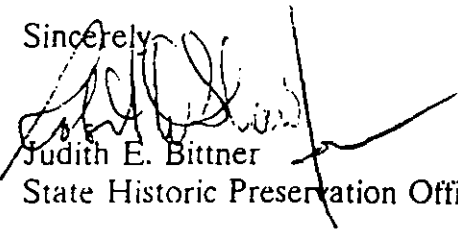
Subject: Coal Creek 2
4-900833

Robert K. Oja, Chief
Regulatory Functions Branch
Corps of Engineers
P.O. Box 898
Anchorage, AK 99506-0898

We have reviewed the Coal Creek 2 project for conflicts with historic and prehistoric cultural resources per Section 106 of the National Historic Preservation Act. We find the road construction proposed therein is to take place through the Coal Creek Fox Farm and Village site (KEN-190). Although little archaeological investigation has been completed at this historic and possibly prehistoric site, based on verbal descriptions we have for it, we feel it may contain features and information that would result in its eligibility for inclusion in the National Register of Historic places under at least eligibility Criteria D. Therefore, the Corps of Engineers should complete archaeological survey of the proposed project area and other steps of Section 106 that may become warranted prior to issuing this permit.

For further questions regarding this matter, please contact Greg Dixon or Tim Smith of my staff at 762-2622.

Sincerely,


Judith E. Bittner
State Historic Preservation Officer

JEB/GD

cc: DGC, Anchorage

RECEIVED

MAY 31 1991

REGULATORY BRANCH
Alaska District, Corps of Engineers

SMALL PARCEL NOMINATION

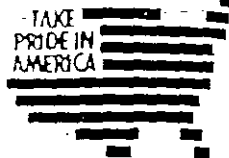
KEN-19 (mouth of Coal Creek)



WALS/D025

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Ecological Services Anchorage
605 West 11th Avenue, Room 607
Anchorage, Alaska 99501



Colonel William W. Kakel
District Engineer
Alaska District, Corps of Engineers
Post Office Box 898
Anchorage, Alaska 99506-0898

JUN 25 1991

Re: 4-900833
Coal Creek 2

Dear Colonel Kakel:

We have reviewed Public Notice 4-900833, dated May 13, 1991. McLane and Associates has requested a Department of the Army permit to discharge approximately 595 cubic yards of gravel fill in 0.18 acres of palustrine wetlands to construct a 2' deep x 20' wide x 400' long access road. In addition, approximately 100 cubic yards of gravel fill would be discharged below the ordinary high water mark of Coal Creek in 0.02 acres of streambed and adjacent intertidal wetlands for placement of a 9 foot diameter culvert and a 30 inch diameter overflow culvert. Under General Permit 91-3, the applicant also proposes to discharge gravel fill into an additional 2.5 acres of wetlands for development of pads for driveways, residences and mounded septic systems. The proposed project is located in Coal Creek Moorage Subdivision, section 13, T. 3 N., R. 12 W., Seward Meridian, Kenai Peninsula Borough, in Kasilof, Alaska.

These comments are submitted in accordance with provisions of the Fish and Wildlife Coordination Act (48 Stat. 401, as amended: 16 U.S.C. 661 et seq.) and constitute the report of the Department of the Interior. They are also intended for use in your determination of 404(b)(1) guidelines compliance (40 CFR 230), and in your public interest review (33 CFR 320.4) relating to protection of fish and wildlife resources.

On June 4th, 1991, the project site was inspected by a Fish and Wildlife Service biologist from our office. The proposed project area supports the following important fish and wildlife species: rainbow trout, steelhead trout, Dolly Varden (Arctic char), chinook, coho, and sockeye salmon; Canada geese, Tule white-fronted geese, lesser snow geese, sandhill cranes, mallards, northern harriers, bald eagles, yellowlegs, and dunlins (Rick Johnston, personal communication, Kenai National Wildlife Refuge; Alaska Habitat Management Guide 1985). A comprehensive list of raptors, waterfowl, and shorebirds observed in the Kasilof flats area by Rosenberg (1986) is included in enclosure 1.

Based on our Mitigation Policy (FR Vol. 46, No. 15, January 23, 1981) we have selected snow geese, Tule white-fronted geese, and sandhill cranes, as our evaluation species. Because of the high value and national scarcity of migration staging and feeding habitat, our mitigation goal is to ensure there are no net losses of these habitat values.

The proposed project area is part of the Kasilof River flats tidal marsh ecosystem at the confluence of Coal Creek and the Kasilof River. The Kasilof River flats provides high quality habitat for migrating and nesting waterfowl and is recognized as one of the important waterfowl staging areas on the Kenai Peninsula in the Cook Inlet Region (Rosenberg 1986, Kenai River Comprehensive Management Plan 1986). Tidal marshes are relatively rare on the Kenai Peninsula (Jonathan Hall, personal communications, U.S. Fish and Wildlife Service, National Wetlands Inventory Coordinator). The Kasilof flats play an important role during the spring and fall migration of waterfowl. The snow goose is the most important species which utilizes tidal marsh habitats such as the Kenai and Kasilof flats (Rosenberg 1986). Approximately 68 species of waterfowl, waterbirds, and raptors seasonally use the Kasilof River flats for staging, nesting and/or feeding (see enclosure 1).

The dominant marsh vegetation in the proposed project area consists of Lyngbye sedge (Carex lyngbyei), arrowgrass (Triglochin sp.), and lyme-grass (Elymus arenarius). McCormick and Pichon (1978 in Rosenberg 1986) reported snow geese feeding on the rhizomes of Carex lyngbyaei and Rosenberg (1986) observed snow geese feeding on the bulbs of Triglochin palustris. The nutrition provided by the alkali-grass vegetation types are extremely important to the continued migration and breeding success of snow geese (Rosenberg 1986). This population of snow geese breeds on Wrangel Island in the Soviet Union where numbers have sharply declined since the 1960's (Ogilve 1978 in Rosenberg 1986). The Kasilof flats tidal marshes are particularly valuable to wildlife resources because in addition to their high plant productivity, these wetlands are among the first suitable waterfowl habitat to become ice-free in Cook Inlet. Consequently, the Kasilof River flats play an important role as a migration and resting area for many waterfowl and other waterbirds.

The tidal marsh also 1) serves as a source of detritus which is a primary food of invertebrates, 2) provides protection for the riverbank and adjacent bottomlands from erosion and ice damage, 3) removes pollutants from runoff by filtration, absorption, oxidation, uptake by plants and by ingestion by microorganisms; and 4) functions as a buffer from flood or storm tide damage by slowing runoff or wave action by adding stability to the soil (Kenai River Comprehensive Management Plan 1986). These contiguous wetlands are particularly valuable to fish and wildlife because in addition to the general functions listed above they are of high biological productivity. The high productivity is a result of the dissolved organic nutrients and detrital materials that enter the wetland from Coal Creek and the Kasilof River which continually fertilizes the tidal marsh.

We believe the placement of fill for the access road, septic systems and pads for residences will impair the functional values of the tidal marsh, resulting in adverse impacts to valuable feeding, nesting, and staging habitat for waterfowl and rearing habitat for juvenile salmonids. If this habitat is adversely altered physically, and biological processes disrupted from these actions, we believe the bird populations and the other wetland values will be diminish.

This project, as proposed, will have significant adverse impacts on important fish and wildlife resources. The applicant has not made provisions for adequate mitigation. Therefore, we recommend that the permit be denied.

We are willing to meet with you and the applicant to explore practicable alternatives where mitigation of fish and wildlife habitat values can be achieved. If you intend not to accept this recommendation, please advise us before permit issuance in accordance with the Memorandum of Agreement of 1985 between our Departments. Our project biologist is Larry Dugan, and he may be reached at 271-2788.

Sincerely,

A handwritten signature in cursive script, reading "Gary D. Wheeler".

Gary Wheeler
Acting Field Supervisor

cc: NMFS, EPA, ADF&G, DGC, ADEC - Anchorage
McLane and Associates



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
National Marine Fisheries Service
P.O. Box 100
Juneau, Alaska 99801

June 26, 1991

Don M. Kohler
Chief, Permit Processing Section
U.S. Army Corps of Engineers
Alaska District
P.O. Box 898
Anchorage, Alaska 99506-0898

Re: 4-900833
Coal Creek 2

Attn: Ms. Faye Heitz

Dear Mr. Kohler:

Reference is made to your letter dated May 13, 1991, regarding a request from McLane and Associates to discharge approximately 595 cubic yards (cy) of gravel fill in approximately 0.18 acres of wetlands for construction of a 20 ft wide by 400 ft long access road. Approximately 100 cy of gravel fill material would be discharged below the ordinary high water mark of Coal Creek in 0.02 acres of streambed and adjacent wetlands for placement of a 9 ft diameter culvert and a 30 inch diameter overflow culvert. Approximately 1,025 cy of gravel fill material will be required to develop each typical lot impacting approximately 2.5 acres of wetlands.

The applicant proposes to place fill in vegetated wetlands, estuarine nearshore environments and Coal Creek, essential habitats for important commercial and recreational fishery resources. Clear water Coal Creek merges with the glacially fed Kasilof River approximately three miles upriver from Cook Inlet. Spawning populations of coho and pink salmon and rearing coho salmon use the stream from early spring to late fall. The Kasilof River supports a major sport fishery and the Cook Inlet commercial fishery which are significant components to the economic base of the salmon fisheries on the Kenai Peninsula.

The proposed fill site, at the confluence of Coal Creek and the Kasilof River, is part of an active tidal marsh. These wetlands influence natural drainage patterns of the river basin and help maintain water quality, regulate surface runoff and control subsurface flows. The riparian vegetation protects the riverbank and adjacent bottom lands from erosion by ice damage, log debris or trampling. The vegetation provides food and habitat for aquatic and terrestrial insects and other invertebrates, which are an important component of the diet for young salmon. The undisturbed riverbank provides habitat for outmigrating and rearing salmon. Export of detrital materials and nutrients from



the wetlands of the Kasilof River estuary may contribute significantly to certain shellfish (e.g., razor clams) within Cook Inlet.

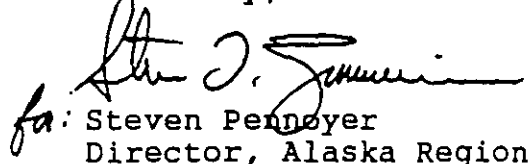
We believe the proposed project has the potential for long term and irreversible impacts on important wetlands and associated fishery resources. We are also concerned with changes in the sediment system of the Kasilof River in response to channel and flood-plain development and other deviations to the watershed. Consideration should be given to the need for such development and the availability of alternative, less-damaging sites. The applicant will need to address mitigation possibilities for the unavoidable losses encountered, should the fill be permitted. Therefore, until information is supplied on alternative plans, we recommend that you deny the permit application.

If you decide not to accept our recommendation, please advise us in accordance with our 404 (q) Memorandum of Agreement.

The National Marine Fisheries Service review and comment on this permit application does not constitute the full public interest review or cumulative impacts assessment required of the Corps of Engineers. We are, however, willing to assist you with those living marine resource issues identified during the public interest review process.

Thank you for the opportunity to comment. Further coordination on this project should be addressed to Barbara Mahoney at (907) 271-5006.

Sincerely,


fa: Steven Penoyer
Director, Alaska Region

cc: ADEC, ADFG, DGC, EPA, USFWS - Anchorage
Applicant



KENAI PENINSULA BOROUGH

144 N BINKLEY • SOLDOTNA, ALASKA • 99669-7599
BUSINESS (907) 262-4441

DON GILMAN
MAYOR

August 26, 1993

Attorney General Charlie Cole
Environmental Trustee
State of Alaska
P.O. Box 110300
Juneau, Alaska 99811-0300

Dear Attorney Cole:

RE: The Kasilof River - Coal Creek Critical Habitat Area

The Kenai Peninsula Borough Coastal Management Program (KPBCMP) reviewed and concurs with the "Proposal for the Acquisition of Critical Habitat at the Kasilof River and Coal Creek Confluence." A critical habitat designation would be the wisest and best use for an area of such significant habitat value. Management authority of critical habitat areas is shared by the Alaska Departments of Fish & Game and Natural Resources.

Coal Creek, which is located on the central Kenai Peninsula, is a tributary to the Kasilof River. The Kasilof River is the second largest salmon producing river system on the Kenai Peninsula. The Kasilof and Kenai Rivers are the only known rivers to support two chinook salmon runs.

Coal Creek enters the Kasilof River at approximately River Mile 3.9. Tidal influence occurs on the Kasilof River to at least River Mile 4.5. The tidal influence and the broad, low meandering river plain has created a productive tidal marsh which provides a concentrated food source and habitat for fish, birds, and mammals. The marsh provides feeding and resting areas during critical (migratory/spawning) life stages for anadromous fish and migratory bird populations. This wildlife is enjoyed not only by residents and visitors to southcentral Alaska, but also by residents of many Pacific Rim countries.

SMALL PARCEL NOMINATION

KAP-22



KENAI PENINSULA BOROUGH

134 N. BINKLEY • SOLDOTNA, ALASKA • 99669-7599
BUSINESS (907) 262-4441

DON GILMAN
MAYOR

August 26, 1993

Commissioner Carl Rosier
Alaska Department of Fish and Game
PO Box 25526
Juneau, Alaska 99802-5526

Dear Commissioner Rosier:

RE: The Kasilof River - Coal Creek Critical Habitat Area

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Attorney General Charlie Cole
August 26, 1993
Page 2

Alaska Coastal Management Policy (ACMP) 6 AAC 80.130, Habitats, and KPBCMP 12.0, Fish and Wildlife Habitat, establish standards for the management of estuaries to maintain or enhance the biological, physical, and chemical characteristics of the habitat which contribute to its capacity to support living resources. ACMP 6 AAC 80.060, Recreation, and KPBCMP 4.0, Recreation and Public Access, encourage designation of areas for recreational use. The Kasilof River Advisory Board identified Coal Creek as a recreational area.

The Coal Creek estuary is a productive and valuable public natural resource. The estuary also provides public use opportunities for a variety of activities. Substantial public benefit would result from the creation of a critical habitat area at Coal Creek.

In summary, Coal Creek has prominent ecological value in the overall productivity of the Kasilof River system. Creating a critical habitat area at the confluence of the Kasilof River and Coal Creek sustains this valuable resource. Therefore, we endorse this proposal.

Sincerely,



Richard P. Troeger
Planning Director

cc: Mayor Don Gilman
Betty Glick, Assembly President
Senator Suzanne Little
Senator Judith Salo
Representative Gary Davis
Representative Mike Navarre
Representative Gail Phillips
✓ Michael and Linda McLane

Commissioner Rosier
August 26, 1993
Page 2

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Planning Director

cc: Mayor Don Gilman
Betty Glick, Assembly President
Senator Suzanne Little
Senator Judith Salo
Representative Gary Davis
Representative Mike Navarre
Representative Gail Phillips
✓ Michael and Linda McLane

Introduced by: Glick, Torgerson
Date: 09-07-93
Action: Adopted
Vote: Unanimous

KENAI PENINSULA BOROUGH
RESOLUTION 93-104

**A RESOLUTION SUPPORTING THE PROPOSAL FOR
THE ACQUISITION OF CRITICAL HABITAT AT
THE KASLOF RIVER AND COAL CREEK CONFLUENCE**

WHEREAS, the property on which the confluence of the Coal Creek and Kaslof River meet has been identified as a "critical habitat" area; and

WHEREAS, Cook Inlet Aquaculture Association has a sockeye enhancement project located on this property for the last two years; and

WHEREAS, nearby residents and others currently enjoy the beauty of this property and use it as a "park" type setting; and

WHEREAS, the Kaslof River is the second largest salmon producing river system on the Kenai Peninsula; and

WHEREAS, the tidal influence combined with the river plain has created a productive tidal marsh which provides a concentrated food source and habitat for fish, birds and mammals; and

WHEREAS, the Coal Creek/Kaslof River area is a valuable productive natural resource and the acquisition of this property as a critical habitat area would provide substantial public benefits as well as protect the ecosystem

NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

SECTION 1. That the Kenai Peninsula Borough Assembly supports the proposal for the acquisition of critical habitat at the Kaslof River and Coal Creek confluence.

SECTION 2. That copies of this resolution be sent Governor Walter J. Hickel; Attorney General Charles Cole; Carl Rosier, Commissioner, Alaska Department of Fish and Game; Senators Little and Salo; Representatives Davis, Navarre and Phillips.

Post-It brand fax transmittal memo 7671

To: Mike McLane		From: Beverly	
Co:		Co: KPB	
Date:		Phone:	

of pages 2

ADOPTED BY THE KENAI PENINSULA BOROUGH ASSEMBLY THIS 7TH DAY OF
SEPTEMBER, 1993.

Betty J. Glick
Betty J. Glick, Assembly President

ATTEST:

Gaye J. Vaughan
Gaye J. Vaughan, Borough Clerk



COOK INLET
AQUACULTURE ASSOCIATION

HC 2, BOX 849
SOLDOTNA, AK 99669-9707
(907) 283-5761

September 20, 1993

Commissioner Carl Rosier
Alaska Department of Fish and Game
P.O. Box 25526
Juneau, Alaska 99802-5526

Dear Commissioner Rosier:

Cook Inlet Aquaculture Association (CIAA) supports State acquisition of a tidal marsh at the confluence of Coal Creek and the Kasilof River. CIAA is familiar with the marsh and the associated uplands as we currently lease a portion of the property for use as a sockeye salmon smolt release site. CIAA's activities have been carefully designed so as to cause no negative impact to the site.

The marsh supports a wide variety of birds, mammals and fish. The site has also become sort of an unofficial neighborhood park. It would be nice if these two uses of the site could be protected through acquisition.

Sincerely,

Thomas E. Mears,
Executive Director

cc: Mike and Linda McLane



COOK INLET
AQUACULTURE ASSOCIATION

HC 2, BOX 849
SOLDOTNA, AK 99669-9707
(907) 283-5761

September 20, 1993

Attorney General Charlie Cole
Environmental Trustee, State of Alaska
P.O. Box 110300
Juneau, Alaska 99811-0300

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Sincerely,

Thomas E. Mears,
Executive Director

cc: Mike and Linda McLane



Alaska State Legislature

Official Business

September 27, 1993

State Capitol
Juneau, AK 99801-1182

The Honorable Charles Cole
Attorney General
State of Alaska
1031 W. 4th Ave. Suite 200
Anchorage, AK 99501-1944
Attn: Mr. Alex Swiderski, Asst. Attorney General
Mr. Craig Tillery, Asst. Attorney General

Dear Mr. Attorney General;

As you serve as Trustee on the Exxon Valdez Oil Spill Trustee Council, we write today to encourage your support of the Proposal for the Acquisition of Critical Habitat at the Confluence of the Kasilof River and Coal Creek submitted by Michael and Linda McLane to the Exxon Valdez Oil Spill Trustee Council. This parcel is imminently threatened and deserves consideration by the Council for purchase to maintain the critical habitat.

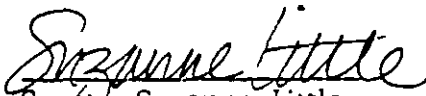
We believe this project meets the Trustee's criteria for land acquisition since:

1. The parcel contains key habitats that are linked to, replace, provide the equivalent of, or substitute for injured resources or services based on scientific data or other relevant information;
2. There is a willing seller of the parcel or property right and an offer has been made at below market value;
3. The property can reasonably be incorporated into the land management system.

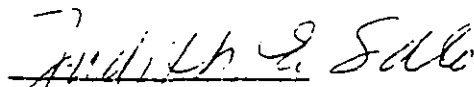
The critical habitat designation for this parcel is in the best interest of the Kenai Peninsula Borough and the State of Alaska. Acquisition of the parcel will benefit generations of Alaskans and visitors and will also conserve one of the most ecologically important tidal marshes in our region.

Thank you for considering the Coal Creek Critical Habitat Area proposal.

Sincerely,


Senator Suzanne Little


Representative Mike Navarre


Senator Judith E. Salo

cc: Members, Exxon Valdez Oil Spill Trustee Council
Interim Administrative Director, Exxon Valdez Oil Spill Trustee Council

OUZINKIE NATIVE CORPORATION

3333 DENALI, SUITE 220-J
ANCHORAGE, ALASKA 99503
PHONE: (907) 276-3500
FAX: (907) 270-6862



P.O. BOX 89
OUZINKIE, ALASKA 99644
PHONE: (907) 680-2208
FAX: (907) 680-2268

RECEIVED
MAY 23 1994

October 22, 1993

Mr. Weiner
Habitat Protection
645 G Street
Anchorage, AK 99501

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

Dear Mr. Weiner:

During the 1989 Exxon oil spill, Ouzinkie's lands more specifically identified as Taliudek Island and the Triplets T25 R20W Sections 23 and 26 IC 064, which are bird rookeries were heavily impacted by the oil. Since the spill there has been a substantial reduction of bird and sea mammal life.

Because of the uniqueness as a bird rookery we, the Ouzinkie Native Corporation feel that the ownership of the islands would best be served under the administration of the Fish and Wildlife Service. We feel that these lands fall into the category set by the trustee Council more so than the acquisition of timberlands. If there is anything more I can do for you please don't hesitate to call.

Sincerely,

OUZINKIE NATIVE CORPORATION

William A. Anderson
William A. Anderson
President

Proposal: Land Acquisition

Area: The Triplets Islands within Alaska Maritime National Wildlife Refuge

Lead Agency: U.S. Fish and Wildlife Service

Objective:

Purchase The Triplets Islands, (Taliudek Island, "Middle Island", and "South Island") totaling about 60 acres, for inclusion in the Alaska Maritime National Wildlife Refuge (see attached map).

Background:

The majority of birds killed by the 1989 Exxon Valdez oil spill were diving birds, primarily alcids. Of the roughly 30,000 dead birds retrieved after the spill, 74% were murres, 12% were other diving birds (including loons, grebes, cormorants, and sea ducks) 7% were other alcids, (including tufted puffins, horned puffins, pigeon guillemots and murrelets).

Justification:

Acquisition of this island group and inclusion in the Alaska Maritime National Wildlife Refuge will increase protection of breeding habitat for diving seabird populations impacted by the oil spill. The Triplets, located within the area affected by the spill, host the largest seabird colony in the Kodiak archipelago. Colony sites on the three islets provide breeding habitat for more than 100,00 seabirds. Tufted puffins account for over 67,000 of the breeding birds. Other breeding divers include murres (ca. 1400) and cormorants (ca. 268).

The Triplets also provide important habitat for some non-diving seabirds. An estimated 38,000 fork-tailed and 900 Leach's storm-petrels breed there. Glaucous-winged gulls (fewer than 1000) have also been known to nest on The Triplets. Petrels and gulls feed while flying and were less affected by the oil spill than were the diving species.

Southeasterly view of the Triplets. North Cape and Ouzinkie are in the background.



View of Triplets looking southward. Taliudek Island in foreground, next the middle Triplet, and the South Triplet Island at the top.

A close up view of the middle island. The perimeter is steep and rocky.



Census of Seabirds on The Triplets Islands, Kodiak, Alaska

23-25 July, 1989

by

Richard MacIntosh

Kodiak Audubon Society

August, 1989

INTRODUCTION

The Triplets Islands is the largest seabird rookery in the Kodiak Archipelago (Figure 1). These islands were surveyed for seabirds by boat in 1975 and 1977. A more complete survey conducted in 1985 involved upland assessments of diurnal and nocturnal nesters as well as counts of cliff nesters. The current survey by boat counted cliff inhabiting cormorants, murres and counted Glaucous-winged Gulls.

METHODS

This survey of the Triplets was conducted by Richard MacIntosh from a 16' Boston Whaler. I left the town of Kodiak on 22 July and set up camp at Pineapple Cove, south of Zapedni Pt., on Spruce Island. On 23, 24, and 25 July, I ran the 2.5 n.m. to the Triplets and conducted counts of murres, cormorants, and Glaucous-winged Gulls between the hours of 1000 and 1500 hrs each day. On the evening of 25 July I returned to Kodiak.

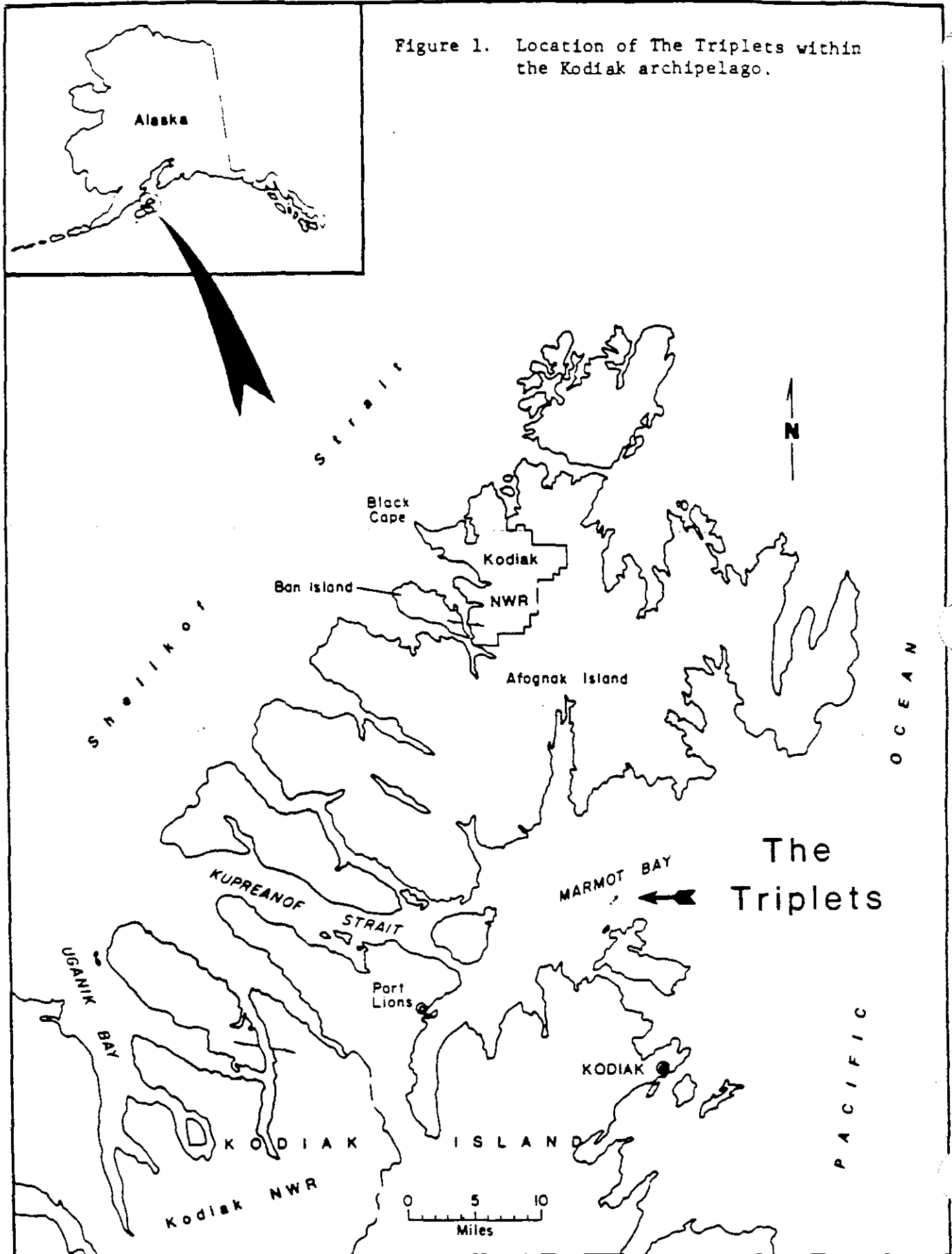
Weather during the survey period was good. Conditions for the three survey days were:

Date	Wind Speed (k) & Dir.	Sea Height (ft)	Cloud Cover (%)
7/23	10 NE	2	100
7/24	10 NW	1	0
7/25	15 W	2	75

The only species for which actual counts were made were murres, Double-crested, Pelagic, and Red-faced Cormorants, and Glaucous-winged Gulls.

Murre counts were of the total number of birds on the islands. Common and Thick-billed Murres were not counted separately but an overall estimate of the percentage of each was made. Murre counts were generally made from a distance of 30 m or less from the cliffs. If there were more than about 30 birds at a counting location, I tied the boat to kelp and counted from that fixed position.

On 7/23 and 7/24, murre counts on Taliudek were conducted between 1200 and 1500 hrs. On 7/25, I arrived at Taliudek at 1000 hrs and found many more Tufted Puffins (est. 7000) and murres (est. 500+) on the water to the east and northeast of the island than I had seen on the previous two days. Most of the murres were off of the main murre cliffs but there still seemed to be plenty of murres on the cliffs. Instead of surveying the murre areas at that time, I surveyed other areas first and returned to the murre areas at



about 1230 hrs (when offshore numbers of puffins and murres were much reduced: murres < 100 as on other days).

All three cormorant species were counted each survey day. Nests with adult birds either sitting or standing on the nest were counted as "occupied nests". If an unoccupied nest appeared to be in about the same physical condition as occupied nests, then it was counted as an "empty nest". Each succeeding day, I maneuvered the boat through the kelp beds closer to the islands and in doing so was able to increase slightly the number of different nests seen. Many nests were in rock clefts that paralleled the shore, thus were seen best by getting very close to the shore and looking along the axis of the shoreline. Since I feel I covered the area for cormorant nests most completely on 25 July, I am including the total number of occupied and empty cormorant nests for that day only.

Glaucous-winged Gull counts were made on 24 July only. All birds sitting or standing in vegetated areas, on nearshore rocks, or flying over the islands were included in the totals.

RESULTS

Both murres and cormorants were concentrated in certain parts of the islands and absent from others. Essentially all murres, for example, were seen on the south and east sides of Taliudek Is. Figure 2 shows the areas in which these species were seen. As a general rule, the rock surfaces facing north and west were devoid of birds.

Daily murre counts ranged from 630 to 987 (mean 843, s. d. 154; Table 1). Occupied Pelagic Cormorant nests numbered 52; Red-faced 29; and Double-crested 5 (Table 2). All birds seen in The Triplets are listed in Table 2.

Table 1. Murre counts by island by day.

	"South Island"	"Middle Island"	Taliudek Island	Total
7/23	0	0	913	913
7/24	0	0	630	630
7/25	0	4	983	987

mean = 843

Table 2. Seabirds on The Triplets Islands, 23 - 25 July, 1989.

species	"South Island"	"Middle Island"	Taliudek Island	Total
Double-crested Cormo. on nest			5	5
Pelagic Cormorant on nest	8	17	27	52
Red-faced Cormorant on nest			29	29
empty cormorant nest	16	2	6	24
Bald Eagle	a	a	a	2
Glaucous-winged Gull	180	121	280	581
Common Murre (85% total)	b	b	b	717
Thick-b. Murre (15% total)	b	b	b	126
Pigeon Guillemot			P	P
Tufted Puffin	P	P	P	P
Horned Puffin	P	P	P	P
Common Raven			1	1
Winter Wren			1	1
Hermit Thrush	P	P	P	P
Pine Siskin	1			1
Song Sparrow	1		1	2

a = max. of 2 adults seen among islands

b = three day mean murre counts not calculated per island

P = present

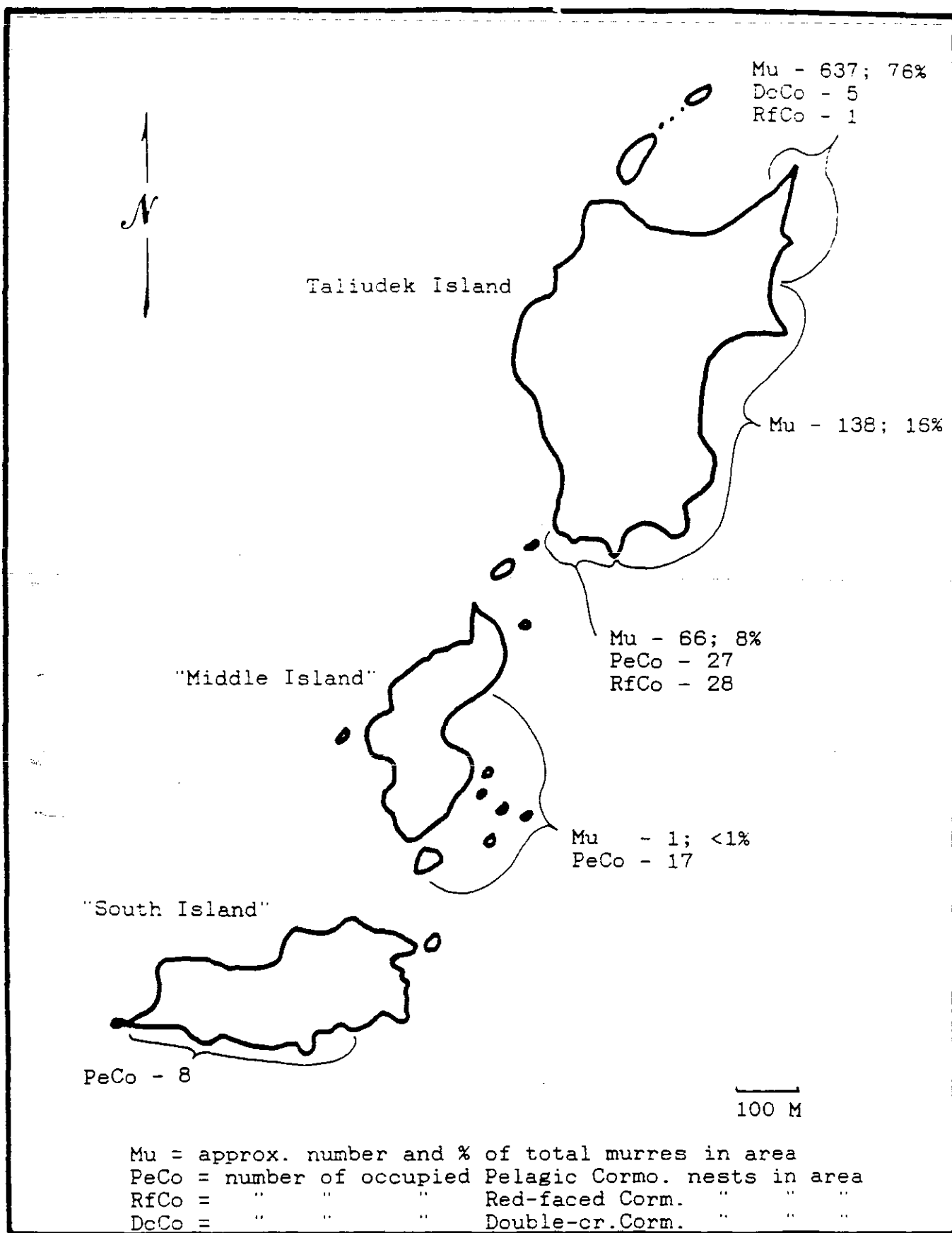


Figure 2. Map of The Triplets Islands showing areas where murres and cormorants were found.

SELECTED SPECIES ACCOUNTS:

Double-crested Cormorant. Five occupied stick nests were visible atop a sharp ridge at the northeast corner of Taliudek Is. Adults were sitting tight on some nests and standing in others. It was not possible to see if eggs or young were present, but all 5 nests were occupied on all three survey days. No Double-crests were seen in any other parts of the islands.

Pelagic Cormorant. Fifty-two occupied nests were found, and based on their proximity to occupied nests, most of the empty nests were probably constructed by Pelagics also. Most occupied nests were attended by only one adult, and in many cases, the adult was sitting hard on the nest. The only young seen were in a group of nests located in a cave on the east side of Middle Is. There were 13 occupied nests visible and at least three of them contained two half-grown young. It was not apparant that occupied nests in any other area contained young.

Red-faced Cormorant. A total of 29 occupied nests was found. Most of the nests were attended by a single adult and in many cases the adult was sitting hard on the nest. At one nest on the south end of Taliudek Is., an adult flew to the nest with plant material in it's bill, which it passed to the bird sitting on the nest. The sitting bird proceeded to encorporate the material into the structure of the rim of the nest. It was not apparant that any occupied nest contained eggs or young.

Bald Eagle. Two adult eagles were on "South" Island on 7/23 and 7/24, and a single adult was soaring over Taliudek Is. on 7/25.

Glaucous-winged Gull. A total of about 581 birds (all adult plumage) was seen on or over the islands on 7/24. Single birds and pairs were scattered over the vegetated portions of all three islands. No nests were seen from the water although a few birds were sitting down as if they were on nests. No young, fledged or unfledged, were seen.

Common Murre and Thick-billed Murre. With the exception of four birds seen on "Middle" Island on 7/25, all murres were on Taliudek Is. On Taliudek, approximately 76% of all murres occupied a short stretch of cliff on the northeast corner of the island (Figure 2). Daily counts for the three surveys were 913, 630, and 987 (mean = 843, s. d. = 154). Approximately 15% of all murres seen were Thick-billed Murres. Singles and small groups were mixed in with Common Murres throuought the area.

No murre eggs were apparant and no juvenile birds were seen. A few birds were, however, in the crouched position that murres assume when on eggs. No adults were seen carrying fish to the cliffs.

Tufted Puffin. Abundant! A few were seen carrying fish.

Horned Puffin. Present in small numbers on and around all three islands.

Pigeon Guillemot. Only three or four adults seen around the islands.

DISCUSSION

While the number of murres and cormorants seemed to be on the same order of magnitude as past estimates, there was little to suggest successful nesting for either group. It appears from USFWS studies of nesting phenology in Chiniak Bay, however, that cormorant nests could have contained either eggs or young at the time of this survey. Since many Pelagic and Red-faced Cormorants were sitting hard on nests, it is possible that these birds were still on eggs. It is also possible that some murres were on eggs although none were seen.

In that The Triplets are in an area that has been impacted by the Exxon Valdez oil spill, I was aware of the fact that I might find oil in the area and that some birds might be oiled. Although I did not spend time specifically looking for it, I observed no oil on the water in the vicinity of The Triplets. At Pineapple Cove, about 1.5 n.m. to the south, there were patches of mousse on the beach, but no oil was seen in the water.

No oil was seen on light breasted birds like murres, Glaucous-winged Gulls or Horned Puffins. Two murres were seen with a yellow stain on the underparts, but this color was very unlike the color of oil I have recently seen on gulls and shorebirds in the Kodiak area.

SMALL PARCEL NOMINATION

KEN- 29 (Twin)

ALASKA DEPT. OF
FISH & GAME

MAR 28 1995

REGIONAL
HABITAT AND FISH
MANAGEMENT

Alaska Lease Title
KEN-29

RECEIVED

January 17, 1995

Carl L. Rosier, Member
EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL
c/o Alaska Department of Fish & Game
1255 West 8th Street
Juneau, Alaska 99802-5526

JAN 28 1995

DEPT. OF FISH & GAME
COMMISSIONER'S OFFICE

Thank you for status letter directed to me as a small parcel nominator.

I have attached two exhibits to identify my parcel of 220 acres west of the intersection of Diamond Ridge Road and the Sterling Highway near Homer, Alaska.

The purpose of this letter is to inform you that I have been told by Ron Crenshaw, Manager, Marine Recreation Project and Chris Titus, Superintendent Kenai Parks, State of Alaska, that State Parks would be happy to manage this 220 acres as a Public Park. This land would provide the State of Alaska an access to their adjacent land-locked parcel (95 acres) thereby providing approximately one (1) mile ocean/beach frontage.

My parcel was identified in a 1976 Division of Parks Planning document addressing future lands for addition to Alaska State Park system. It has also received the support of the Kachemak Bay State Park Citizen's Advisory Board as a desirable acquisition which could benefit the Homer community outside KBSP.

I have been advised that the Division of Parks and Outdoor Recreation (DPOR) would agree to manage this land acquisition as a unit of the Alaska State Park system. Residents of Homer as well as visitors to the area would benefit by the acquisition of these stunning recreation lands. This project could replace lost or diminished recreational opportunities resulting from the oil spill by providing an alternative destination to visiting oiled or damaged beaches.

The project could provide for the development of a 50 unit campground complete with tables, fire places, water and restrooms, as well as a separate picnic area, viewing deck and telescopes for viewing the scenery across Cook Inlet. The campground could be sited on the bluff overlooking Cook Inlet and Diamond Gulch. This bluff area is situated within a wonderful old growth Sitka Spruce stand, providing for a beautiful setting, with spectacular views over the water. An improved gravel road presently exists to provide access from the Sterling Highway about 1 1/2 miles to the bluff area and ocean beach.

Carl L. Rosier
January 17, 1995
Page Two

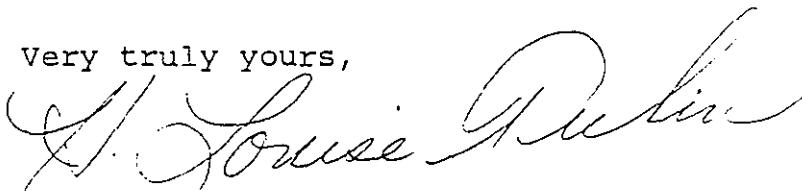
A pedestrian walkway could be provided from the bluff camping area to the Cook Inlet beach below via a road already constructed upon the property. This road is the only road giving access to the ocean beach between Homer and Anchor Point -- a distance of approximately 20 miles. Beach combing, hiking, sport fishing and enjoying the scenery on a presently inaccessible beach would be enhanced by this project.

The project would also fill an important niche in providing for high quality visitor facilities in a stunning setting. The lack of enough adequate overnight camping facilities in the Homer area to Diamond Gulch will fill a critical niche in this plan. Future development activities can be managed by DPOR, and subsequent operations and maintenance of developed facilities can be borne by DPOR.

The land is subdivided but no individual lots have been sold to spoil the acquisition of the parcel as a whole. The land is registered with DEC and is ready for development.

Thank you for your consideration.

Very truly yours,

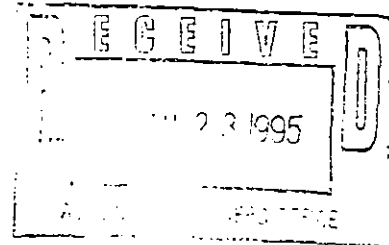


H. Louise Tulin
1422 K Street
Anchorage, Alaska 99501
(907) 272-2159

HLT:nm

Enclosures

cc: Representative Gail Phillips
Commissioner Marty Rutherford, Dept. of Natural Resources
Members, Exxon Valdez Oil Spill Trustee Council



January 17, 1995

Gene Burden, Member
EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL
c/o Alaska Department of Environmental Conservation
410 Willoughby Avenue, Room 105
Juneau, Alaska 99801-1795

Thank you for status letter directed to me as a small parcel nominator.

I have attached two exhibits to identify my parcel of 220 acres west of the intersection of Diamond Ridge Road and the Sterling Highway near Homer, Alaska.

The purpose of this letter is to inform you that I have been told by Ron Crenshaw, Manager, Marine Recreation Project and Chris Titus, Superintendent Kenai Parks, State of Alaska, that State Parks would be happy to manage this 220 acres as a Public Park. This land would provide the State of Alaska an access to their adjacent land-locked parcel (95 acres) thereby providing approximately one (1) mile ocean/beach frontage.

My parcel was identified in a 1976 Division of Parks Planning document addressing future lands for addition to Alaska State Park system. It has also received the support of the Kachemak Bay State Park Citizen's Advisory Board as a desirable acquisition which could benefit the Homer community outside KBSP.

I have been advised that the Division of Parks and Outdoor Recreation (DPOR) would agree to manage this land acquisition as a unit of the Alaska State Park system. Residents of Homer as well as visitors to the area would benefit by the acquisition of these stunning recreation lands. This project could replace lost or diminished recreational opportunities resulting from the oil spill by providing an alternative destination to visiting oiled or damaged beaches.

The project could provide for the development of a 50 unit campground complete with tables, fire places, water and restrooms, as well as a separate picnic area, viewing deck and telescopes for viewing the scenery across Cook Inlet. The campground could be sited on the bluff overlooking Cook Inlet and Diamond Gulch. This bluff area is situated within a wonderful old growth Sitka Spruce stand, providing for a beautiful setting, with spectacular views over the water. An improved gravel road presently exists to provide access from the Sterling Highway about 1 1/2 miles to the bluff area and ocean beach.

Gene Burden, Member
January 17, 1995
Page Two

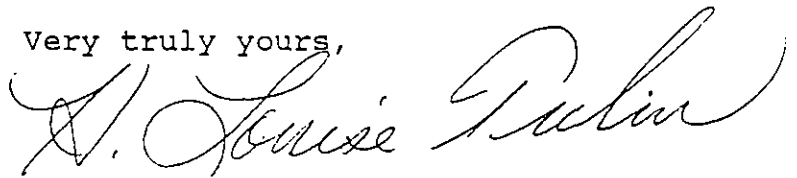
A pedestrian walkway could be provided from the bluff camping area to the Cook Inlet beach below via a road already constructed upon the property. This road is the only road giving access to the ocean beach between Homer and Anchor Point -- a distance of approximately 20 miles. Beach combing, hiking, sport fishing and enjoying the scenery on a presently inaccessible beach would be enhanced by this project.

The project would also fill an important niche in providing for high quality visitor facilities in a stunning setting. The lack of enough adequate overnight camping facilities in the Homer area to Diamond Gulch will fill a critical niche in this plan. Future development activities can be managed by DPOR, and subsequent operations and maintenance of developed facilities can be borne by DPOR.

The land is subdivided but no individual lots have been sold to spoil the acquisition of the parcel as a whole. The land is registered with DEC and is ready for development.

Thank you for your consideration.

Very truly yours,



H. Louise Tulin
1422 K Street
Anchorage, Alaska 99501
(907) 272-2159

HLT:nm

Enclosures

cc: Representative Gail Phillips
Marty Rutherford, Dept. of Natural Resources
Members, Exxon Valdez Oil Spill Trustee Council

**KACHEMAK BAY STATE PARK
CITIZEN'S ADVISORY BOARD**

P.O. Box 3248
Homer, Alaska 99603

DAVE STUTZER, CHAIRMAN

Resolution 95-3

Resolution in support of small parcel acquisition of Diamond Creek (TULIN KEN 29) and Vandenberg (KEN 56) properties.

Whereas, the Kachemak Bay State Park Citizen's Advisory Board whose membership consists of representatives of a cross section of the citizenry and who are appointed by the Director of Alaska State Park to advise the Division of Parks on management issues and make recommendations, and

Whereas, this board has reviewed several of the small parcel nominations, and

Whereas, the Diamond Creek property (KEN 29) would provide for habitat protection and access to recreational resources for the people of Alaska, and

Whereas, there is inadequate recreational facilities and lands along the Sterling Highway between Homer and Anchor Point, and

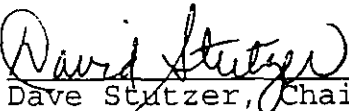
Whereas, the Vandenberg property (KEN 56) separates the only parcels of Kachemak Bay State Park on the north shore of Kachemak Bay and are the only road accessible portions of this park, and

Whereas, the acquisition of KEN 56 would provide for a more complete park unit for the development of trails and other recreational facilities, and

Whereas, the inclusion of KEN 56 would provide for improved habitat protection for Bald Eagles, Black Bear and Moose,

We resolve, by unanimous vote, that the acquisition of these properties are important for the people of Alaska and the management of habitat and resource therein.

Resolution approved:



Dave Stutzer, Chairman, KBSP Citizens' Advisory Board

Approved March 8, 1995

RECEIVED
MAR 20 1995

**EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL**



United States Department of the Interior

OFFICE OF THE SECRETARY

Washington, D.C. 20240

March 21, 1995

H. Louise Tulin
1422 K St.
Anchorage, AK 99501

Dear Ms. Tulin:

Thank you for your letter of January 17 regarding the benefits of acquiring your 220-acre parcel of land near Homer, Alaska, for inclusion in the Alaska State Park system.

As one of six trustees on the *Exxon Valdez* Oil Spill (EVOS) Trustee Council, we appreciate your interest and involvement in the small parcel habitat protection process. In order to promote the restoration of species and natural resources injured by the oil spill, we support the small parcel habitat protection process as an important component of the overall restoration effort.

At the February 13, 1995 Trustee Council meeting in Anchorage, the Council adopted a resolution authorizing Molly McCammon, the executive director, to begin preliminary negotiations to identify the interests of the seller for parcels ranked "high" or "moderate." The resolution also allowed state and federal agencies, such as the Alaska Department of Natural Resources (ADNR), to submit parcels for consideration which the agencies believe have special merit, but which ranked "low" in the EVOS small parcel evaluation and ranking. The Council also authorized the executive director to appraise these small parcels and to develop a recommended list of small parcel acquisitions to be considered at a Trustee Council meeting currently scheduled for June of this year.

It is our understanding that ADNR has determined that your parcel merits special consideration. Therefore, your parcel will be considered further for possible inclusion in the recommendation of the executive director. We look forward to reviewing the recommendation this summer.

Thank you again for your letter and for your participation in the process.

Sincerely,

A handwritten signature in dark ink, reading "George T. Frumpton, Jr.", is written over the typed name.

George T. Frumpton, Jr.
Assistant Secretary for Fish
and Wildlife and Parks

cc: Molly McCammon

PHONE COMMENT LOG

Name	Affiliation	Phone	Address
Charles Davis for Toby Tyler	Homer		P.O. Box 906 Homer, Ak, 99603

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

Date of call: 4/25/95 Comment taker: Kerin Dille

Subject of comments: Homer small parcels.
re: the Tulin Parcel

Comments: Charles Davis speaking on
behalf of Toby Tyler...

It was said on Homer radio
program that Tyler supports
Tulin property purchase, where,
in fact, he does not.

Tyler asked Davis to call T.C.
& clarify this standing for
the record.

PHONE COMMENT LOG

Name	Affiliation	Phone	Address
Charles Morris	Resident		P.O. Box 906 Homer, AK 99603

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

Date of call: 4-25-95 Comment taker: Keri Dike

Subject of comments: Homer small parcels
re: the Tulin Parcel

Comments: Very much against T.C. purchase of Tulin property

1) The timber has already been high graded
2) Fallen timber lying around will create insect hazard.

3) Any road at or to Diamond Creek will be next to impossible to maintain, so no beach camp ground access will be possible. The ground is too unstable

He is concerned that Trustee Council is being cheated. It looks to him like a political payoff.

Would rather see the money spent on a Homer base-line study. If Campground is a must, TC should try to buy Anchor Pt. property.

- Supports purchase of Overlook Park.

EVOS Trustee Council
645 G St #402
Anchorage, Alaska 99510

PO Box 1281
Homer, Alaska 99603
June 15, 1995

Dear Sirs:

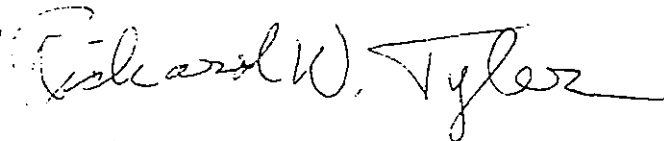
I am writing to express my enthusiastic support for the small-parcel acquisition of the so-called Fox Farm property which spans the peninsula (known locally as the 'Island Peninsula'), facing south on China Poot Bay and North on Kachemak Bay looking out to Gull Island Rookery.

This 26+ acre parcel (Ken 20 -U. S. Survery #1539) has importance far above its small size as has been well documented in your letter of March 14 from Mike McBride. To me, the most critical protection need for this parcel is the existence of the large midden on the China Poot beach which has still never received much carefully documented excavation. There is considerable local speculation that this is the site that Jokelsohn mentions having been taken to from his brief camp on Yukon Island in the late 18 hundreds. This is a very intriguing possibility. The site is now mostly well overgrown with young spruce trees which protects it to some degree.

There is only one bit of information that I need to add to Mr. McBride's thorough analysis of the various ^{and} many incidences of use of this parcel by EVOS 'injured species': that is that just off of the Kachemak facing cliffs of this property is a small rock in the intertidal area which has the local name of 'Black Oystercatcher Rock' where these birds are quite regularly seen feeding in the proper season. The rock, of course, is not part of the property, but the presence of this species in the area on a feeding -but not a nesting- rock is significant.

Whatever final arrangement is made for oversight of this parcel, it would seem to me to be an important addition to your many accomplishments.

Thank You,



Richard W. Tyler
PO Box 1281
Homer, Alaska 99603

P.S. I realize that the various properties being contemplated by you folks at present are each different and each have separate merits: making it difficult to judge between them. In so far as general use by the public (and by use, I mean here primarily the ability to be seen by almost everyone) The two Overlook Parcels to the West of Homer still strike me as the most important to be acquired by EVOS. However, protection of the midden on Ken 20 would get my second vote, with perhaps the Tulin property along the mouth of Diamond Creek as a third place nominee if arrangements can be made to turn it into a managed camp ground which this area truly needs.

RECEIVED
JUN 19 1995

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

SMALL PARCEL NOMINATION

KEN-34 (Cone Parcel)

125 N. Willow Street, Suite 100
Kenai, Alaska 99611
Phone (907)283-7167
Fax (907)283-8435

C. R. Baldwin
Lawyer

C. R. Baldwin
James N. Butler, III

March 21, 1994

Mr. Mark Kawada
Habitat Working Group
Exxon Valdez Trustee's
645 G Street
Anchorage AK. 99501

RE: Small Parcel Acquisition Program

Dear Mr. Kawada:

At the suggestion of Mr. Jim Ayers, I am contacting you to get some information on the status of the Exxon Valdez Oil Spill Trustee Council's (Trustee's) small parcel acquisition program.

According to Mr. Ayers, you are involved in developing a decision matrix which will be utilized in evaluating property in the spill area. I would be very interested to be included "in the loop" for any information, including drafts of the matrix, as information becomes available.

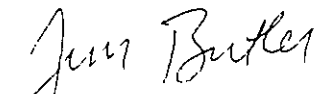
As you might have guessed, I represent a land owner along the Kenai River. The property, approximately 112 acres, is located along the lower river just above Cunningham Park in the City of Kenai. This landowner has been prevented from developing his property due to its ecological importance to various fish and bird species. The regulations, however, will allow him to develop a recreational vehicle park on the upland portion of his property. After some consideration, he is willing to delay his development plans in order to determine if his property might be of interest to a party interested in acquiring property to maintain it in it's natural condition.

Naturally, I understand the need to illustrate the importance of this property to the Kenai River and show the nexus between this property and species injured by the Exxon Valdez oil spill. By learning about the small parcel acquisition program early, I will be able to assist my client in making a determination on whether to delay development in order to explore the possibility of having his parcel considered by the Trustee's for acquisition. Based on prior comments from several state and federal agencies, and the fact this might be the largest private parcel of land along the lower Kenai River, I am hopeful that this property will be of interest to the Trustee's.

Mark Kawada
March 18, 1994
Page 2

I want to thank you in advance for you anticipated help in this matter and look forward to hearing from you at your earliest convenience.

Sincerely yours,

A handwritten signature in cursive script that reads "Jim Butler".

JAMES N. BUTLER, III

JNB/hs

cc: C. Cone



JUL 21 1994

CITY OF KENAI

"Oil Capital of Alaska"

210 FIDALGO AVE., SUITE 200 KENAI, ALASKA 99611-7794
TELEPHONE 907-283-7535
FAX 907-283-3014



July 18, 1994

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

**RE: SMALL PARCEL ACQUISITION PROGRAM-CHESTER CONE KENAI RIVER
PROPERTY**

Dear Mr. Ayers:

I am contacting you on behalf of the City of Kenai Planning and Zoning Commission. It has been brought to the Commission's attention that Mr. Chester Cone has submitted an application requesting the Exxon Valdez Oil Spill Trustee Council consider his parcel for acquisition under the Council's small parcel acquisition program. I would like to convey the Commission's strong support for Mr. Cone's proposal and request the Council review his application on an expedited basis. The City has attempted to acquire this parcel in the past for development of a boat launching facility. If the property is acquired under the above referenced program, the City would urge the State to develop this parcel for the benefit of the community.

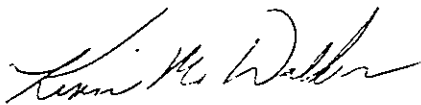
The property which Mr. Cone has submitted to the Council lies adjacent to the Kenai River along the lower portion of the river. The parcel includes both wetland and upland but due to the property's proximity to the river and interrelationship between the parcels, we believe that acquisition of the entire tract of property is appropriate under the Council's small parcel acquisition criteria.

By acquiring all of the property offered in Mr. Cone's proposal, the Council could probably influence access to the river in an area deemed by many state and federal wildlife agencies as critical habitat to several Kenai River salmon and bird species which were impacted by the Exxon Valdez oil spill. In addition, since the property is bordered by a paved road with utilities, the Council would also have an excellent piece of property to consider as a site for controlled access to the river or for a wildlife viewing station for use by biologists and tourists.

Of particular concern to the Commission is whether the Council can review Mr. Cone's property acquisition proposal on an expedited basis. As you might already know, Mr. Cone is in his early eighties and his property, we believe, is an excellent candidate for acquisition under the Council's selection criteria. Given Mr. Cone's age and the unique attributes of his property, we would strongly encourage and support the Council initiating discussions on a suitable method for acquiring Mr. Cone's property as soon as practicable.

In the event you have any questions concerning the position the Commission has taken with this correspondence, please do not hesitate to contact me or the Commission's staff person, Loretta Harvey, at the City of Kenai Planning Department, 283-7933.

Sincerely,



Kevin Walker, Chairperson
Kenai Planning and Zoning Commission

cc: C. Cone
J. Butler

City of Kenai, Alaska

210 Fidalgo, Suite 200

PLANNING AND ZONING COMMISSION

****MINUTES****

July 13, 1994 - 7:00 p.m.

Chairman Kevin Walker

1. ROLL CALL

Members present: Ron Goecke, Carl Glick, Charlie Pierce, Teresa Werner-Quade, Kevin Walker

Members absent: Phil Bryson (excused), Lori McComsey (excused)

Ad Hoc: Councilman Hal Smalley

Staff present: Jack La Shot, City Engineer; Loretta Harvey, Administrative Asst.

2. APPROVAL OF AGENDA

Carl Glick moved approval of agenda as presented, and asked for unanimous consent. Charlie Pierce seconded. Passed by unanimous consent.

3. APPROVAL OF MINUTES June 22, 1994

Ron Goecke moved approval of minutes as presented and asked for unanimous consent. Carl Glick seconded. Passed by unanimous consent.

4. PERSONS PRESENT SCHEDULED TO BE HEARD

a. Jim Butler, Attorney - Exxon Valdez Trustee Council Small Parcel Acquisition Proposal - 100 Acres Lower Kenai River - Chester Cone

Jim Butler, said he had been working with Chester Cone for several months concerning a parcel of property he owns on the Kenai River. Butler has submitted a proposal on behalf of Mr. Cone under the Exxon Valdez Trustee Council Small Acquisition Proposal Program (EVTC/SPAP). Butler explained that the Council had been formed as a result of the Civil Consent Decree which Exxon entered into with State and Federal Governments. About \$900 million dollars has been deposited in Anchorage and the EVTC has been formed to administer those funds. The Council has four main objectives in administering these funds: provide for the general restoration of spill impacted areas; provide for habitat protection acquisition in the spill zone; provide monitoring and research for the ongoing investigation of the lands that were impacted, and; also provide public information, and administration of the fund itself. The goal is for each program to aid in the recovery of impacted land.

The Small Acquisition Proposal was set up to address property of less than 1,000 acres in size. The spill zone is defined from Valdez to Chignik, East of Chignik and north to just above the forelands on both sides of the Inlet. So the Cone property and Kenai River, is well within the defined area. The restoration funds can protect and acquire parcels of property that contain habitat which is important to injured resources. Among the injured resources that a number of agencies have identified on Mr. Cone's property (as he's gone through the permit process) are sockeye, pink salmon, dolly varden, bald eagles, inter-tidal organisms, and the common murre. The sockeye is the species that has been significantly impacted in the Kenai River. The Council is not necessarily looking for all river frontage they are looking for support land, that would allow a certain filtration effect. One of the other areas the Council considers is damaged services, both commercial and sport fishing have been considered damaged resources in the spill area because of the decrease in the number of fish that are available. Also, as a result of managing around spill impacted areas, agencies have had to focus increased pressure on certain areas, which has increased habitat damage.

Mr. Cones' property is subject to the KPB Coastal Zone Management Plan (CZM) and the EVTC has developed a restoration plan that they and the CZM believe fit within the general policy goals of that program. The property is also a part of the Kenai River Special Management area and one of the criteria the Council will review is if they can administer the property. Since this area is so close to DNR's park jurisdiction it should be easy to administer.

Butler asked the Commission to consider two things. One is to support the project or the proposal and the other is support an expedited review of this property, since the Council has the ability to do that. One of the reasons they wish to have an expedited review is that Mr. Cone has been dealing with this property for well over fifteen years. Since not too many properties along the Kenai River have been submitted and this property has been studied for years. It doesn't make sense for the agencies involved to reevaluate the property.

Butler submitted a draft letter which outlined support for the project. The main reason Butler had come before the Commission was to alert them that the Council is in the process of obtaining property. They will be spending a tremendous amount of money on this in the next few years and he again asked for the Commission to support Mr. Cone's proposal.

Chairman Walker asked Butler what would happen to the property once it is acquired, will it be locked up from development?

Mr. Butler responded that it will not, the agencies will vest title in either a State or Federal Agency or they can vest title in a number of different non-profits who could be organized to administer the property. Because this property is located where sports fishing has been impacted they are very interested in proposals on how to administer that property. Oddly enough Mr. Cone's private venture of trying to establish a boat ramp has been shot down but the Council might have a different perspective on how to develop one. They have also discussed taking the upper portion of the property off Beaver Loop road and developing a viewing area. The idea is that Mr. Cone should not have to hang on to this property for the perpetuity of the public, if the public wants to benefit the public should own it.

Butler submitted a draft letter to the Commission in support of Chester Cone. He also said if the Commission wished to work with him in developing options for the property, he would be glad to discuss any items that would meet the City's needs. Chairman Walker called for a brief recess to review the letter.

RECESS:

After a brief pause Chairman Walker called the meeting back to order and asked the Commission's wishes.

MOTION:

RON GOECKE RECOMMENDED THE COMMISSION SEND A LETTER TO THE EXXON VALDEZ TRUSTEE COUNCIL, SUPPORTING THE PURCHASE OF 100 ACRES ON THE KENAI RIVER, BELONGING TO CHESTER CONE, UNDER THE EXXON VALDEZ SMALL PARCEL ACQUISITION PROGRAM. AND TO INCLUDE IN THE LETTER THAT THIS APPLICATION BE HANDLED IN AN EXPEDITED MANNER. CHARLIE PIERCE SECONDED.

DISCUSSION:

Chairman Walker asked Mr. Goecke if he wished to use the letter as reviewed. Goecke said he would leave that to the Chairman's discretion. Walker said he would like to incorporate staff comments. Jack said it might be a good idea to incorporate that this was property the city had tried to purchase to develop a boat launch.

Chairman Walker asked for further comments from the public.

Chester Cone said he had tried to sell the property to the City two times, but because of COE permits the City backed out. Cone has had problems with developing or selling this property for years.

Chairman Walker said he would support this for Mr. Cone, but he did not want the land to be locked up. He thought a boat launch would be the best use for that property and hoped that whoever acquired the property would develop it to benefit the community. Walker then called for a roll call vote:

VOTE: SUPPORT OF EXXON VALDEZ TRUSTEE COUNCIL SMALL ACQUISITION PROPOSAL - 100 ACRES LOWER KENAI RIVER - CHESTER CONE

Bryson	Goecke	Pierce	Werner-Quade	McComsey	Glick	Walker
EXCUSED	YES	YES	YES	EXCUSED	YES	YES

MOTION PASSED UNANIMOUSLY.

5. PLANNING

- a. Resolution PZ 94-34: VIP Estates Watergate Addition

MOTION:

RON GOECKE MOVED APPROVAL OF RESOLUTION PZ 94-34. CARL GLICK SECONDED.

Chairman Walker asked if anyone in the public wished to address the plat which was on Watergate Way, VIP Park Addition?

Jack La Shot reported that the plat would subdivide one large lot into two substandard lots, this resolution should be contingent upon PZ 94-33 which is the Variance to allow this.

Jeri Shivers, said she lived in the subdivision on Schooner Circle. She said she had been on vacation so had just received the notification. Shivers said the lot plat seemed to be against the integrity of the subdivision compared to the lots that are there now. It is also against the subdivision covenants. The lots are 1 acre lots and that is one of the reasons the Shivers moved there, and also the area is low density residential. If Aase is allowed to split the lots it would make it so more acreage could be used for residential area and it may also put resale values at a lower cost. Shivers was concerned that this area might develop a Thompson Park problem, where the wells and septic tanks are too close together and can cause contamination. She noted on the proposal that he was only building one house, but she wondered what he would be doing with the other parcel.



KENAI PENINSULA BOROUGH

144 N. BINKLEY • SOLDOTNA, ALASKA • 99669-7599
BUSINESS (907) 262-4441 FAX (907) 262-1892

DON GILMAN
MAYOR

August 9, 1994

Ken 9/27/94

Mr. Jim Ayers, Executive Director
Exxon Valdez Oil Spill Trustee Council
645 G Street
Anchorage, Alaska 99501

Dear Mr. Ayers:

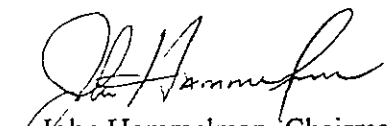
RE: Small Parcel Acquisition Program/Chester Cone Kenai River Property

On August 8, 1994 the Kenai Peninsula Borough Planning Commission in regular session voted favorably to support Mr. Chester Cone's request to the Exxon Valdez Oil Spill Trustee Council to consider his property for acquisition under the Council's small parcel element of the Comprehensive Habitat Protection Process.

It appears from the information furnished to the Planning Commission that Mr. Cone's property, consisting of two tracts adjacent to the Kenai River, meets the threshold criteria established for small parcel acquisition.

The Commission also expressed support for acquisition of other properties having similar characteristics and under circumstances that would provide protection for salmon habitat.

Sincerely,



John Hammelman, Chairman
Kenai Peninsula Borough Planning Commission

125 N. Willow Street, Suite 100
Kenai, Alaska 99611
Phone (907)283-7167
Fax (907)283-8435

C. R. Baldwin
Lawyer

C. R. Baldwin
James N. Butler, III

January 13, 1995

Molly McCammon, Executive Director
Exxon Valdez Oil Spill Trustee Council
645 G Street, Suite 401
Anchorage, AK 99501-3451

RE: Small Parcel Acquisition Program: Chester Cone Kenai River Property
(Parcel ID Number Ken-34)

Dear Ms. McCammon:

On January 3, 1995 I received confirmation that a 100-acre parcel of property along the Kenai River which is owned by my client, Mr. Chester Cone, was identified as a parcel that meets the "minimum criteria" needed to provide restoration benefits as outlined in the Small Parcel process. Apparently, this means the parcel will receive more detailed evaluation and then be ranked against other property meeting the threshold criteria to determine suitability for acquisition.

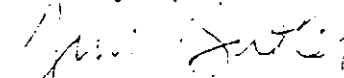
On behalf of Mr. Cone, I want to thank the Council for their interest in Mr. Cone's property. Unique to the Kenai River, Mr. Cone's parcel is indeed an uncommon mix of acreage and habitat ideally suited to meet the Small Parcel element in the Council's Comprehensive Habitat Protection Process.

I am contacting you for an explanation on the "more detailed evaluation" process. In particular, I would like to know whether there is a need to provide new information in addition to the original parcel nomination application. Also, I would like more information on the "more detailed evaluation" process and a decision time line as well as any other review hurdles which must be survived prior to actually discussing the terms of a purchase.

As you are no doubt aware, property development options are available to Mr. Cone. I would like to advise you that Mr. Cone is considering several property development scenarios for the summer of 1995. In order to further delay development plans pending an acquisition decision by the EVOSTC, Mr. Cone will need credible evidence that the Council is indeed interested in purchasing his property.

I look forward to hearing from you at your earliest convenience.

Sincerely,



James N. Butler, III

JNB:gd
cc: C. Cone
L. Trasky

SMALL PARCEL NOMINATION

PWS-52 (*Hayward Parcel*)



RECEIVED
APR 29 1995

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

4/26/95

Dear Mrs McComron

Thank-you for your support in purchasing the two small parcels on Dutch Flats (PWS)

Our kayaking company uses Dutch Flats extensively. We conduct nature tours for cruise ship clients, local residents and others who visit our town. You are probably aware that Dutch Flats is the home of numerous marine mammal & birds that were negatively impacted by the Valdez Oil Spill. Includes Harbor Seals, sea lions, herring gulls, oystercatchers, arctic terns, pink salmon, etc.

My concern is the recent proposed development of a R.V. park, main area on the West Side of Dutch Flats. From my observations this area is vital to marine birds. There is where we have observed numerous species of ducks congregating during storms. We kayak the area during high tide and bird watch at other times. In my opinion it is important to preserve it and therefore I urge you and the EVOS Council to consider purchasing it.

Sincerely

Hedy Sarney
Owner/manager

P.O. BOX 1821
VALDEZ
ALASKA
99686
TEL/FAX
(907)835-2814
(800)TO KAYAK
Outside Alaska

PARCEL KEN-54

**NO PUBLIC COMMENT RECEIVED ON
THIS PARCEL**

SMALL PARCEL NOMINATION

KEN- 55 (overlook Park)



RECEIVED
NOV 16 1995

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

November 15, 1995

Trustees, Exxon Valdez Oil Spill Council
645 G Street, Suite 402
Anchorage, Alaska 99501

Dear Trustees,

I would like to take an opportunity once more to express Kachemak Heritage Land Trust's support for acquisition by the Trustee Council of the property locally referred to as Overlook Park. Kachemak Heritage Land Trust is a nonprofit organization currently representing 360 members and established in 1989 to preserve for public benefit, land with significant natural, recreational, or cultural values by working with willing private landowners.

In defining our support, I mean more than the work we have helped the owners do to define the valuable and irreplaceable habitat values of this magnificent piece of land. The additional support I refer to is the enormous public support that we have helped to document. To date, KHLT has collected 367 signatures of people who believe that public acquisition of the Overlook parcel would prevent inappropriate development of this land, retard the rate of erosion, and save the natural vegetation, the rare tidepools and the upland wildlife habitat for the enjoyment of present and future generations of Alaskans and visitors.

The interest by the public in preserving this land's natural features has been well established. The value to the public seems clear to us as well. The property's worth to the public at large encompasses many values from the obvious relief of seeing efforts to mitigate for oil spill habitat degradation, to the hard to define but real value of knowing that a place of great natural beauty will continue to be part of the first view of Homer and Kachemak Bay for visitors forever. As a scenic resource, Overlook plays a role in our local economy. Many residents and visitors enjoy a feeling of awe

and peace of mind simply by viewing this stunning parcel, its wildlife and the spectacular view beyond.

Enclosed please find the current list of Overlook protection petition signers, a sample of the petition, and copies of articles and letters written for the two local Homer newspapers about the preservation of this valuable piece of land. (We will be happy to provide you with the actual petitions, but didn't want to clutter your packets with so much paper.) Thanks very much for the opportunity to comment. We wish you well in this difficult decision making process!

Sincerely,

A handwritten signature in black ink, appearing to read "Barbara Seaman". The signature is fluid and cursive, with a long horizontal stroke at the end.

Barbara Seaman
President / Interim Director

Overlook Park Support Petition Signers through July, 1995

First Name	Last Name	Address	City State Zip	Phone	Other
Susan	McLinden	1193 Bobcat Dr. NE	Albuquerque, NM 87122		Co-op '94
Delbert	Castellaw	Box 95	Anchor Point, AK 99556	235-7424	summer 9
Carol	Comfort-Waldon	HC 67 Box 1260	Anchor Point, AK 99556		summer 9
Mary	Downs	Box 735	Anchor Point, AK 99556	235-2433	2/94
George	Frazier	HC 67 Box 1251	Anchor Point, AK 99556		summer 9
Denise	Glanville	HC 67 Box 1195	Anchor Point, AK 99556	235-8917	7/95
Kelly	Green	Box 397	Anchor Point, AK 99556		Co-op '94
Chris	Haga	Box 441	Anchor Point, AK 99556	235-7716	7/30/94
Laura	Inglima	HC 67 Box 1259	Anchor Point, AK 99556	235-7822	summer 9
M. D.	Kast	Box 418	Anchor Point, AK 99556	235-5613	Co-op '94
Mike	Lasiter	HC 67 Box 580	Anchor Point, AK 99556	235-7989	7/30/94
Denise	Lassau	HC 67 Box 912	Anchor Point, AK 99556	235-4277	5/3/94
Peggy	LeMay	HC 67 Box 1221	Anchor Point, AK 99556	-	4/22/94
Joe	McColliough	Box 121	Anchor Point, AK 99556		4/22/94
Wolfgang & Dorle	Scholz	HC 67 Box 1258 C	Anchor Point, AK 99556	235-3697	summer 9
Jani	Sellers	Box 721	Anchor Point, AK 99556		summer 9
Steve	Smith	Box 121	Anchor Point, AK 99556	235-7024	4/22/94
John	Stannard	HC 67 Box 888	Anchor Point, AK 99556	235-5449	7/95
John	Sweeney	HC 67 Box 1256	Anchor Point, AK 99556	235-7869	4/22/94
Robert	Turtainen	HC 67 Box 1258B	Anchor Point, AK 99556	235-5367	7/30/94
Puth H.	Zozula	Box 95	Anchor Point, AK 99556	235-7424	summer 9
Hetty	Mitchell	3600 W. 84th	Anchorage, AK 995	248-7220	Co-op '94
Robert	Stanley	605 Pearl Dr.	Anchorage, AK 995		6/29/94
Marcey	Vreeland	1545 E. 14th Ave.	Anchorage, AK 99501		summer 9
Susan	Hagedorn	6927 Fountain	Anchorage, AK 99502	248-1818	latter 94
Carmen	O'Grady	3720 W. 86 #C	Anchorage, AK 99502	248-1684	summer 9
A.	Nevaldine	4960 E. 5th Ave.	Anchorage, AK 99504	333-2670	5/1/94 B
James	Ritter	601 E. 16th St.	Anchorage, AK 99504	746-6918	4/22/94
Tom	Pollman	3519 Old Muldoon	Anchorage, AK 99504	337-0170	summer 9
Harry	Dougherty	3405 Vassar Dr.	Anchorage, AK 99508	279-7736	latter 94
William & Karen	Workman	3310 E. 41st St.	Anchorage, AK 99508	563-63??	McBride s
Tabitha	Gregory	Box 100606	Anchorage, AK 99510	274-3621	7/30/94
Pamela	Miller	Box 101802	Anchorage, AK 99510		5/1/94 B
Mollie	Bynum	347 A4 Dailev	Anchorage, AK 99515	344-6208	latter 94
Karen	Lainq	12220 Mary Ave.	Anchorage, AK 99515	344-9840	5/1/94 B
Catherine R.	Smith	2060 Innes Circle	Anchorage, AK 99515	345-1859	5/1/94 B
Christina L.	Chriswell	3082 Telequana #1	Anchorage, AK 99517	243-2033	summer 9
Robert	DeVelics	2327 Douglas Dr.	Anchorage, AK 99517	243-3073	Co-op '94
Jeannie	Ward	2327 Douglas Dr.	Anchorage, AK 99517	243-3073	Co-op '94
T.	Smallwood	Box 231712	Anchorage, AK 99523	264-0462	summer 9
Geoffrey & Susan	Loeffler	Box 521421	Big Lake, AK 99652		latter 94
Sarah	Coe	1299 S. Teal Cl.	Boulder, CO 80303	---938-11	McBride s
Ray W.	Woodruff	Box 6126	Boulder, CO 80306		latter 94
B.M. & Nancy	Klein	279 Candlewood Lake	Brookfield, CT 06804	203-775-2	summer 9
Nat	Williams	9 Orchard St.	Cambridge, MA 02140	617-354-4	7/30/94

First Name	Last Name	Address	City State Zip	Phone	Other
James	Davis	193H Myrtle Dr.	Eagle River, AK 99577		latter 94
Tom	Huffel	18207 Sanctuary	Eagle River, AK 99577	694-2326	6/29/94
Reid	McDonald	18802 Fish Hatchery	Eagle River, AK 99577	696-3176	6/29/94
Catherine	Villa	Box 770408	Eagle River, AK 99577	696-0684	summer 9
Aaron	Tilton	Box 5026	Estes Park, CO		6/29/94
Tom	Beck	Box 15044	Fritz Creek, AK 99603		4/94
Susan	Clardy	Box 15246	Fritz Creek, AK 99603		summer 9
Gayle	Claus	Box 15241	Fritz Creek, AK 99603	235-6832	7/95
Joel	Gay	Box 15255	Fritz Creek, AK 99603	235-7858	7/95
Andrew	Haas	Box 15051	Fritz Creek, AK 99603	235-1007	5/3/94
John T.	Kirchner	Box 15153	Fritz Creek, AK 99603		latter 94
Caroline	Mione	Box 15271	Fritz Creek, AK 99603	235-1024	7/95
Wendy	Noomah	Box 15242	Fritz Creek, AK 99603	235-8469	7/95
Irene	Saxton	Box 15203	Fritz Creek, AK 99603	235-7261	summer 9
Terri	Spigelnver	Box 15051	Fritz Creek, AK 99603	235-1007	5/3/94
G.S. & Suzanne F	McIntosh	Box 6404	Halibut Cove, AK 99603	296-2244	summer 9
Beau	Mills	Box 6453	Halibut Cove, AK 99603	296-2240	Mc Brides
Diana	Conway	Box 6461	Halibut Cove, AK 99603		4/94
Jane	Alberts	Box 744	Homer, AK 99603	235-7748	summer 9
Susan	Alexander	Box 1096	Homer, AK 99603	235-8020	2/94
Lucinda	Alexander	Box 2834	Homer, AK 99603	235-8886	5/1/94 B
Martha E.	Anderson	152 Mt. View Dr.	Homer, AK 99603	235-2443	7/95
Nikki	Aker	1393 Bay Ave.	Homer, AK 99603	235-3757	4/22/94
Robert	Archibald	Box 2460	Homer, AK 99603	235-8214	7/30/94
Andy	Armstrong	Box 1004	Homer, AK 99603	235-3745	7/95
Maureen	Armstrong	Box 1394	Homer, AK 99603		McBrides
Rachel	avanahunvon	Box 1866	Homer, AK 99603	235-6225	7/95
Edgar	Bailey	Box 2994	Homer, AK 99603	235-6262	5/1/94 B
Jon	Baker	3684 Main St	Homer, AK 99603	-	4/22/94
Steve	Baker	3601 Main St. #7	Homer, AK 99603	235-6768	summer 9
Christina	Baldwin	Box 1942	Homer, AK 99603	235-5946	5/3/94
Dino	Banco	Box 1981	Homer, AK 99603		latter 94
Asaiah	Bates	Box 504	Homer, AK 99603	235-2367	7/95
Scott	Bauer	Box 2465	Homer, AK 99603	235-6110	7/95/
Rose	Beck	Box 204	Homer, AK 99603	235-2107	5/1/94 5
Cindy	Beile	Box 36	Homer, AK 99603	235-7821	4/94
Eric	Belcher	Box 2188	Homer, AK 99603		5/1/94 B
Gayle	Bell	64880 Diamond Ridge	Homer, AK 99603	235-8700	7/95
Becky	Bellamy	60080 Skyline Dr.	Homer, AK 99603	235-7434	summer 9
David L.	Bentley	41933 Spencer Dr.	Homer, AK 99603	235-7389	7/95
Donna	Beran	106 W. Bunnell #B	Homer, AK 99603	235-8025	7/95
Ken	Bergman	64270 Jeffery Ave.	Homer, AK 99603	235-5138	7/95
Randi	Berham	Box 2082	Homer, AK 99603	235-8429	4/94
Bonnie	Betley	34850 Moonrise St.	Homer, AK 99603		7/95
Kathleen	Biessel	Box 1995	Homer, AK 99603	235-1200	7/95

First Name	Last Name	Address	City State Zip	Phone	Other
Richard	Binkley	Box 3341	Homer, AK 99603	235-5163	7/95
Daisy Lee	Bitter	60385 Skyline Dr.	Homer, AK 99603	235-6841	2/94
William	Bloom	Box 4194	Homer, AK 99603	235-4227	latter 94
Kandice	Blue	Box 2042	Homer, AK 99603	235-2736	summer '9
Amy	Bollenbach	Box 3429	Homer, AK 99603	235-6954	2/94
Doug & Janet	Bowen	Box 1642	Homer, AK 99603	235-2136	summer "
Marcus	Bradley	Box 1395	Homer, AK 99603	235-6919	4/22/94
Brad	Brautigam	Box 983	Homer, AK 99603		7/95
Wendy	Breiby	Box 255	Homer, AK 99603		7/95
Sue	Brooks	Box 3592	Homer, AK 99603		summer 9
Brad & Gina	Broutigam	Box 983	Homer, AK 99603	-	4/22/94
Susan	Butler	Box 3118	Homer, AK 99603	235-2991	latter 94,
Douglas B.	Caldwell	55100 Saber St.	Homer, AK 99603	235-5486	summer '9
Glenn	Caldwell	Box 2308	Homer, AK 99603	235-2141	7/95
Carol	Charat	Box 609	Homer, AK 99603	235-2124	5/1/94 B
Mary Ann	Chisholm	Box 466	Homer, AK 99603		latter 94
Dale	Chorman	39960 Highview	Homer, AK 99603	235-6518	summer 9
Jeff	Combs	Box 321	Homer, AK 99603		7/30/94
Scott	Connelly	Box 437	Homer, AK 99603	235-3973	7/95
Valerie	Connor	Box RDO Red Mounta	Homer, AK 99603		summer 9
John T.	Cowan	68169 Centurion	Homer, AK 99603	235-7701	7/95
Torn	Craig	Box 919	Homer, AK 99603	235-6795	7/30/94
Sean W.	Cullerton	Box 2331	Homer, AK 99603	235-7252	latter 94
Scott	Cunningham	Box 1907	Homer, AK 99603	235-6341	7/95
Helen	DeGarmo	Box 191	Homer, AK 99603	235-8812	summer 9
Sallie	Dodd-Butters	Box 1223	Homer, AK 99603	235-5994	summer 9
Donald & Belinda	Dragoo	Box 5	Homer, AK 99603		5/1/94 B
Carol M.	Drew	Box 1552	Homer, AK 99603	235-6636	5/3/94
Melanie	Dufour	57900 Clover Ave.	Homer, AK 99603	235-7905	latter 94
Claudia	Ehli	Box 204	Homer, AK 99603	235-2107	5/1/94 B
Nathan	Elliot	Box 404	Homer, AK 99603		7/30/94
Jack & Mary	Epperson	Box 221	Homer, AK 99603	235-8513	5/3/94
Wendy	Erd	Box 736	Homer, AK 99603	235-8891	summer '9
Virginia M.	Espenshade	Box 1752	Homer, AK 99603		latter 94
Katheleen	Ethier	Box 26	Homer, AK 99603	235-7039	7/95
David	Evans	225 Mountain View	Homer, AK 99603	235-6854	7/30/94
Brad	Faulkner	Box 996	Homer, AK 99603	235-2751	summer 9
Trina	Fellows	266 E. Bayview	Homer, AK 99603	235-8611	5/1/94 B
Celeste	Fenger	Box 2676	Homer, AK 99603	235-8889	2/94, sun
Derotha	Ferraro	Box 1408	Homer, AK 99603	235-1093	summer 9
Cylene	Fiddersen	Box 3804	Homer, AK 99603	235-2710	7/95
Will	Files Jr.	152 Mountain View	Homer, AK 99603	235-5248	Mc Brides
Barrett & Tamar	Fletcher	Box 575	Homer, AK 99603	235-2561	5/3/94,
Mary Clare	Foecke	Box 3736	Homer, AK 99603	235-5970	5/3/94
Norma	Forbes	4697 Sabrin Rd. #1	Homer, AK 99603	235-4321	7/95

First Name	Last Name	Address	City State Zip	Phone	Other
Heidi	Franklin	Box 2548	Homer, AK 99603	235-4324	7/95
Asia	Freeman	106 W. Bunnell	Homer, AK 99603	235-7558	latter 94,
Melissa	Frommer	Box 92	Homer, AK 99603	235-5690	7/30/94
Nancy	Geragotelis	Box 2814	Homer, AK 99603	235-8425	7/95
Deborah	Germano	Box 1511	Homer, AK 99603	235-2538	2/94
Joyanna	Giesler	Box 1649	Homer, AK 99603	235-5401	2/94
Kate	Gill	59830 Sanford	Homer, AK 99603	235-2969	4/94
Cathy S.	Godfrey	3858 Lake Shore #2	Homer, AK 99603	235-7221	summer 9
Elizabeth	Graber	Box 2609	Homer, AK 99603	235-6078	summer 9
Margaret	Grapel	Box 1227	Homer, AK 99603	235-8701	summer 9
David	Greene	Box 2918	Homer, AK 99603		7/95
Kim	Grey	Box 1683	Homer, AK 99603		Co-op '94
Barry	Haines	Box 3245	Homer, AK 99603	235-5576	7/95
Anne K.	Hamilton	Box 2118	Homer, AK 99603	235-4156	7/95
Oriana	Harding	Box 2563	Homer, AK 99603		latter 94
Carol	Harding	Box 1025	Homer, AK 99603	235-1025	7/95
Phyllis	Harris	Box 2434	Homer, AK 99603	235-8235	7/30/94
Edith	Hawkey	Box 4241	Homer, AK 99603	235-4360	4/94
Lynda	Haynes	Box 1969	Homer, AK 99603	235-2300	2/94
Hazel	Heath	Box 4066	Homer, AK 99603		2/94
Kimberly D.	Hemphill	344 Noview	Homer, AK 99603	235-2737	4/22/94
Jo Anne	Heron	Box 3535	Homer, AK 99603	235-8635	7/95/
Polly	Hess	Box 1724	Homer, AK 99603	235-8160	7/30/94
Sandra	Higgins	Box 3341	Homer, AK 99603	235-5163	2/94
Darlene	Hilderbrand	3883 Wright	Homer, AK 99603	235-6583	2/94
Barbara	Hill	Box 1826	Homer, AK 99603	235-6640	4/94
Christine E.	Hoffman	Box 557	Homer, AK 99603		summer 9
Winslow	Hoffman	Box 1842	Homer, AK 99603		Co-op '94
Rachel	Hogan	Box 1627	Homer, AK 99603	235-7880	2/94
Shirley	Houghton	Box 1402	Homer, AK 99603	235-6006	latter 94
Carolyn	Hudson	421 Mountain View	Homer, AK 99603	235-6746	latter 94
Ahna	Iredale	2015 Bay Ridge Rd.	Homer, AK 99603	235-7687	5/3/94,
Michele	Jennings	Box 2188	Homer, AK 99603	235-5651	7/95, 5/1
Debbie	Jensen	Box 3607	Homer, AK 99603	235-8229	7/30/94
John Scott	Jillie	4300 Bartlett St.	Homer, AK 99603	235-8101	latter 94
Colleen	Joest	Box 152	Homer, AK 99603	235-8297	4/94
Georgia	Jones	4067 Mullikin	Homer, AK 99603	235-3441	summer 9
Sally	Kabisch	Box 467	Homer, AK 99603	235-4060	2/94
Peter	Kaufman	Box 736	Homer, AK 99603	235-8891	summer "
Barbara	Kaun	Box 3542	Homer, AK 99603	235-5209	summer 9
Mary Lou	Kelsey	Box 894	Homer, AK 99603	235-7739	5/3/94
Susan	Kernes	Box 984	Homer, AK 99603	235-5194	summer 9
Tim	Klein	Box 2386	Homer, AK 99603	235-1259	7/30/94
Janet & Deb	Klein	Box 2386	Homer, AK 99603	235-8925	Mc Brides
Rich & Peggy	Kleinleder	Box 367	Homer, AK 99603	235-8702	summer '9

First Name	Last Name	Address	City State Zip	Phone	Other
Sue	Klinker	408 Noview	Homer, AK 99603	235-7493	7/95
Ian	Laing	35035 Lowbush St.	Homer, AK 99603	235-7475	7/30/94
Marie	Lambert	Box 294	Homer, AK 99603	235-3753	summer 9
Ken	Landfield	Box 2013	Homer, AK 99603	235-7663	4/22/94
Vasilis & Joanna	Lavrakas	Box RD0 Red Mounta	Homer, AK 99603	235-2210	5/1/94 L
Joe	Lawlor	Box 1133	Homer, AK 99603	235-7943	2/94
Devony	Lehner	Box 2374	Homer, AK 99603	235-6095	7/30/94
Lina	LePage	Box 2583	Homer, AK 99603	235-2234	5/3/94
Dan & Nancy	Levinson	184 W. Bayview Ave	Homer, AK 99603	235-5917	4/22/94
David G.	Lewis	Box 468	Homer, AK 99603	235-2245	summer 9
Laurence E.	Livingston	Box 2433	Homer, AK 99603	235-2874	7/95
Les	Looby	Box 4091	Homer, AK 99603	235-8347	7/95
Nancy	Lord	Box 558	Homer, AK 99603	235-8252	summer '9
S.F.	Loshbaugh	64770 Pitzman	Homer, AK 99603		summer 9
Judith	Lund	4178 Hohe St.	Homer, AK 99603	235-3608	7/94
Maryann	Lyda	Box 727	Homer, AK 99603	235-7205	latter 94
Dave	Lyon	Box 47	Homer, AK 99603	235-6197	7/30/94
David	Maddon	Box 4054	Homer, AK 99603	235-2580	7/95
Susan	Malone	Box 2415	Homer, AK 99603	-	4/22/94
Gil	Marick	Mile 1.5 Kachemak D	Homer, AK 99603		latter 94
Mildred	Martin	Box 2652	Homer, AK 99603	235-6652	latter 94.
Jenny	Martin	Box 1977	Homer, AK 99603	235-7743	summer '9
Rebecca	May	Box 487	Homer, AK 99603	235-6207	7/95
Michael, Diane, &	McBride	Box 956	Homer, AK 99603	235-8910	McBride s
Elizabeth	McBride	1293 Beluga Ct.	Homer, AK 99603	235-7705	7/95
Mike	McCann	Box 1521	Homer, AK 99603	235-5313	7/95
Jennifer	McClosky	Box 3037	Homer, AK 99603	235-4286	7/95
Ingrid	McInstry	Box 1525	Homer, AK 99603	235-6608	5/3/94
Marguerite	McIntyre	394 Soundview	Homer, AK 99603	235-6599	7/95
Sharon	McKemie	Box 1128	Homer, AK 99603	235-6737	5/3/94
Susan	McLane	Box 869	Homer, AK 99603	235-7073	7/95
Barbara	McNinch	56990 Bradley Ln.	Homer, AK 99603	235-3940	4/94
Michael	McNiven	Box 2516	Homer, AK 99603	235-2712	2/94
Barbara	Meyer	Box 1675	Homer, AK 99603	235-6565	5/3/94
Jane	Middleton	54190 East End Rd.	Homer, AK 99603	235-6064	2/94
Renate	Mirlein	53160 McNeil Canyon	Homer, AK 99603	235-6906	summer 9
Merritt	Mitchell	Box 2384	Homer, AK 99603	235-2837	7/95
Rebecca	Mitchell	Box 1452	Homer, AK 99603	235-7116	94 Mc Bri
Joyce	Moe	Box 2684	Homer, AK 99603	235-6752	4/94
Lonnie	Monson	Box 2946	Homer, AK 99603		summer 9
Catherine	Moran	Box 134	Homer, AK 99603		7/95
Edward	Moss	Box 1443	Homer, AK 99603	235-6642	summer 9
Eileen	Mullen	Box 1394	Homer, AK 99603	235-2265	7/95
Mark	Munro	Box 1971	Homer, AK 99603	235-2485	7/95
Maryjane	Murphy	Box 3185	Homer, AK 99603		summer 9

First Name	Last Name	Address	City State Zip	Phone	Other
Janie	Myers	Box 777	Homer, AK 99603		4/94
Tony & Gwen M.	Neal	2396 Kachemak Bay	Homer, AK 99603	235-8228	6/29/94
Michael	Neece	Box 2881	Homer, AK 99603	235-2627	4/94
Valerie	Nelsen	Box 3723	Homer, AK 99603		McBride s
Laura W.	Norton	1292 Beluga Ct.	Homer, AK 99603	235-6318	5/3/94
Carl & Sven	Nostrand	Box 1352	Homer, AK 99603	235-4344	Co-op '94
Michael S.	O'Meara	Box 1125	Homer, AK 99603	235-5305	7/30/94
Sheldon	Oakes	Box 3580	Homer, AK 99603	235-6043	7/95
Deborah	Oppenheim	54720 Wilderness	Homer, AK 99603		
Jane	Pascall	4105 Kachemak Way	Homer, AK 99603	235-3741	2/94
Melinda	Patterson	Box 1295	Homer, AK 99603	235-2184	7/95
Patti	Pearson	Box 364	Homer, AK 99603	235-5554	5/1/94 B
Barbara L.	Petersen	Box 894	Homer, AK 99603	235-7333	5/3/94
Betsy	Pitzman	Box 1188	Homer, AK 99603	235-8398	7/95
Laura M.	Plamondon	Box 1965	Homer, AK 99603	235-7737	summer "
Susan	Polen	Box 2642	Homer, AK 99603	235-3900	5/3/94
Edward	Prevost	Box 248	Homer, AK 99603	235-8825	4/22/94L
Brad	Pruitt	Box 672	Homer, AK 99603	235-	7/95
Richard	Purinton	Box 521	Homer, AK 99603	bushline	5/1/94 B
Fran	Quinlan	Box 1526	Homer, AK 99603		summer 9
Larry	Reinsch	167 Lee St.	Homer, AK 99603	235-8756	4/22/94
Kate	Rich	Box 1574	Homer, AK 99603	235-8487	7/95
David W.	Ritchie	63895 Katamar	Homer, AK 99603		latter 94
Penny	Roberts	Box 2726	Homer, AK 99603	235-6403	McBride s
Rob	Robl	Box 15154	Homer, AK 99603	235-7191	McBride s
Lynne	Roff	Box 3073	Homer, AK 99603	235-6193	5/3/94
Ryan	Rogers	Box 1049	Homer, AK 99603	235-4319	4/22/94
Priscilla	Russell	Box 2365	Homer, AK 99603	235-5617	summer 9
Steve	Ruzanski	Box 255	Homer, AK 99603	235-5595	7/95
Armando de Ron	Santiago	Box 488	Homer, AK 99603		summer 9
Brian	Schmidt	358 E. Lee St.	Homer, AK 99603	235-3471	7/95
R. E.	Schnutzler	Box 2964	Homer, AK 99603	235-8406	summer 9
Pat	Schneider	Box 667	Homer, AK 99603	235-6843	7/95
Mark	Schollenberger	Box 3593	Homer, AK 99603	235-3665	7/95
Tonnie	Schroeder	Box 712	Homer, AK 99603	235-2383	7/95
Barbara	Seaman	Box RD0	Homer, AK 99603	235-2986	2/94
Beth	Seiler	box 672	Homer, AK 99603	235-	7/95
Leigh F.	Selig	3665 Ben Walters	Homer, AK 99603	235-2337	7/95
Evelyn R.	Sequela	53845 Kilcher	Homer, AK 99603	235-4223	summer 9
Tod	Sharp	2015 Bay Ridge Rd.	Homer, AK 99603	235-7687	5/3/94,
E. Ray	Sinclair	Box 992	Homer, AK 99603	235-2786	latter 94
George & Trina	Smallwood	Box 3371	Homer, AK 99603	235-3402	summer 9
Maynard P.	Smith	Box 3099	Homer, AK 99603	235-5523	4/22/94
Katherine C.E.	Smith	1193 Cooper Crt.	Homer, AK 99603	235-5448	5/1/94 B
Kim	Smith	Box 3235	Homer, AK 99603	235-6703	summer 9

First Name	Last Name	Address	City State Zip	Phone	Other
Sonny	Smith	Box 1195	Homer, AK 99603	235-7611	7/95
Samantha	Smith	Box 1907	Homer, AK 99603	235-8341	7/95
Derona	Somers	358 E. Lee	Homer, AK 99603	235-6677	2/94
Amy	Springer	Box 855	Homer, AK 99603	235-8824	latter 94
Carol	Standaert		Homer, AK 99603	235-5911	7/95
Neil	Stanley	Box 850	Homer, AK 99603		McBride s
Steven	Stauber	Box 2985	Homer, AK 99603	235-6692	latter 94
Linda	Stearns	144 W. Pioneer Ave.	Homer, AK 99603	235-3722	latter 94
Kathleen	Stier	6480 Skyline Dr.	Homer, AK 99603	235-7654	4/94
Karl	Stoltzfus	Box 3312	Homer, AK 99603	235-8131	summer 9
Derek	Stonorov	51795 East End Rd.	Homer, AK 99603	235-8273	2/94
Luana	Stovel	4255 Pleasant Way	Homer, AK 99603	235-6532	5/3/94
Brooke	Stratton	652 Soundview	Homer, AK 99603	235-6826	7/95
Dean & Teresa	Sundmark	Box 375	Homer, AK 99603	235-5188	7/95
Brigitte	Suter	Box 2391	Homer, AK 99603	235-6620	summer 9
Jane M.	Swain	Box 190	Homer, AK 99603	235-5157	latter 94
Christine	Swan	60760 Skyline Dr.	Homer, AK 99603	235-6692	latter 94
Jean	Tabbert	Box 1279	Homer, AK 99603		McBride s
Malinda	Thompson	Box 1542	Homer, AK 99603	235-4214	4/22/94
Dee	Thompson	Box 3653	Homer, AK 99603	235-6124	summer 9
Christine	Thorsrud	Box 1349	Homer, AK 99603	235-2224	7/95
Suzanne	Torian	Box 3162	Homer, AK 99603		7/95
Horse	Trader	Box 2626	Homer, AK 99603		7/95
Michael S.	Treesh	Box 3491	Homer, AK 99603	235-6565	5/3/94
Heidi	Tsukada	Box 3266	Homer, AK 99603	235-2586	summer 9
Richard W	Tyler	Box 1281	Homer, AK 99603	235-5171	2/94
Vicki	VanFleet	Box 255	Homer, AK 99603	235-5595	2/94, 5/
Heather	Vienne	58825 Dietz Lane	Homer, AK 99603	235-7434	summer 9
Lynne B.	Wallace	Box 1170	Homer, AK 99603	235-5380	4/22/94
Patricia	Wallace	4751 Rochelle Rd.	Homer, AK 99603	235-3756	4/94
Marie	Walls	Box 4313	Homer, AK 99603	235-7537	Co-op '94
Claire	Waxman	Box 2964	Homer, AK 99603	235-8406	summer 9
Elizabeth A.	Webb	40015 Waterman Rd	Homer, AK 99603	235-6077	7/95,McB
Mary	Webey	Box 2895	Homer, AK 99603	235-6226	7/95
Gregor	Welpron	Box 2784	Homer, AK 99603	235-3555	7/95
Karen	Wessel	4744 Sabrina Rd.	Homer, AK 99603	235-7363	summer "
George & Ellen	West	Box 841	Homer, AK 99603	235-7095	summer 9
Doug	Whyman	Box 1758	Homer, AK 99603	235-5344	7/95
Sharon	Whytal	Box 1529	Homer, AK 99603	235-1529	7/95
Annie	Wiard	Box 1631	Homer, AK 99603	235-2610	5/3/94
Anne	Wieland	Box 1395	Homer, AK 99603	235-6919	2/94
Gary	Wieselmann	P O. Box 2835	Homer, AK 99603	235-2835	latter 94
Debbie	Williams	Box 1049	Homer, AK 99603	235-4319	4/22/94
Karen	Willows	Box 1566	Homer, AK 99603	235-2858	summer "
Suzanne	Winters	Box 788	Homer, AK 99603	235-3796	summer 9

First Name	Last Name	Address	City State Zip	Phone	Other
Casey & Nancy	Wise	Box 2262	Homer, AK 99603	235-6281	5/3/94
Jen	Wittie	674 W. Fairview #1	Homer, AK 99603		4/94
Todd	Wittie	1411 Lakeshore Dr.	Homer, AK 99603	235-7053	4/94, 4/2
Sara	Woltjen	Box 3474	Homer, AK 99603		summer 9
Russel	Wooden	Box 3806	Homer, AK 99603	235-2469	summer 9
Patty	Wright	Box 1776	Homer, AK 99603		summer 9
Barbara	Wyatt	40635 Belnap Dr.	Homer, AK 99603	235-3606	7/95
Michael	Yourkowski	3059 Kachemak Dr.	Homer, AK 99603	235-2628	2/94, 4/2
Daniel	Zatz	Box 2666	Homer, AK 99603	235-4202	2/94
John & Marian	Zidalis	Box 3982	Homer, AK 99603	235-1285	summer 9
Poppy	Benson	157 Island View	Homer, AK 99603		summer 9
Barbara	Beerman	Box 3014	Kenai, AK 99611	283	summer 9
Paul	Buckner	HC 01 Box 1630-8	Kenai, AK 99611	283-2817	summer 9
Jennifer	Dilley	Box 1589	Kenai, AK 99611		summer 9
David & Carol K.	Unruh	HC 1 Box 1334	Kenai, AK 99611	776-8207	summer 9
Claudia	Anderson	Box 310	Kodiak, AK 99615	486-3673	6/29/94
Shawn	Gardner	Box 2667	Kodiak, AK 99615	486-6767	summer 9
Jeff C.	Rigby	Box 8346	Kodiak, AK 99615		latter 94
Brian	Hirsch	924 E. Mifflin St.	Madison, WI 53709		latter 94
Jan	Connor	370 S. Mountain Rd.	New York, NY 10956		7/30/94
Parvin L.	Hallmark	Box 8592	Nikiski, AK 99635	776-5113	summer 9
Jeffery L.	Neal	711 Varsi Dr.	Santa Clara, CA 95050	406-985-8	6/29/94
Aziz	Patel	12 Florentia St.	Seattle, WA 98109		Co-op '94
Ineke	Buchman	Box 224	Seldovia, AK 99663	234-7621	summer 9
Sue	Burnett	Box 234	Seldovia, AK 99663		summer 9
Kirby S.	Corwin	Box 109	Seldovia, AK 99663	234-7425	summer 9
Patty	Evans	Box 105	Seldovia, AK 99663		summer 9
Jill	Giles	Box 275	Seldovia, AK 99663	234-7856	summer 9
Gabe	King	Box 88	Seldovia, AK 99663		summer 9
Rachel	Maddox	Box 105	Seldovia, AK 99663		summer 9
Peni	Morateur	Box 26	Seldovia, AK 99663		summer 9
Sherri	Otis	Box 157	Seldovia, AK 99663	234-7436	summer 9
Deborah	Robertson	Box 175	Seldovia, AK 99663		summer 9
Sachiko	Scott	Box 15	Seldovia, AK 99663	234-7492	summer 9
Walt	Sonen	Box 107	Seldovia, AK 99663		summer 9
Roberta	Swick	Box 112	Seldovia, AK 99663		summer 9
R.	Azzara	396 Columbine	Soldotna, AK 99669	262-7309	summer 9
Brent	Blumentritt	Box 2773	Soldotna, AK 99669	262-4265	summer 9
Ruby	Deraeve	Box 521	Soldotna, AK 99669	262-3980	summer 9
Karla Jo	Dover	Box 864	Soldotna, AK 99669	262-9419	summer 9
Tony	Fischbach %Ken	Box 2139	Soldotna, AK 99669	262-7021	Co-op '94
Sherry	Gardner	142 Riverview	Soldotna, AK 99669	262-7724	summer 9
Debbie	Kendrick	379 Vine	Soldotna, AK 99669	262-1983	summer 9
Ronald	Martinelly	Box 2035	Soldotna, AK 99669	262-5325	summer 9
Kathaleen M.	O'Dell	Box 812	Soldotna, AK 99669	262-4430	summer 9

First Name	Last Name	Address	City State Zip	Phone	Other
Jan	Standefer	Box 1076	Soldotna, AK 99669	283-9588	summer 9
Raymond & Barb	Reinert	5749 SW 33rd	Topeka, KS	913-273-6	5/1/94 fr
Regina	Tsoupelis	16 Benton Cir.	Utica, NY 13501		summer 9
Joel	Bissonette	Box 873113	Wasilla, AK 99687		6/29/94
Karl	Thoennes	Box 873633	Wasilla, AK 99687	268-3505	summer 9
Mel & Phyllis	Holson	22 Pent Rd.	Weston, CT 06883	203-454-	summer 9
David & Frances	Dibner	8 Powder Horn Hill	Wilton, CT 06897	203-762-5	summer 9

Grass-roots effort needed to protect Bluff Point

July 8, 1993

by George Ripley

There are very few people in this town, both resident and visitor, who have not shared in the enjoyment of one of this region's simplest and yet most profound pleasures. Some have been so awe-stricken by their first view of Kachemak Bay that they knew immediately that this would be their home. The Kachemak region weaves an almost magical charm. Even long-term residents are not jaded by the experience and take pleasure during all the seasons of the year in driving up to the edge of town to get a new perspective on the setting sun or the magnificence of Southcentral Alaska. During the summer months the wayside overlooks atop the hill are continuously full of excited visitors, almost all of whom get out of their cars to fully appreciate the powerful beauty of the high headland that is Bluff Point, the gateway to Kachemak Bay. These waysides are the type of charismatic place where it would be appropriate to hold an Easter morning convocation. Carnivals can in no way match the natural splendor of this setting.

"Welcome to Kachemak Bay" the sign says, and as people stumble from the confinement of their cars they are happily struck again and again by the beauty that surrounds them: Mount Iliamna, Augustine, Cape Douglas, the Shelikof, the Kachemak Alps, the Spit; boats and ships of all kinds heading to and fro on the seas below; songbirds and eagles in the air above and, spread at their feet, a perfect cameo of the wilderness they've hoped to find.

With lakes, meadows, forests and beaches, this beautiful cameo known as "the valley" gives peace to weary souls. It also provides for an exceptionally vital wild habitat. Three eagle nests exist in the valley. From the overlooks with binoculars one can see eaglets in the nest. Moose, bear and coyotes roam the woods and meadows. Beaver and swans can be seen in the lakes. Seals and sea otter fish the rocky tidepools of the rugged headland. Huge schools of salmon hug the shore as they move up Cook Inlet. Several species of whales can be seen from above as they feed offshore.

In 1984 the community of Homer gave broad support to an effort to make the valley a part of the state park

Moose, bear and coyotes roam the woods and meadows. Beaver and swans can be seen in the lakes. Seals and sea otter fish the rocky tidepools of the rugged headland. Huge schools of salmon hug the shore as they move up Cook Inlet. Several species of whales can be seen from above as they feed offshore.

system. The Chamber of Commerce and the city quickly recognized its value to the tourism industry as the very "gatepost" to Kachemak Bay. Fish and Game biologist Dave Holdermann recognized the valley as a unique and richly condensed micro-habitat. Borough officials, highway officials, parks officials, legislators and the state resources commissioner all gathered in Homer and agreed that this project was eminently worthy and should be put on the "front burner." The Seattle director of the Nature Conservancy was present and said that he had "never seen a bureaucracy say 'Yes!' to a project so quickly." Helping the state to acquire the valley was to become the Nature Conservancy's first Alaska project.

So what happened? The project sped quickly to the office of a freshman legislator in Juneau where it was ignored. It made a token appearance on the final budget but then was cut by the governor and the valley was back up for grabs.

About that time newcomers drove over the crest of the hill, stopped at the overlook, and decided to make their lives in Kachemak Bay. When they drove to town they discovered that the beautiful valley was for sale. Concerned that nothing mar the beauty of their new home, they successfully set about buying the property themselves in an attempt to protect it until such time that it could become a park. That has been their hope, yet their ability to continue holding the land has nearly come to an end. It is once again for sale. Now is the time for the community to again request of the state whatever moderate sum is required to protect the valley (a mere 250 acres) for the benefit of all and

future generations — this valley that has been recognized by all experts as having outstanding and unique value.

What needs to be done? Grass-roots networking, lobbying, educating, planning, negotiating. It won't be an easy job regardless of its popular appeal. The groundwork needs to be done by volunteers working through a volunteer organization. The community at large needs to show its support.

An educational/interpretive display placed in the wayside overlooks could help in the nonpolitical education of the traveling public — there should be a display there anyway; those waysides are a very neglected public asset.

A well-organized petitioning effort could probably raise 2,000-3,000 signatures by Labor Day. (The previous effort 9 years ago netted 1,200 signatures in April and May.)

Private donors interested in protecting the beauty of the region could be sought for tax-exempt contributions.

The borough, the state, and the Exxon Trustees Council could all be requested to help.

The owners would be willing sellers.

On the subject of access it is considered that the primary value of the valley is as a viewing park, similar to the Grand Canyon. Wildlife observation and habitat protection will remain the primary objective. Current means of access would not be enhanced in the foreseeable future.

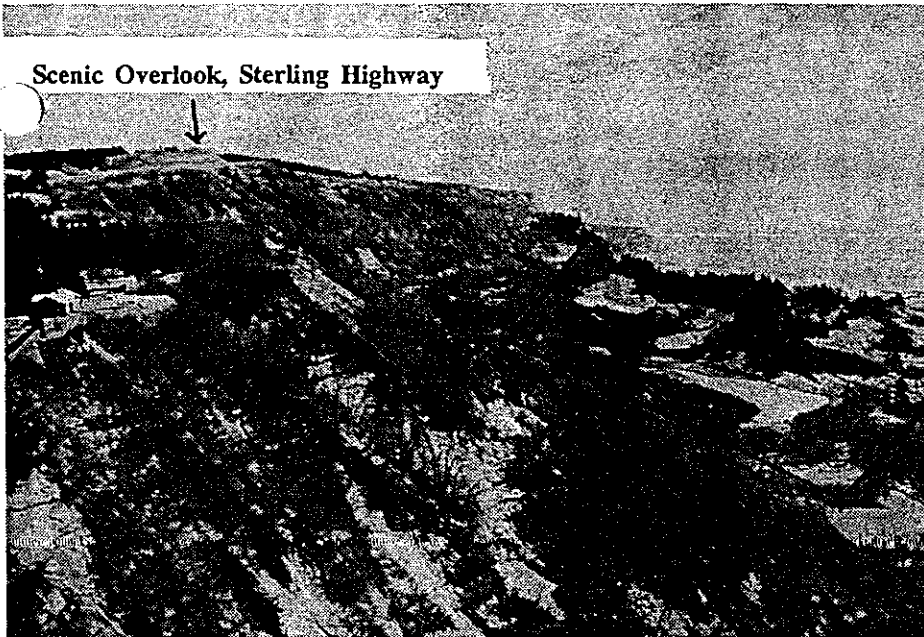
Gov. Hickel's editorial in the 6/29/93 Homer Tribune underscores the reason to protect the Overlook Park: "At 62%, Alaska tied with Vermont for first place among states where residents rank their first interest as wildlife viewing or photography."

This may well be an idea whose time has come, provided that at least one committed individual assumes the job. That it comes so quickly on the heels of the saving of Kachemak Bay State Park serves to provide notice that Kachemak Bay deserves recognition as being synonymous with "park land."

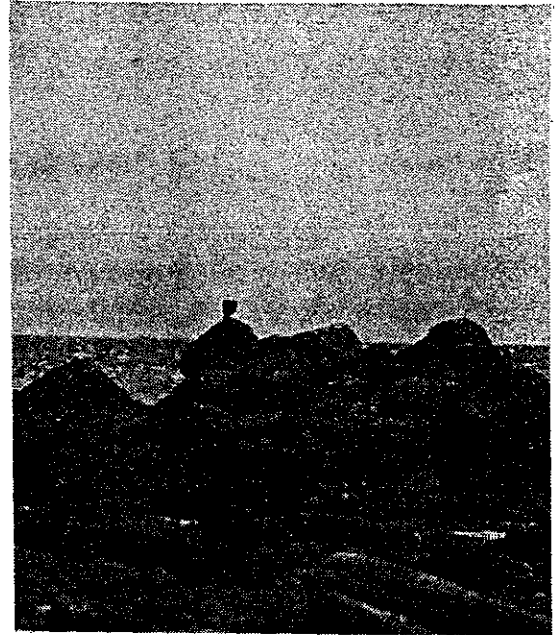
George Ripley spent 16 years as a local parks advocate and currently resides in Dutch Harbor. He can be reached by calling 581-3444.

Overlook Park Merits Acquisition and Protection

State Park Headquarters for Homer



View of Overlook Park from the West



Bald Eagle on Rocky Reef Adjacent to Parcel

This 97-acre parcel is part of the stunning view enjoyed by residents and visitors from the scenic overlook just before entering Homer on the Sterling Highway. As you stand on the scenic overlook on Baycrest Hill, you see Cook Inlet, Yukon Island, Mt. Augustine, Kachemak Bay, and the Homer Spit. If you look down to a benchland with three lakes, you are looking at this parcel. On a typical day, you see bald eagles, ravens, and other birds. On a lucky day with binoculars, you could see moose and black bear on the land, and harbor seals, whales, or sea otters off the beach.

History: Both the public and the officials of Homer, the Kenai Peninsula Borough, and state and federal agencies have long admired Overlook Park as a possible wildlife viewing area or low-impact park. In 1985, the state legislature appropriated money to buy it and make it part of the Alaska State Park System, but the governor vetoed the appropriation. Now there is a new opportunity to make this special parcel into a state park because of the Exxon Valdez oil spill settlement.

Features: Overlook Park adjoins the only natural rocky tidal pools on the north and most accessible side of Kachemak Bay. These pools and the adjacent bay and beach provide habitat for harbor seals, harlequin ducks, sea otters, salmon, many shorebirds, and the richest variety of marine invertebrates on Kachemak Bay. There are three bald eagles's nests in the area and at least one active nest on this parcel. Many ducks use the lakes, with Common Goldeneye and American Widgeon as suspected breeders. Sandhill cranes, sparrows, thrushes, and warblers have been observed. The property hosts healthy deciduous and old-growth spruce forests (some spruce are 5 feet in diameter).

Access: From the state park headquarters west of this parcel and from the scenic overlook above the parcel, the bluff is steep and access is difficult. From Bishop's Beach in Homer, people can take a pleasant beach walk to the property at low tide; from there the bluffs are low and access is easy.

Importance of Acquisition: Development from Bishop's Beach to Diamond Creek has added to the natural sloughing of the bluffs. Development may be contributing to the rapid decline in the marine life of the rocky tidal pools in the last five years. Public acquisition of Overlook Park would prevent the development of this parcel and retard the rate of erosion. Protection would save the natural vegetation and wildlife for the enjoyment of present and future generations of Alaskans and visitors.

Action You Can Take: (1) Sign the petition, get more signatures, and mail it to the address listed on the back, and (2) Write to the Trustees, Exxon Valdez Oil Spill Trustees Council, 645 G Street, Suite 402, Anchorage, Alaska, 99501, and ask them to acquire it as a small parcel for habitat protection.

For more information, contact Kachemak Heritage Land Trust, 235-5263.

Homer Tribune

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Tuesday, February 22, 1994, Vol. IV No. 8

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Overlook Park Kachemak Bay

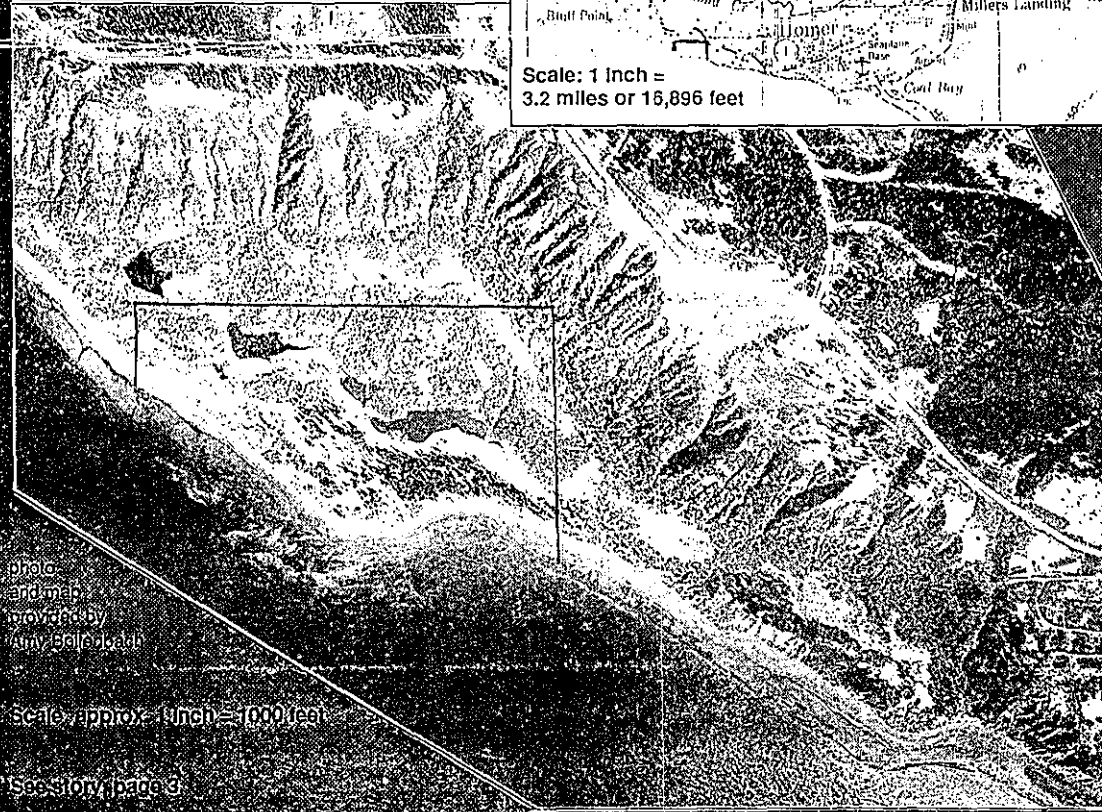
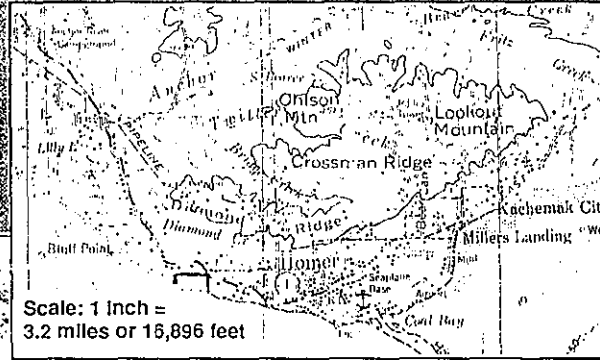


photo
and map
provided by
Amy Seldovia

Scale approx. 1 inch = 1000 feet

Section, page 3

Kachemak Bay Overlook Park Nearer to Reality

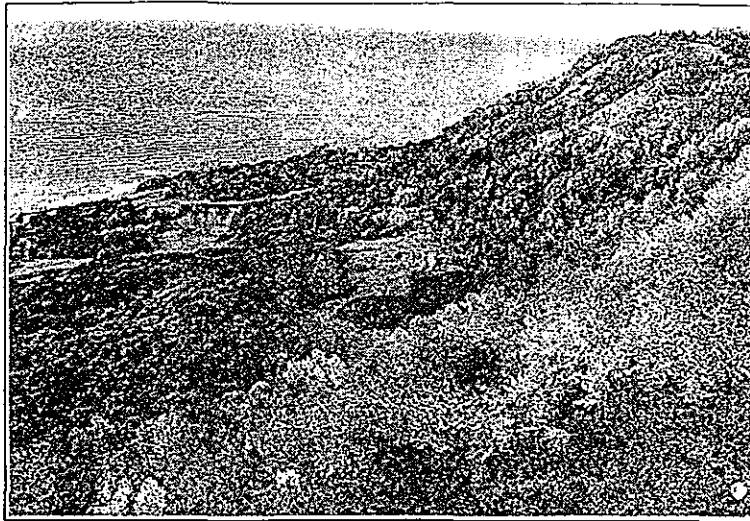


photo by Amy Bollenbach

View of the proposed Overlook Park from the Scenic overlook on the Sterling Highway outside of Homer.

Kachemak Heritage Land Trust (KHLT) has intensified efforts to persuade the Exxon Valdez Oil Spill Trustees Council to purchase Overlook Park as a small parcel habitat acquisition, according to Barbara Seaman, president of the Homer based land trust.

The land known as Overlook Park is a 97-acre parcel below the scenic overlook on the Sterling Highway at the top of Baycrest Hill.

"The quality of the habitat and the scenic values are indisputable. It is part of the first breath-taking view that most of us have had of Homer. We want to preserve this land for the future and for those who follow us," Seaman explained.

The settlement of the oil spill by the courts gave the State of Alaska money to compensate for the oil damage. Part of the state's money has been used to purchase large parcels like Kachemak Bay State Park and part of the money may be allocated for small parcels like Overlook Park.

The staff for the Exxon Valdez Oil Spill Trustees Council is currently preparing the final criteria for selecting small parcels under 1,000 acres. Selection and acquisition is expected before the end of 1994. According to L.J. Evans, Public Relations Officer for the Restoration Team, Kachemak Heritage Land Trust and the owners of the property have completed all necessary applications at this time. According to Ron Crenshaw, Project Director for the Marine Recreation program for Alaska State Parks, State Parks will sponsor Overlook Park and agree to be the entity administering it after purchase.

"This land is ideal for Exxon Trustees small parcel purchase because it fits most of their tentative threshold criteria for small parcel purchase. The land and the rocky reef, below it serve as habitat for species that were injured in the oil spill: bald eagles, harbor seals, Harlequin ducks, sea otters, and salmon," said Amy Bollenbach, Chair of the KHLT Committee for Overlook Park.

The land is jointly owned by Sandra Cronland, Joyanna Giesler, David Lloyd, Michael McNiven and Sharon Whytal, according to Bollenbach. "They bought it around 1985 and wanted to make it into a State park at that time," said Bollenbach. "The legislature approved it, but the governor vetoed it because the price of oil dropped."

The owners purchased the land in order to save it from extensive development but are now in a position to sell it, according to Bollenbach, and have advertised it in the past for \$400,000.

Bollenbach said that a petition will soon be circulating in Homer for those interested in helping to insure that the Park will be selected.

Homer citizens can write to the trustees, Exxon Oil Spill Trustees Council, 645 G Street, Suite 402, Anchorage, Alaska 99501 requesting that Overlook Park in Homer be selected as a small parcel for habitat acquisition.

KHLT is holding a garage sale February 26 & 27 from 10 am to 6 pm 2913 Kachemak Drive to raise money to help in this project. Contact KHLT at 235-5263 if you would like to donate items or for more information.



HOMER NEWS

Homer, Alaska (Vol 21, No. 6) Thursday, February 10, 1994

Baycrest turnouts eyed for enhancement

by Doug Loshbaugh
Staff Writer

The Baycrest Hill turnouts on the Sterling Highway above Homer are the first introduction most people get to Kachemak Bay State Park. And that introduction is less than ideal as far as Ron Crenshaw, a project manager for the Alaska State Parks in Anchorage, is concerned.

"Right now, it's a mini-desert where people pull off," Crenshaw said. "We'd like it to be a more inviting experience."

That's why the parks division is proposing to join with state highway planners to build an attractive overlook when the state rebuilds the Baycrest section of the highway. For the project to fly, Homer community groups would have to volunteer to help with maintenance, state officials say.

The Alaska Department of Transportation and Public Facilities is moving toward a \$13 million reconstruction of the

highway between its Baycrest maintenance station and Pioneer Avenue with construction likely to start in 1996. Straightening a corner at the existing turnouts would move the Sterling Highway 75 to 100 feet farther from the bluffs — making room for a much bigger stopping area for those who want to gaze at the view.

"We'll build an enlarged, improved overlook," said Pat Beckley, Kenai-area planner for the state transportation department. But the state will do only the basics — asphalt and curbs, perhaps some landscaping, he said. Road crews don't have the manpower to maintain anything more than that, he said.

Meanwhile, the Legislature appropriated \$500,000 last year to build a visitor center for Kachemak Bay State Park, which includes land between Kachemak Bay and the Gulf of Alaska and land at Cottonwood

See OVERLOOK, Page 12A

Spill money eyes for 'Overlook Park'

by Doug Loshbaugh
Staff Writer

As state officials consider installing telescopes, kiosks and picnic tables for an expanded turnout on Baycrest Hill, the Kachemak Heritage Land Trust is trying to persuade the Exxon Valdez Oil Spill Trustee Council to use its money to preserve a big piece of the view.

Amy Bollenbach, chairwoman of the land trust's Overlook Park committee, said she's testified twice in an effort to get the spill trustees to buy a 97-acre parcel at the foot of the bluffs.

The land and the three lakes it contains are important habitat for wildlife — including several of the species most harmed by the 1989 Exxon Valdez spill, Bollenbach said. Two bald eagle nests are on the property. The mixture of rocky reefs, boulders, muddy bottom and sand along the beach holds some of the richest intertidal and subtidal life on the north shore of Kachemak Bay. Seals haul out on the reefs and beach. Sea otters and harlequin ducks feed or jog in the waves just offshore.

And the land is a big part of the view from the turnouts above, Bollenbach said.

"I must have stopped at that overlook 200 times in the time I've lived in Alaska," Bollenbach said. "The experience would be diminished if there were houses down there."

The Alaska State Parks has already agreed to back the land trust's request, said Ron Crenshaw, a Parks planner in Anchorage. Lance Trasky, regional supervisor for the Habitat Division of the Alaska Department of Fish and Game in Anchorage, said the parcel would be an excellent purchase for the trustees.

"It looks like a real good piece of habitat. It's unique," Trasky said.

Gino Del Frate, wildlife biologist for the Department of Fish and Game in Homer, said the south-facing slopes on the site are among the last to be covered with snow in the winter and the first to green up in spring. That makes the land important to moose in winter and to bears in spring, he said. Trumpeter swans, loons, muskrats and numerous ducks frequent the lakes. Herring spawn in the area. Numerous sea ducks winter just offshore. The land contains birch and cottonwood and some of the biggest spruce trees on this side of Kachemak Bay.

Bollenbach said the land trust fears development could cause runoff of silt into

the ocean, damaging marine life that feeds harlequin ducks and other species. Jane Middleton, one of several Homer citizens studying a decline in intertidal life at Bluff Point, said development could bring roads and better access to the beach. Three-wheelers are already damaging intertidal life, as are beach-walkers who collect creatures from rocks and tide pools, she said.

Middleton said that because marine habitat adjoining the land is exceptionally diverse, it harbors some of the most diverse intertidal life on this side of Kachemak Bay.

"We need to protect areas that have diverse ecosystems," she said. "They serve as seed areas if there is an oil spill."

Oil spills don't obliterate the entire shore, she said. They are patchy. The more seed areas of diverse marine life that are preserved, the better the chances that after an oil spill, enough marine life will be left to repopulate the bay, she said.

Trasky said concerns about development are legitimate. Road construction could lead to runoff of silt into the bay, he said. Unless the area were connected to the city sewer system, septic tanks accompanying development would likely leak impurities into the water table and the bay.

"That's not conducive to maintaining a productive intertidal ecosystem," he said. "Swans won't use the area once you build. They are very sensitive to disturbance. The same thing goes for eagles."

Trasky said Fish and Game is concerned about the decline in intertidal life at Bluff Point.

"We don't know if that's from access up and down the beach or what the cause is," he said.

Bluff Point may lay down-current from Homer's sewer outfall, a potential factor, Trasky said. If the opportunity arises, Fish and Game would like to investigate the decline's causes, he said.

Two pools of money might fund preservation of the 97 acres at the foot of the Baycrest bluff for which the owners are asking \$400,000. The Exxon Valdez Oil Spill Trustee Council has money for habitat acquisition and preservation of species harmed by the spill. Alaska State Parks has \$475,000 from the state's criminal settlement with Exxon for improving recreational opportunities in the spill area. Interest may swell the Parks money to about \$800,000 before it is spent, said Roger MacCampbell, the district ranger in Homer.

... Overlook eyes for enhancement

FROM PAGE 1A

Creek off East End Road. But the money isn't enough to build a reasonable visitor center, and the state can't afford to man one anyway, said Roger MacCampbell, district ranger for the lower Kenai Peninsula. Instead, MacCampbell expects the money to pay for interpretive sites, mainly around Homer.

Crenshaw said parks officials might contribute interpretive panels, perhaps under a shelter similar to that at the Beluga Point turnout for Chugach National Forest. He'd like to put in telescopes and places for people to sit, he said.

"We would talk about the Spit, Kachemak Bay, the tides, the geology of the park, the oil spill, the history," he said. "We could name the major peaks people see from there. We could do it in a colorful way."

Parks officials hope to contribute interpretive panels at other sites around Homer — such as the park planned for a site between the ferry dock and Land's End Resort or at the Pratt Museum and the airport, Crenshaw said. Nature trails or interpretive panels at trail heads within the park across the bay also are possibilities.

John Burkholder, the transportation department's project manager for the Baycrest reconstruction, said community groups could assume maintenance at the Baycrest overlook under something like the Adopt-A-Highway program. The state might even find money to build a kiosk, he said. But not before someone else volunteers to maintain it.

The parks department would also ask

the public to help.

"We need to work with local groups — the chamber, Rotary, the Elks — under an Adopt-A-Highway type program," MacCampbell said.

Crenshaw said community groups would be responsible for picking up litter and correcting minor vandalism.

"If someone trashed a telescope, we might order the parts and replace it, then take up a collection in town to pay for it," he said.

Crenshaw said he agrees with critics of a new sign featuring seals of Homer public service groups.

Oil-spill money should turn the area below Baycrest Hill into a park too, a Homer organization says.

"I agree with local people that it's gaudy and inappropriate," he said. "I think it would conflict with the kind of thing that ought to be at that site. The important thing is

not looking at billboards. The important thing is looking at the bay and the park."

Information about service groups is appropriate "but it should be more discreet," he said.

Burkholder said that transportation officials considered hazards to traffic but not to the view when it leased space for the sign.

"That's probably why we have a controversy," he said.

When the turnouts are rebuilt, "if it's in the way of our concept, it probably will be removed and put somewhere else," Burkholder said.

MacCampbell said he believes that service groups and state officials can work together to take everyone's concerns into account "and work for a win-win situation."

spill. If the criteria for small parcels turn out to be similar, the Overlook Park parcel would likely qualify, she said. Bald eagles, harlequins, seals, otters and intertidal life are among the injured creatures on the spill trustees' quick list for large parcels, she said.

The fact that the trustees have had trouble negotiating with landowners in other areas may improve the chances for purchase of the 97 acres at Baycrest, Bollenbach said. Meanwhile, the land trust is seeking public support for its request before the trustees. It's also soliciting observations of wildlife seen on the land.

RESOLUTION 95-24

A RESOLUTION OF THE CITY COUNCIL OF HOMER,
ALASKA SUPPORTING THE ACQUISITION AND
PROTECTION OF OVERLOOK PARK AND BAYCREST
WHICH ARE IMPORTANT TO ALASKA AND TO HOMER.

WHEREAS, the 97 acre Overlook Park situated below the Sterling Highway scenic overlook west of Homer, is a bench of open meadows, bogs, freshwater pounds and home to a variety of birds and mammals including moose, bear and eagles, and is a pristine and fragile habitat unsuitable for commercial/residential development; and

WHEREAS, strong community support in the form of signed petitions in the past has indicated its ideal use as a park; and

WHEREAS, Overlook Park (parcel ID KEN 55) is currently under consideration for purchase by the Exxon Valdez Oil Spill Trustee Council for habitat protection and restoration; and

WHEREAS, Neil Johannsen, Director of Alaska State Parks, has stated that this parcel has habitat, scenic, and recreation value and that Alaska State Parks would willing act as the principle managing agent "since the parcel is in view of and in close proximity to our existing Homer ranger station and would not create an undue burden on our ability to operate and maintain other state parks in the area"; and

WHEREAS, in addition, parcel Baycrest (ID KEN 12) adjacent to Overlook Park is a logical addition, its natural systems being contiguous with the latter; acquisition of this parcel could facilitate access to Overlook Park and to the intertidal areas zones of both parcels; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of Homer, Alaska supports the acquisition and protection of Overlook Park and Baycrest which are important to Alaska and to Homer; and

BE IT FURTHER RESOLVED that the City Council of Homer, Alaska requests purchase of these properties by the Exxon Valdez Oil spill Trustee Council, noting that if a choice must be made between the two that Overlook Park is the higher priority.

PASSED AND ADOPTED BY THE CITY COUNCIL OF HOMER, ALASKA this 3rd day of April, 1995.

CITY OF HOMER


HARRY E. GREGOIRE, MAYOR

ATTEST:


MARY L. CALHOON, CITY CLERK

Grass-roots effort needed to protect Bluff Point

by George Ripley

July 8, 1993

Homer News

There are very few people in this town, both resident and visitor, who have not shared in the enjoyment of one of this region's simplest and yet most profound pleasures. Some have been so awe-stricken by their first view of Kachemak Bay that they knew immediately that this would be their home. The Kachemak region weaves an almost magical charm. Even long-term residents are not jaded by the experience and take pleasure during all the seasons of the year in driving up to the edge of town to get a new perspective on the setting sun or the magnificence of Southcentral Alaska. During the summer months the wayside overlooks atop the hill are continuously full of excited visitors, almost all of whom get out of their cars to fully appreciate the powerful beauty of the high headland that is Bluff Point, the gateway to Kachemak Bay. These waysides are the type of charismatic place where it would be appropriate to hold an Easter morning convocation. Carnivals can in no way match the natural splendor of this setting.

"Welcome to Kachemak Bay" the sign says, and as people stumble from the confinement of their cars they are happily struck again and again by the beauty that surrounds them: Mount Iliamna, Augustine, Cape Douglas, the Shelikof, the Kachemak Alps, the Spit; boats and ships of all kinds heading to and fro on the seas below; songbirds and eagles in the air above and, spread at their feet, a perfect cameo of the wilderness they've hoped to find.

With lakes, meadows, forests and beaches, this beautiful cameo known as "the valley" gives peace to weary souls. It also provides for an exceptionally vital wild habitat. Three eagle nests exist in the valley. From the overlooks with binoculars one can see eaglets in the nest. Moose, bear and coyotes roam the woods and meadows. Beaver and swans can be seen in the lakes. Seals and sea otter fish the rocky tidepools of the rugged headland. Huge schools of salmon hug the shore as they move up Cook Inlet. Several species of whales can be seen from above as they feed offshore.

In 1984 the community of Homer gave broad support to an effort to make the valley a part of the state park

Moose, bear and coyotes roam the woods and meadows. Beaver and swans can be seen in the lakes. Seals and sea otter fish the rocky tidepools of the rugged headland. Huge schools of salmon hug the shore as they move up Cook Inlet. Several species of whales can be seen from above as they feed offshore.

system. The Chamber of Commerce and the city quickly recognized its value to the tourism industry as the very "gatepost" to Kachemak Bay. Fish and Game biologist Dave Holdermann recognized the valley as a unique and richly condensed micro-habitat. Borough officials, highway officials, parks officials, legislators and the state resources commissioner all gathered in Homer and agreed that this project was eminently worthy and should be put on the "front burner." The Seattle director of the Nature Conservancy was present and said that he had "never seen a bureaucracy say 'Yes!' to a project so quickly." Helping the state to acquire the valley was to become the Nature Conservancy's first Alaska project.

So what happened? The project sped quickly to the office of a freshman legislator in Juneau where it was ignored. It made a token appearance on the final budget but then was cut by the governor and the valley was back up for grabs.

About that time newcomers drove over the crest of the hill, stopped at the overlook, and decided to make their lives in Kachemak Bay. When they drove to town they discovered that the beautiful valley was for sale. Concerned that nothing mar the beauty of their new home, they successfully set about buying the property themselves in an attempt to protect it until such time that it could become a park. That has been their hope, yet their ability to continue holding the land has nearly come to an end. It is once again for sale. Now is the time for the community to again request of the state whatever moderate sum is required to protect the valley (a mere 250 acres) for the benefit of all and

future generations — this valley that has been recognized by all experts as having outstanding and unique value.

What needs to be done? Grass-roots networking, lobbying, educating, planning, negotiating. It won't be an easy job regardless of its popular appeal. The groundwork needs to be done by volunteers working through a volunteer organization. The community at large needs to show its support.

An educational/interpretive display placed in the wayside overlooks could help in the nonpolitical education of the traveling public — there should be a display there anyway; those waysides are a very neglected public asset.

A well-organized petitioning effort could probably raise 2,000-3,000 signatures by Labor Day. (The previous effort 9 years ago netted 1,200 signatures in April and May.)

Private donors interested in protecting the beauty of the region could be sought for tax-exempt contributions.

The borough, the state, and the Exxon Trustees Council could all be requested to help.

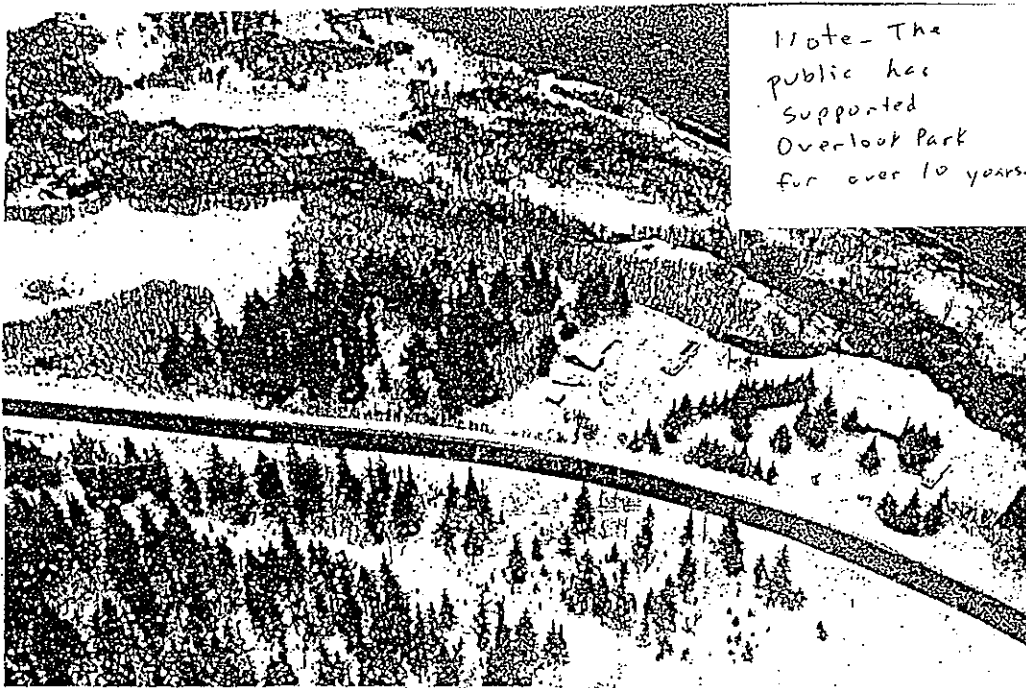
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Gov. Hickel's editorial in the 6/29/93 Homer Tribune underscores the reason to protect the Overlook Park: "At 62%, Alaska tied with Vermont for first place among states where residents rank their first interest as wildlife viewing or photography."

This may well be an idea whose time has come, provided that at least one committed individual assumes the job. That it comes so quickly on the heels of the saving of Kachemak Bay State Park serves to provide notice that Kachemak Bay deserves recognition as being synonymous with "park land."

George Ripley spent 16 years as a local parks advocate and currently resides in Dutch Harbor. He can be reached by calling 581-3444.



Note - The public has supported Overlook Park for over 10 years.

Land suggested for a park lies below the Sterling Highway near the viewpoint on Baycrest Hill.

Photo by George Ripley

Park proposed below Baycrest look-out

Between the overlook on Baycrest Hill and the beach lies a gentle bench land which provides a home for wildlife and an opportunity for people, says George Ripley.

Informally known as "The Valley" or "The Slides," the small pocket of land is a "cameo of Alaskan wilderness," Mr. Ripley said. If it were preserved that way, he continued, area residents and tourists could share a jewel of a park.

Mr. Ripley, a wilderness guide and a person long active in the planning of Kachemak Bay State Park, is mobilizing support to draw "The Valley" into the state park system. It's a natural, he said, and he is encouraged by the response so far.

"This area means a lot to a lot of people," he said. "It's here that many people fall in love with Homer and Kachemak Bay." And from the standpoint of the tourist industry, he adds, "It is the point of Homer's first sale."

From the overlook, he said, it is not uncommon to spot moose and black bear in the proposed park. He said he has seen swans in the ponds along the bench, and the beach and rock shoals offshore support a myriad of birds and sealife.

Though steep bluffs now

limit access, Mr. Ripley says many people could enjoy the place by means of a stairway down the steep ground and a trail system below.

According to Mr. Ripley, only about 12 acres, up near the highway, is owned by the state. Along the middle ground, between the highway and the bench is about 80 acres owned by the Kenai Peninsula Borough, about 46 acres owned by Cook Inlet Region Inc., and

about 34 acres owned by the Hillstrand family. Along the beach is about 110 acres in the old Abbott homestead, and about 26 acres owned by the Wilkins family of Homer.

Sooner or later the land may be developed privately, Mr. Ripley said. He hopes that through land trades the state could obtain the area for a park.

The location has historical significance as well, Mr. Ripley said. The word

Kachemak is thought to stem from the Russian term for "smoky bay." Smoldering coal seams along this part of the bluff caused the smoke, he said.

Mr. Ripley said he is presenting the idea to local organizations and individuals, and is aiming to get 4,000 signatures on a petition to present to the state.

Thomas and Ellsworth honored by Fire Dept.

Gary Thomas was named firefighter of the year, and Linda Ellsworth EMT of the year, at the fire department's annual banquet Saturday.

"They are two of the finest people I've had the opportunity to work with in the fire service," said Fire Chief Tom Craig. "They're outgoing and are not always looking for a pat on the back for their efforts, which are considerable," he said. "They've given a lot to the people of the city of Homer."

Other awards at the banquet went to Dan Cross as the most improved firefighter, and to Keith Valentine, Chaz Ingham,

and Terre Saladin in appreciation of all their volunteer efforts.

Firefighter of the year is chosen by the past three recipients of the award. Making the selection this year were Robert Purcell, Fred Morris, and Cathy Stingley.

EMT of the year was chosen by past recipients Cathy and Dick Stingley.

Mr. Craig selected the most improved firefighter.

Over 80 people attended the dinner, including members of the fire department and their guests and representatives of several city agencies.

Homer emissaries to

East is east and west is west, but next month the two may draw a little closer together when residents of Homer travel to Teshio, our sister city in Japan.

This will be Homer's first official trip to the area, and there is room for 25 people to go along, said travel coordinator Ginger Van Wagoner, of Homer Travel Service.

Already signed up for the trip are mayor Erle Cooper — who was given the money to go as the city's representative at the City Council's last meeting — Margaret and Patti Pate, Mike and Diane McBride and children, Ms. Van Wagoner, and two who first initiated the idea of a Japanese sister city — Steve and Noko Yoshida.

Besides Teshio, located on the northern tip of Hokkaido, the group will visit Sapporo,

Pioneers begin

Ways to make Avenue safer, travel and more will be addressed by citizen advisory ed to guide the major reconstruction.

A number of drainage and problem areas on were noted at a ing last week. I said City Plan Helminiak, peo cerned with the at Main Street, with the snow berms also side, and with safety.

For instance people found many traffic de made at the crossing, where streets — Pioneer East End Ros together.

Some of the meeting, and old tatives of business munity group selected for a committee, she is not yet complete.

Upgrading Avenue is the one priority for year, and leads projects present state Legislature.

The advisory will be to help and a professional

Jozankei Spa, Seven days of the will be spent with the fest will be dependent, Indiv tivities, Ms. Va said.

The sister city the works for se and was inspired nual summer Ja dent visit to Hom course of the la idea was ad Homer's city c Teshio's city gove

The benefits to tionship include economic ties, M said. In addition





Photo by Hal Spencer

Standing on the bluff at the top of Bayerest Hill, George Ripley points out various parts of the proposed Overlook Park to Div. of Parks Director Neil Johansen, right, Borough Mayor Stan Thompson, left, and other visiting officials, Friday afternoon.

State, borough officials view park site

State parks and transportation officials toured the site of a proposed park below Bayerest Hill last week, and said they would pursue development of a "Homer Overlook Park."

After seeing the land they met at City Hall to discuss the proposal. George Ripley, local resident and promoter of the park, said he was assured by the department representatives that they would pursue the proposal within both the state division of parks and Dept. of Natural Resources.

"The development would create an aura in Homer of parks," Mr. Ripley told the gathering. "It would say, 'welcome to one of the park areas of Alaska.'"

The proposed park would cover the 250 acre valley isolated at the foot of the bluff north of town. Included

in the arrangement, is a plan to upgrade the turnoffs at the top of the bluff which is a natural scenic draw to tourists.

"We got a solid commitment by the state to pursue this park as a priority," said Mr. Ripley. "I walked out of the meeting feeling totally relieved as if they'd lifted the entire project from my shoulders."

"The Homer City Council has already called on the Alaska Dept. of Natural Resources to study the possibility of incorporating the area into the state parks system. Soon after, the Student Council of Homer High School endorsed the idea.

Some of those at the meeting included Skip Harding, Jack Wiles, and Bill Garry of the Div. of Parks, Jim Barnett of the Dept. of Natural Resources and Elliot Marks of the Nature

Conservancy.

Rep. Mike Fritz, R-Anchorage, and Sen. Paul Fischer, R-Soldotna, have indicated they would sponsor legislation in its behalf. Well over 1,000 local residents have signed petitions favoring the park.

Eighty acres of the land is designated as Kenai Borough land. The state owns 11 acres, while 46 acres are native owned. Some 169 acres, more than three fifths, is held by three individuals.

Borough Mayor Stan Thompson and Assemblywoman Marilyn Dimmick were at the meeting, and each agreed they saw no problem in convincing the assembly to give up their 80 acres in exchange for other state land.

Jack Wiles of the Div. of Parks, said he would push for development funds at the same time as acquisition money to ensure the park's completion.

Several schools of thought surrounded development of the

would be built until large numbers of people begin making their own trails into the area, thereby creating potential hazards to themselves and the environment, said a park prospectus.

Eleven acres now owned by the state of Alaska sits on the western rim of the bluff. Park sponsors propose that this land be used as the site for a Southern Peninsula State Park Headquarters and Visitors' Reception Center. Buildings on the site were once used by the University of Alaska.

Park backers also like to see the wayside turnoffs on top of the bluff upgraded. Signs are needed to warn traffic because the pulloffs are on a blind turn.

One idea is to build an efficient parking system and traffic flow design, relocate the historic sign on an island in the middle of the pull off, and place plaques along a railing describing the view. The railing itself would be pulled back from the bluff to

Culvert to be replaced

HOMER OVERLOOK PARK PROJECT



Dear Homer Area Resident,

An area of Homer which at one time or another has impressed us all with its unique and almost magical beauty, is the small enclosed valley seen from the overlook on top of the Baycrest Hill. It is here that thousands of people fall in love with Homer for the first time, and many others of us for the hundredth time.

Safeguarded from development by the great difficulty of achieving access, this area has remained until now a sanctuary for moose, bear, swans, nesting eagles, and other lesser wild creatures. Just off shore are the only rock tidal pools on the north side of Kachemak Bay, also off shore, pods of whales can sometimes be seen swimming north up into the inlet. Back in the valley itself, dramatic geologic forms can be seen along with the marsh, meadow, and forest flora and wildlife that is free to come and go, observed from above. The very name of Kachemak, meaning "Smoky Bluffs" in the Indian dialect, may have stemmed from the smoking veins of coal that burned in the bluffs directly above the valley from the first arrival of the Russians until the fires were extinguished by homesteaders in the 1950's.

We are extremely fortunate to live near an area so richly diverse and beautiful. Yet, as we all know, change is coming very fast to the Homer area. The valley is presently being considered for subdivision and we, if we value this area in its present state, must consider taking steps to safeguard its beauty for future generations. One means of doing this is to convince the State of its value and to purchase the land as a park. Along with the preservation of values of great importance to Homerites, from the point of view of the tourist industry, this would be of great benefit to the thousands who stop and view Homer and the Kachemak Bay from this spot for the first time. This is where Homer's first impression is created and, as such, deserves special concern. This valley is a perfect cameo of the wilderness which many have come thousands of miles to see and of which Alaska has become a symbol.

Aside from the obvious natural and historic values, which parks are designed to protect, this area naturally fills the present needs of the State Parks System on the Southern Kenai.

With the already existing Ninilchik, Deep Creek, and Anchor River waysides which are presently managed and patrolled from Sterling ninety miles to the north, and the imminent development and use of the Kachemak Bay State Park, the Alaska Division of Parks needs a headquarters site in the Homer area. With parking and congestion already a serious problem on the spit, what could be a better site than the eleven acre facility and meadow which the state already owns immediately above and to the west of the "valley" at the location of the University seismic and/or ranger station. Here facilities already exist on vacant state land for management and visitor offices and for maintenance vehicles. More than that, the area has a view of the entire southern Cook Inlet region including the Homer Spit, the mountains of Kachemak Bay, and the "valley". From a visitor's center here, a stairway could be built to provide access into the valley and to the beaches of Homer.

What can we do? Well, to convince the state that acquisition of the valley as a park is important both to residents and visitors, we must dramatically demonstrate the support of the entire Kachemak region. It is a simple matter requiring only the signatures of your family, your neighbors, and their neighbors. We must accomplish this promptly while the momentum is gathered. In late May we will make a presentation of our accomplishments to the State. Your support is needed now, this month.

The necessary petition form will be found in businesses and agencies all over town and on the Spit. Look for it. While in town remind your friends and all family members to look for it. Please sign it.

Establishing this area, the "valley" as a state park will go a long way towards protecting and establishing the Kachemak Bay region as a beauty and recreation spot in Alaska.

For anyone wanting further information on the project a ten minute video program is available for viewing at the Vidio Place. Donations necessary to support this project may be made to the Overlook Park Trust Account at the National Bank of Alaska.

Hazel Heath
Bill Snyder

Gail Phillips
Larry Farnen

George Ripley
Wayne Kessler

Bruce Turkington
Ray Arno

Help preserve the Overlook Valley

as a State Park.

Prevent the development of this resource

into a residential tract.



ALASKA CENTER FOR THE ENVIRONMENT
OVERLOOK PARK PROJECT
1069 WEST 6TH AVENUE
ANCHORAGE, ALASKA 99501
=====

Non-Profit Org.
Permit No. 139
U.S. POSTAGE
PAID
Anchorage, AK

CARRIER ROUTE PRESORT
BOXHOLDER

Grass-roots effort needed to protect Bluff Point

by George Ripley

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George Ripley spent 16 years as a local parks advocate and currently resides in Dutch Harbor. He can be reached by calling 581-3444.

Bluff Point Wetlands, Past and Present--What About the Future?

Anyone who drives to Homer is familiar with the scenic overlook where the Sterling Highway meets Kachemak Bay. There is a magic moment when you drive over the crest of the hill and see the panoramic beauty of the bay. Seven hundred feet below the overlook lies a benchland with four lakes and critical wetland habitat. This 97-acre parcel includes healthy old growth spruce, birch, cottonwood, magnificent grass, wildflower meadows, rolling hills, and the closest low bluff land (elevation approximately 15-30 feet) west of Homer which allows easy beach access.

THE PROBLEM FOR THE FUTURE: Bluff Point Wetlands are for sale. The owners have contacted many government agencies about purchasing the land for habitat protection and/or parkland, but there has been no purchase. In the 1980's, public support resulted in a petition with over 1200 signatures for state acquisition. In 1985, the legislature set aside money to begin acquiring the land for a state park, known as Overlook Park. The Governor vetoed this 1985 appropriation because of declining oil revenues. The present five owners of the property bought the land for the purpose of holding the land until a government agency would purchase it. The owners can no longer afford to hold onto the land but want it protected into the future.

ASKING PRICE: \$425,000. Government acquisition is slow and uncertain. If a private party or a non-profit organization does not purchase the land for habitat protection in the winter of 1993-94, development may begin in the spring of 1994. If you have ideas about buying or preserving it, contact the owners: HRLP, PO Box 1649, Homer, 99603; David Lloyd, 235-8203; Michael McNiven, 235-7645; Sharon Whytal, Juneau, 463-3544; Joyanna Geister, 235-5401; or Sandra Cronland, 235-5144.

Black bear and moose roam the property. The center of the property includes grass meadows, bogs, and three lakes with a 10-15 acre surface area. The Center for Alaskan Coastal Studies has recorded sightings of many bird species including Red-throated, Pacific, and Common Loons; Harlequin Duck; Horned and Rednecked Grebes; two known nests of Bald Eagles, nests of Ravens in the bluffs, and numerous passerines. Bluff Point Wetlands overlooks the only beach with intertidal pools on the north side of Kachemak Bay; these pools provide habitat for an unusual diversity of invertebrates and other tidal zone flora and fauna. Preserving Bluff Point Wetlands should help to prevent the negative impact of development on the delicate and rich intertidal area.

If you want to help protect this land via state or non-profit funds, please contact Neil Johannsen, DNR Alaska State Parks, 762-2606; Chris Titus, 262-5581, Alaska State Parks, Kenai Area Superintendent, PO Box 1247, Soldotna 99669; Carl Rosier, Commissioner Alaska Fish and Game and Trustee of Exxon Settlement Moneys, 465-4100, PO Box 25526, Juneau 99802; Trustee Council of the Exxon Settlement, 278-8012, 645 G. Street, Anchorage 99501; Tom Rophe, 267-2206, Waterfowl Coordinator, Alaska Fish & Game, Wildlife Conservation Division, 333 Raspberry Rd, Anchorage 99518; the Nature Conservancy, 276-3133; Center for Alaskan Coastal Studies, 235-6667, PO Box 2225, Homer 99603; & Kachemak Heritage Land Trust, 235-5263, PO Box 2400, 99603.

November 12, 1993

Marty Rutherford
Habitat Acquisition
Exxon Valdez Oil Spill Trustee Council
645 G St., Suite 402
Anchorage, AK 99501

re: Homer land known as
Overlook Park, aka Bluff Point Wetlands

Dear Marty:

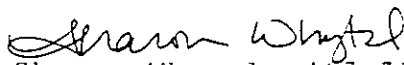
Rick Steiner in Cordova gave me your name to contact regarding an important piece of land in Homer, that needs protection. I know that some land in that area has already been set aside by the Council, but there is also an urgency about this land, and it is relatively small and inexpensive. It is also the only large piece of beachfront left on the Homerside of the bay, accessible in a way that the Kachemak Bay State Park is not. I am one of the 5 owners of the land, and we are no longer able to hold the land for government funds to save it, though we all would like to be able to facilitate its preservation. We have been in contact with Neil Johansen of State Parks and the Nature Conservancy, as well as receiving local support from Homer environmental groups, for possible take over of payments in the near future, if a commitment was made by another group (i.e. through the Council) to purchase it at a later date.

The history of this 97 acres is that it was designated to become a state park in the 1985 budget, but became a line-item veto when oil revenues dropped. There had been wide community support (petition, lobbying) to preserve the land, but the buyer at that point needed to sell to whomever could present a down payment. A group of friends got together at that point, and as time has gone on we have sought to find a park buyer, or at least development that would be low-impact and preserve some access to the community. So far, we have been able to find no group able to fund a park, and after marketing for 2 years on our own, we have now found our second choice, a developer who had designed a low-impact, albeit private development for the land. We are committed to begin development by March 1 if no park purchase can be ensured.

page 2

Please be in touch if there is any way you see to set aside this land for restoration moneys. I am enclosing some recent community dialog on the issue. The Kachemak Heritage Land Trust and the local Parks and Rec Council are hoping to help; it's definitely still of local concern, but time is running out. You may contact me, or any of the other owners listed below. Thanks for your consideration of this issue.

Sincerely,


Sharon Whytal, 465-3544
P.O. Box 20065
Juneau, AK 99802

other owners:

David Lloyd, Box 981, Homer, AK 99603, 235-8203
Joyanna Geisler, Box 1649, Homer, AK 99603, 235-5401
Sandra Cronland, Box 3036, Homer, AK 99603, 235-5185
Michael McNiven, 235-7645

November 12, 1995

Carl Rosier
Commissioner
ADF & G
Trustee of Exxon Settlement Monies
BOX 25226
Juneau, AK 99802

Dear Commissioner:

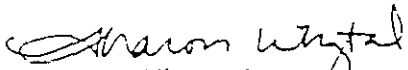
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page 2

Please be in touch if there is any you see to set aside this land for restoration moneys in the near future. I am enclosing some recent community dialog on the issue. The Kachemak Heritage Land Trust and the local Parks and Rec Council are hoping to help; it's definitely still of local concern, but time is running out. The owners names are listed below, and if I don't hear from you I'll be contacting you in a couple of weeks. Thanks in advance for any consideration you can give this matter.

Sincerely ,


Sharon Whytal 463-3544
P.O. Box 20065
Juneau, AK 99802

other owners:

David Lloyd, Box 981, Homer, AK 99603, 255-8203
Jovanna Geisler, Box 1649, Homer, AK 99603, 255-5401
Sandra Cronland, Box 5056, Homer, AK 99603, 255-5183
Michael McNiven, 255-7645

Amy Bollenbach
P.O. Box 3429
Homer, Alaska 99603-3429

November 30, 1993

Testimony to Exxon Valdez Trustees, and to
Jim Ayers, Executive Director
Exxon Valdez Trustee Council
645 G. Street, Suite 402
Anchorage, Alaska 99501

My name is Amy Bollenbach. I am a member of Kachemak Heritage Land Trust. First, we want to thank you for acquiring Kachemak Bay State Park. Many people in Homer and elsewhere in Alaska are grateful for your role in protecting valuable habitat on the south side of Kachemak Bay.

Today, we want to call your attention to a small parcel on the north side of Kachemak Bay. We realize that you are focusing on large parcels today, but we want you to know that we have a gem in Homer for you to consider, a bluff wetlands area known as Overlook Park. The board of Kachemak Heritage Land Trust (KHLT) appointed a committee with me as the chair to pursue ways to protect this bluff wetlands. We request that you acquire this 97-acre parcel and adjacent parcels if possible. Your purchase could protect this area from development which could harm the intertidal ecosystem below this land.

Most of you have probably seen this parcel. When you drive from Anchorage to Homer on the Sterling Highway and leave the Kenai Mountains, you drive through spruce forest most of the way to the outskirts of Homer. In the last mile before reaching Homer, you drive up Baycrest Hill. Suddenly you emerge from the spruce forest to a vista of Kachemak Bay. If it's a clear day, there's a magic moment when you first see Kachemak Bay, Cook Inlet, Augustine Island, Mt. Illiamna, and Yukon Island. If you stop at the turn-out labelled Scenic Overlook and look over the edge of the steep bluff to the west or the right, you see a benchland with four lakes. On this land, there is healthy old growth spruce, birch, cottonwood, tall grass, wildflower meadows, and rolling hills. This is the closest low bluff land (elevation approximately 15-30 feet) west of Homer with easy beach access. The land that we want you to acquire is the middle section with three lakes, no houses, and no roads.

Thousands of people have stopped at the scenic overlook above this land and have literally "fallen in love" with Kachemak Bay. We hope that future visitors and residents will be able to look over a bluff covered with natural habitat.

The legal description for the land is Kenai Tax Parcels 48 and 49, Sections 15 and 22, Township 6 South, Range 14 West, Seward Meridian. The USGS Map, Seldovia C-5, NE, Alaska, Provisional Edition 1987 shows Sections 15 and 22 containing four lakes and bluff land adjacent to the beach. This land is west and adjacent to Bluff Pt 2 on the USGS map.

Amy Bollenbach
P.O. Box 3429
Homer, Alaska 99603-3429

One of the Kachemak Heritage Land Trust's goals is to identify and protect land of the highest ecological value. Although we have not completed our analysis of the entire area, as far as we know, this is the best small parcel in Kachemak Bay that would fit your goals. We understand that your scientific staff has or may recommend two criteria for small parcel land acquisition: (1) The land contains or affects species that was harmed by the oil spill, and (2) The land has willing sellers. Regarding the first criteria, the tidal pools below and adjacent to Overlook Park were lightly oiled by the 1989 Exxon Valdez oil spill. More important, the rocky tidal pools support a unique marine ecosystem which contain many species adversely affected by the oil spill elsewhere. Regarding the second criteria, the land is for sale. Not only is it for sale, but the owners have agreed to work with KHLT to pursue habitat protection.

The bluff wetlands known as Overlook Park contain or directly affect the following resources that were harmed by the oil spill: Harbor seals, sea otter, rockfish, bald eagles (two known nests), hundreds of invertebrates including clams and mussels, and rich and diverse subtidal and intertidal ecosystems. The Bluff Point Intertidal reef begins about 2 miles east of the beach adjacent to Overlook Park. The 97-acre parcel that is for sale overlooks the westerly portion of this reef. To quote from the "Draft Restoration Plan", November, 1993, "...injuries persist in the upper intertidal zone, especially on rocky sheltered shores." This land overlooks the only rocky intertidal zone on the north shore of Kachemak Bay. A group of biologists have been monitoring these intertidal pools since 1989 and have found a decline in the marine life. As Jane Middleton, one of the biologists says, "If protected from development, this reef could become a nursery of marine life for future oil spills."

Amy Bollenbach

Barbara Seaman President KHLT
Sally Kabisch Director KHLT

STATE OF ALASKA
DEPARTMENT OF FISH AND GAME

OFFICE OF THE COMMISSIONER

WALTER J. HICKEL, GOVERNOR

P.O. BOX 25525
JUNEAU, ALASKA 99802-5525
PHONE: (907) 465-4100

December 22, 1993

RECEIVED
JAN 21 1994

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

Ms. Sharon Whytal
P.O. Box 20063
Juneau, AK 99802

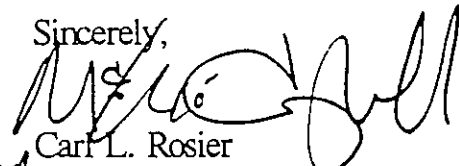
Dear Ms. Whytal:

Thank you for the information concerning the land on Bluff Point. The Trustee Council is interested in any land that may promote restoration of resources injured by the Exxon Valdez oil spill. As I am sure you are aware, the Trustees purchased inholdings within Kachemak Bay State Park and land on Afognak, both of which have species injured by the spill and were under imminent threat from logging activities. The Trustees purchased land that was chosen after a comprehensive evaluation of over 800,000 acres of large parcels throughout the spill area. The large parcel analysis considered parcels that were at least 1000 acres in size; therefore, the 97 acre Bluff Point parcel was not considered.

The large parcels were evaluated using criteria that would not have been appropriate for small parcels, such as the benefit to multiple species. However, the Trustees recognize the outstanding value of small parcels, and at their November 30 meeting they authorized evaluating parcels under 1000 acres.

You have made a detailed case for the Bluff Point parcel at an appropriate time. It will be included for consideration in the small parcel analysis. Thank you for your interest and input.

Sincerely,


for Carl L. Rosier
Commissioner

cc: Neil Johansen (DNR)
Jim Ayers (w/original letter)



KACHEMAK BAY CONSERVATION SOCIETY
P. O. Box 846 • Homer, Alaska 99603

January 25, 1994

JAN 25 1994

Jim Ayers, Director
Exxon Valdez Oil Spill Trustees Council
645 G St. Suite 402
Anchorage, AK 99501

Dear Mr. Ayers:

In 1984 the Kachemak Bay Conservation Society actively supported acquisition of the Bluff Point property known as the "Overlook Park" for inclusion in the State Park system. We felt then, as we do now, that this is the best use for this land. The bluffs are not very stable. Based on comparisons with older topographic maps, it is clear that the bluff area has eroded significantly. Obviously, the Overlook Park area is not suitable for development, nor are most inland areas which are mainly wetlands.

The best plan for this land is protection of its interesting habitat and wildlife viewing. It is a unique site, the only beach bench along the entire Homer bluff. A beautiful string of ponds provides habitat for nesting waterfowl and shorebirds including Barrow's goldeneye, pintail, greater yellowlegs, and greenwinged teal. Muskrats have been frequently seen, beaver used to have an active lodge on the lowest lake, and marmots inhabited the inland bluffs. Visitors to this maritime bench with some of the oldest spruce on the north side of Kachemak Bay have opportunities to see moose and bears inland, and marine mammals along the beach. Sea otters and harbor seals are commonly seen here, as are some seabirds and waterfowl, such as harlequin ducks, cormorants, scoters, and scaup. The diverse wildlife in a small area offers outstanding wildlife viewing, if protected from exploitation.

The Kachemak Bay Conservation Society highly recommends the "Overlook Park" as an exceptional area in Kachemak Bay that deserves special protection. Development is inappropriate for these sensitive bluffs and wetlands. As some of the first land that a visitor sees coming to Kachemak Bay, it is truly the gateway to Kachemak Bay State Park. Visitors standing on the ridge above the ponds not only see the breathtaking view of the mountains across the bay, but looking down they see eagles and ravens soaring over the ponds just above the Bluff Point tidal flats. We hope the Trustees Council will give this special area serious consideration.

Sincerely,

Nina Faust

Nina Faust
President

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

P.O. Box 1033
Homer, Ak. 99603
27 February 1994

Exxon Oil Spill Trustee Council
645 G. St., Suite 402
Anchorage, Ak. 99501

Re: proposed "Cuckoo's Nest", Homer

Dear Alice,

- There is less than 1% of the land in Alaska owned by non-natives.
- The proposed "Plover Park" was not impacted by the Valdez Oil Spill in 1989.
- Most large tracts of land in the Homer area are not selling in excess of \$4000⁰⁰ per acre. (There's a 20-acre parcel w/ road access, 11-miles out East End Rd. that's been on the market for \$1500⁰⁰ per acre for several months.)
- We already have a lot of park land in Alaska without access for the general public. Parks should be fully accessible to the public - it's the only reason to own "public" lands. This parcel does not have reasonable access.
- Our budget deficit is at the critical stage now. Do we need to incur more annual operating expenses for the State?
- With declining revenues the City and Borough shouldn't have more lands withdrawn from the tax base. We need to increase the tax base - not

$\begin{matrix} 0 & 1 & 2 \\ 1 & 1 & 1 \\ 1 & +2 & +3 \\ 1 & * & 2 \\ & + & \end{matrix}$

reduce it.
- We just spent \$21,000,000.00 in
Kachemak Bay State Park to save
beetle-infested trees.

I am appased to the proposed
"Puerlock Park" in the Homer area for
all of the above reasons.

Sincerely,
Marsha Korpi
and
J. Keffer

LAW OFFICES

HEDLAND, FLEISCHER, FRIEDMAN, BRENNAN & COOKE

A PROFESSIONAL CORPORATION

ANCHORAGE

JOHN S. HEDLAND
HUGH W. FLEISCHER
SAUL R. FRIEDMAN
JAMES T. BRENNAN
SARA E. HEIDEMAN
ERIC J. BROWN

327 WEST NINTH AVENUE, SUITE 300

ANCHORAGE, ALASKA 99501-3218

TELEPHONE (907) 279-5525

TELEFAX (907) 278-0877

BETHEL OFFICE

351 SEVENTH AVENUE

P.O. BOX 555

BETHEL, ALASKA 99559

907 543-3744

BETHEL

CHRISTOPHER R. COOKE

February 4, 1994

Mr. Jim Ayres, Executive Director
Exxon Valdez Oil Spill Trustees Council
645 "G" Street
Anchorage, Alaska 99501

Dear Mr. Ayres:

This letter is in support of the proposal for the Council to purchase the Overlook Park, Kachemak Bay. This area is extraordinarily rich for any and all persons who venture in the area of Homer, Alaska, as it contains majestic views and wide varieties of wildlife. Protecting this area would prevent the serious erosion that has already begun to occur. Such prevention would clearly help save a good part of the marine life that abounds in the area.

Sincerely,

Hugh W. Fleischer

HWF/tm

HWFGEN\082

RECEIVED
FEB 07 1994

EXHIBIT 100-100-100-100
JAN 10 1994



RECEIVED
APR 11 1994

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

April 6, 1994

Members of the Trustee Council
Jim Ayres, Executive Director
Exxon Valdez Oil Spill Trustee Council
645 G Street
Suite 402
Anchorage, AK 99501

Dear Mr. Ayres and Members of the Council:

Kachemak Heritage Land Trust, a non-profit land conservancy located in Homer, strongly supports the Trustee Council's efforts on behalf of habitat acquisition. We are pleased with the Council's work to date acquiring key habitats throughout the spill-affected area.

Of particular interest to KHLT is the small parcel acquisition program. This program is a key component of the habitat acquisition process. Small parcels with high habitat values are often the most accessible, therefore also the most threatened with adverse development. We are gratified to see the Council has approved a process for evaluating small parcel acquisitions. We urge the Council to move quickly to establish a program for completing evaluations during the 1994 field season.

We understand that the process for evaluating small parcels could potentially take a long time. Therefore, we suggest that parcels which are sponsored by a state or federal agency be considered now, while leaving open the opportunity for individuals to also recommend parcels for acquisition.

We are concerned about guaranteeing adequate funding for agencies to manage new acquisitions. Kachemak Heritage Land Trust supports full funding for land management responsibilities by public agencies. In those instances, however, where agency funding is insufficient, we urge the Trustee Council to consider partnerships with non-profit 501(c)(3) land trusts to manage some of these acquisitions. For example, KHLT is actively

promoting acquisition of several small parcels in our service area. At the appropriate time, we are willing to discuss the possibility of KHLT assuming management responsibility for these lands

Thank you for considering our comments on small parcel acquisition.

Sincerely,

Barbara Seaman

Barbara Seaman
President

PO BOX 3429
HOMER, ALASKA 99603-3429
Phone: 235-6954
JUNE 8, 1994

JUN 09 1994

Molly McCammon
Director of Operations
Exxon Valdez Oil Spill Trustee Council
645 G Street, Suite 401
Anchorage, Alaska 99501-3451

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

Dear Ms. McCammon:

Thank you for your April 21, 1994 letter about the small parcel process and for your interest in Overlook Park. We're still hoping you can come to look at Overlook Park. Three of the land owners will be in Homer all summer. All three are idealistic young people interested in preserving the habitat on their beautiful land. You'll have plenty of guides available.

Sandy Cronland, one of the Overlook Park landowners, showed me a shorter trail to the land than the 6 hour round trip from Bishop's Beach. The short trail would take about 3 hours round trip from Mt. Augustine Drive. I have physical limitations and I was able to walk down the steep trail from Mt Augustine Drive to the beach in 15 minutes, although it took me about 30-40 minutes going up the trail. I assumed that you would want a couple hours to explore the land when I made the 3 hour estimate.

If you bring your kids, we can find a place to farm them out. If they want to, I could go down the trail to the beach with your kids and we could play on the beach while you explore with one of the land owners. I think even the four year old could make it if it hasn't rained much (if it has rained you would get a dramatic lesson in mud slides and one reason this land should be preserved from development). So if you get another chance to come to Homer, please call me at 235-6954, Sandy Cronland at 235-5144, or Kachemak Heritage Land Trust at 235-5263. We should be able to arrange a guide at the last minute. Sandy said to me that if we can just get you to come look at the land, you'll fall in love with it like the rest of us. I think so also.

I'm confused on what we can do to insure that the Exxon Valdez Trustees will seriously consider Overlook Park for selection as a small parcel. Is the 5-13-94 packet with the SMALL PARCEL NOMINATION FORM the latest and final information on small parcels? Should the Kachemak Heritage Land Trust send information on habitat and resources separately or give our information to the land owners to include with the SMALL PARCEL NOMINATION FORM?

Sincerely yours,

Amy Bollenbach

Amy Bollenbach

1001 G STREET, SUITE 401
ANCHORAGE, ALASKA 99501
PHONE 907 782 2600
FAX 907 782 2576

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF PARKS AND OUTDOOR RECREATION

MAILING ADDRESS
P.O. BOX 107107
ANCHORAGE, ALASKA 99510-7107

June 30, 1994

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

RECEIVED
FEB 10 1995

**EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL**

Dear Trustee Council Members:

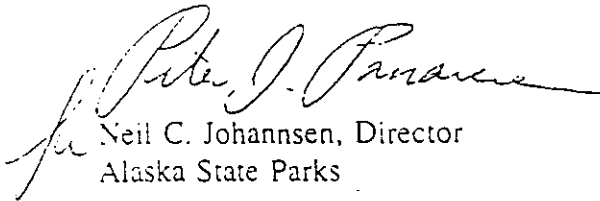
This letter is to accompany the small parcel acquisition request in Homer known as "Overlook Park".

State Park staff and myself have been aware and interested in this parcel for years because of the combination of its habitat, scenic and recreational values. It seems to meet all the threshold criteria you have established for small parcel habitat acquisitions. It is also linked to important resources and services damaged by the spill. The combination of limited public access and extraordinarily rich and varied habitat make this parcel well suited as a refuge for recovery of injured species listed as damaged resources.

Should you choose to acquire this parcel, my Division would be willing to act as the principal managing agency since the parcel is in view of and in close proximity to our existing Homer ranger station and would not create an undue additional burden on our ability to operate and maintain other state parks in the area.

If you have any questions, please don't hesitate to call me.

Sincerely,


Neil C. Johannsen, Director
Alaska State Parks



Kachemak Board of Realtors

P O Box 2660
HOMER, ALASKA 99603

Fue

10 1994

8-31-94

The Kachemak Board of Realtors is in favor of the acquisition of the "Overlook Park" lands by the Exxon-Valdez (EVOS) Trustee Council.

As a group, we whole heartedly support this acquisition. The owners of the land want to sell to a buyer who will permanently protect the land for public use and enjoyment. We believe the highest and best use for this unique property is public ownership.

The EVOS Trustee Council Restoration Plan, which mitigates for the effects of the 1989 oil spill is dedicated to acquiring lands to restore injured species and services. Overlook Park is the perfect candidate for restoration because of its proximity to the only rocky tidepools on the north side of Kachemak Bay and its location adjacent to the Kachemak Bay Critical Habitat Area.

Permanent protection of Overlook Park will only contribute to the scenic beauty from the Baycrest Hill turn-out. It will insure a large parcel of land along the coast for public recreation and enjoyment. It will give us all, for years to come, the breathtaking view we so love from the top of the hill. The Kachemak Board of Realtors is honored to support this project and to take part in preserving this precious Homer treasure.

Sincerely,

Debra Leisek
President
Kachemak Board of Realtors

RECEIVED
FEB 8 1995

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

Trustees Exxon Oil Spill Council
645 G.St. Suite 402
Anchorage, AK 99501

Raymond L. Bellamy
60080 Skyline Drive
Homer, AK 99603
February 3, 1995

Ken 2/9 Do not bu

I'm writing to let you know my feelings on "Overlook Park" near Homer that you are thinking of buying. I have lived in Alaska 50 years and I'm also a commercial fisherman and feel that there are better projects for this money than the buying of land.

First, 3% of Alaska is in private hands. 97% is already held by Government agencies. This takes away from the tax basis for the Borough causing higher taxes for those who have to pay. Also the cost of running and maintaining this park or whatever-has to come from more taxes be they State and Federal including IRS. We need to cut spending so that taxes can be lowered; if we keep adding, some day taxes will be more than anyone can afford. I know that this is a very small piece, but still we need to start somewhere.

Secondly, Some people feel that this piece of land could be developed creating more of a tax basis, not less. Logistically, it would be very difficult to develop this land. It would be just about impossible to put a road to. Plus, on very high tides and strong S.W. winds, this land is in danger of being damaged including anything built on it; and what if we had another earthquake like in '64? I feel that development would not be a very good idea anyway.

People now go that far with trucks and other types of autos, atv's and etc. for coal or just for a trip to the Anchor Point area. If this land became a State park laws would prohibit this.

I was born in Homer area in 1944, and since then have seen our freedom of movement restricted by state parks and etc. In fact, my Dad's old homestead, known as Winn's, is now in the hands of the Coastal Land Trust. Now no one can even walk on it without a guide with them. But, in 1994, they did not have any tours at all. Why? None of the Coastal members chose to go there-perhaps because their backyards all have everything that this land has. People came up on a federal trails development program in 1993 and made some nice wood walks. The only time we have seen the park open, the only people who showed up were a few members of the Coastal studies program not anyone from the general public. The rest of the time the park is boarded up with NO TRESPASSING signs on it. It's a shame that I would have to break the law to show my son his Grandpa's homestead, especially when it's supposed to be a park. What good is a park that cannot be enjoyed by the public?

I feel that we have gone too far with State parks. There are more parks in Alaska than people need or can afford. Remember, 97% of Alaska is owned by something other than private citizens. I can not see how another park will benefit the people of Alaska.

Sincerely,

Raymond L. Bellamy

2-3-95

Trustees
Exxon Valdez Oil Spill Trustee Council
645 G Street, Suite 402
Anchorage, AK 99501

February 5, 1995

Dear Trustees,

We are writing in support of the proposal for the Trustee Council to purchase the Overlook Park land in Homer. We are very familiar with this property as we live a couple miles down the beach and visit there often. The location of this parcel, so near to so many people yet effectively isolated from the road system, combined with some rather unique features make this a very attractive candidate for habitat protection.

One of the reasons we like to hike down to Overlook Park so often is the great diversity of birds and intertidal life in this area. The fresh water lakes support large stands of cottonwood trees that are favorite perching and nesting sites for Bald Eagles. Last year there were two active nests within one half mile of each other in this area, an unusually high density that indicates the high quality of this habitat. The woods there also support more songbirds than any other area near here, including several pairs of Yellow Warblers which have been rare in Homer lately. The tide pool life in front of the parcel is also more diverse than the beaches closer to our house.

One of our concerns about this area is the effect of erosion and silt deposition on intertidal life. We have been involved in a volunteer project to survey changes in intertidal life around Homer the past few years and have had several of our "permanent" plots just west of Overlook Park destroyed by siltation. While the Homer bluffs are subjected to a high rate of natural erosion, road cuts and land clearing in the silty soil along the bluffs has caused some very substantial additions in erosional runoff. A case in point is the "road" bulldozed down the side of nearby Diamond Creek by a developer who included no culverts and inadequate ditching. Diamond Creek is choked with the dirt from that road every spring. The same thing will happen to the fragile soils in the Overlook Park area if it is developed. The tide pools and all the sea ducks and otters that feed there will undoubtedly suffer if that happens.

Overlook Park is one of those "magical" places to which people and other creatures are attracted. We think it would be a wonderful use of the Oil Spill funds to protect this important habitat for the future. We encourage you and thank you for your efforts to do so.

Sincerely,

Rich Kleinleder

Peg Kleinleder

Rich and Peg Kleinleder
P.O. Box 367
Homer, AK 99603

RECEIVED
FEB 7 1995

[Signature]
2/8

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

2/6/95

Trustees, Exxon Valdez Oil Spill Trustee Council
645 G Street, Suite 402
Anchorage, Alaska 99501

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FEB 13 1995

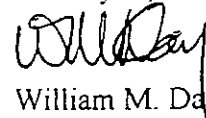
EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

reg.: Overlook Park land acquisition.

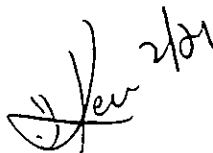
Dear Trustees,

I am writing to support your choice of including the Overlook Park lands on the north side of Kachemak Bay as a part of the small parcel selection process. I have spent a great deal of time along the shoreline of that parcel which adjoins the only rocky tidal pools on this side of Kachemak Bay. I am well aware of the potential threat to the sea life which inhabit the intertidal and subtidal zones of this area due to future development of this parcel. I have explored the wetlands of the parcel and have observed extensive activity of bird life along the shores of the three ponds which exist on the center portion of the west end of the parcel. I have witnessed moose feeding with their young in the willows thick along the north edge of the parcel and have had the pleasure of flushing out a young black bear resting in the spruce groves along the bluffs above the beach. This parcel of land is unique to the north side of the bay and is of great value in its present natural state. Development in this area would not only damage critical habitat for the birds, sea creatures, and moose which already inhabit the parcel but would ruin the rare opportunity for we as humans to observe these animals in a natural setting. By making this parcel park land, we will be preserving a valuable resource for educational, recreational and tourism opportunities for generations to come. I strongly urge you to continue to support the acquisition of Overlook Park as a part of the small parcel selections.

Thank you,



William M. Day
P.O.B. 3036
Homer, Ak 99603

 2/6/95

RECEIVED

FEB 8 1995

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

EXXON Valdez Oil Spill Trustees Council
645 G Street Suite 104
Anchorage, AK 99501

RICHARD W. TYLE
February 6, 1995
PO Box 1281
Homer, Alaska 99701

Ken 49

Dear Trustees:

Thank you for all your wonderful work so far. I am writing in favor of the small parcel acquisition property known here in Homer as Overlook Park. We have been hoping to get this magnificent foreground land set aside for years and are heartened by its high priority with you folks at the present time.

Every visitor to Homer is welcomed by this overwhelming view out across the inlet and across Kachemak Bay to the parklands already made whole ^{with} your major help. The AK DOT already has plans to landscape this overlook and we will work to have these include a series of descriptive panels in which I would expect the spill and the trustees parts in this area's development to be included.

It is also not being too facetious to suggest that it is from this prominent point that we will be viewing the next big spill (But let us hope not!) Thank you-

Rich Tyle

Dear Trustees,

February 7, 1945

I was very glad to hear that Overlook Park in Homer is being considered as one of the parcels of land in your acquisition program. This special piece of land has narrowly missed being sold for developement purposes and will likely face this threa again if it isn't protected. I have spent a few pleasant days walking through this land, and think it is definitely worthy of protection. Though access is rough, it offers a variety of delights to those who would spend the time and effort to get there.

During my visits I have seen tide pools burst with life, eagles, muskrat, moose, bear signs and a myriad of ducks and birds. It is a little piece of heaven containing several ecosystems that a person can walk through in an afternoon, reminiscent of Alice walking through a looking glass.

Overlook Park is the only place on a very long stretch of beach that is actually accessible from the beach. Gone are the vertical bluffs which are eroding into the sea, replaced by rocks, plants and trees. Here is a haven where the land and the sea can take refuge. It may sound poetic, but it's also true.

Seeing this land protected from developement would bring a sigh of relief from many individuals, myself included. I hope you will consider Overlo

Park as a worthy selection, and that this jewel
will continue to house its original inhabitants and
allow people to enjoy its wonders for time to come.
Thank you.

Sincerely,

Val
Valerie Connor

PO Box RDO

Homer AK 99603-899

2/21
Val

RECEIVED
FEB 13 1998

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

February 7, 1995

Trustees, Exxon Valdez Oil Spill Council
645 G Street, Suite 402
Anchorage, AK 99501

Dear Trustees,

Please acquire Overlook Park for
habitat protection. Overlook Park is
an important part of the terrific
views enjoyed from the Sterling
Highway Overlook.

Thank you for your consideration.

Sincerely,

George E. Smallwood III
George E. Smallwood III
P.O. Box 3371
Homer, AK 99603-3371

Ken 2/9

Barbara Beeman
PO Box 3014
Kenai, Alaska 99611-3014

RECEIVED
FEB 7 1995

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

Trustees,
Exxon Valdez Oil Spill Trustee Council
645 G Street, Suite 402
Anchorage, AK 99501

Ladies and Gentlemen:

When you discuss land acquisition on February 13th, please include the Overlook Park area near Homer for purchase by the Council.

This small parcel is the gateway to Kachemak Bay and the Homer area; please provide protection from development there. The tide pools of the area are in danger of damage if they are not safeguarded. This area does fall under the guidelines of restoration property that can be purchased by the Council.

The Overlook Park area is so beautiful and relatively untouched. Please help preserve this special place for future generations.

Sincerely,

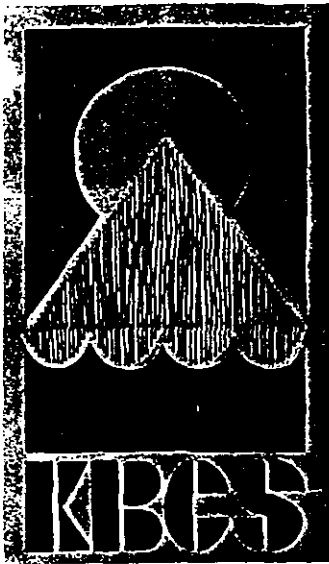


Barbara Beeman



Feb 8, 1995

2/14



Trustees
Exxon Valdez Oil Spill Trustee Council
645 G St,
Suite 402
Anchorage, AK 99501

RECEIVED
FEB 10 1995

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

Dear Trustees,

The Kachemak Bay Conservation Society has actively supported the Overlook Park acquisition for many years. This unique area, really the

Gateway view for visitors and residents arriving in Homer and Kachemak Bay, is right below the current visitor center for Kachemak Bay State Park. The land is adjacent to tide pools which represent the only habitat of this type on the north side of Kachemak Bay. It has very fragile soils that are exceptional prone to erosion and solifluction when disturbed. Erosion will increase silty deposits on the delicate tidal pools located beneath this bluff land.

Since this land meets the Trustees' criteria for restoration of habitat and wildlife damaged by the oil spill, we hope it will be given serious consideration. I personally have visited all the lakes in the area and walked most of the terrain. It is valuable habitat for moose, blackbears, muskrats, waterfowl and eagles.

This Overlook Park would enhance the Kachemak Bay State Park visitor facility on the Sterling Highway and would preserve a valuable marine ecosystem on Kachemak Bay's north shore. The KBES urges you to purchase this important small parcel to mitigate for damage to the outside coast of KB State Park. Thank you.

Sincerely, A. J. D. + P. J. D. +

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re: Overlook Park in Homer

2/8/95

RECEIVED
FEB 13 1995

Dear Trustees:

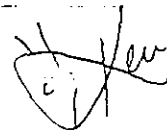
EXXON VALDEZ OIL SPILL
—TRUSTEE—COUNCIL

I'm writing to request your acquisition of Overlook Park this month, when you finalize choices from the top 15 parcels. This fragile parkland would erode quickly with development, and its value intact is clear, given the outstanding tidal pools with walking access from Homer. As one of a group who sought to protect the land from development in '85, when the governor vetoed a legislative appropriation that ^{would have} created a state park based on community petitions & lobbying — I would be saddened to now see the land sold for development. We the "owners" can no longer carry this land into the future as private citizens; we applaud state parks' selection of the land as top priority for acquisition, and we hope you too will see its value as a protected public access. The community has continued to rally support for its preservation, and I hope you will respond by making Overlook Park one of your final selections.

Sincerely,

Sharon Winkler

Box 1529, Homer, AK 99603

 2/8/1



February 9, 1995

RECEIVED
FEB 10 1995

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

Exxon Valdez Oil Spill Trustee Council
645 G Street, Suite 402
Anchorage, Alaska 99501

[Handwritten signature] 2/14

Dear Trustee Council members,

We are very pleased to hear that both the Overlook Park property and the Bullock property adjacent to it have made the first cut in your selection process for small parcel acquisition.

This letter is to reiterate Kachemak Heritage Land Trust's position that each of these parcels is of great habitat value and when combined are especially valuable. The Overlook Park parcel is important because of the upland wildlife habitat and the unusually rich marine intertidal ecosystem adjacent to it. Mr. Bullock's land is the only potential upland access to Overlook Park and is in immediate danger of development which will erode the bluffs and damage both the bench and the tide pools below.

Purchasing these lands together would eliminate potential threats to key habitats of injured species, create enhancement opportunities for resources and services, improve management of lands that contain linked habitats, and facilitate access to public lands and resources. If it is not possible to acquire both properties, KHLT recommends pursuing Overlook Park first.

As we stated in an April 1994 letter to the EVOS Trustee Council, KHLT would be willing to hold and/or manage small parcel acquisitions in our area. KHLT is a non-profit 501 (c)(3) organization dedicated to preserving for public benefit: land with significant natural, recreational, or cultural values by working with willing private landowners. Neil Johannsen, Director of Alaska State Parks has also offered to manage the Overlook Park property if you acquire it (copy of letter enclosed).

We appreciate your time and care in this process and wish you well.

Sincerely,

[Handwritten signature of Barbara Seaman]

Barbara Seaman
President

February 10, 1995

RECEIVED
FEB 13 1995

Trustees,
Exxon Valdez Oil Spill Trustee Council
645 G street, Suite 402
Anchorage, AK 99501

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

Re: Acquisistion of Overlook Park, Homer, Alaska

Please be advised that I strongly support the acquisition of the Overlook Park, located off the Sterling Highway on the approach to Homer.

Every newcomer to Homer stops to admire the view that includes the Overlook Park. We did in the 1960's -- and thrill to its beauty to this day. Our boys explored that area in their teen years, we have explored it too. It is a little gem that needs to be preserved, not only for the wildlife that call it home, but for all of us.

Please give the Overlook Park permanent protection by acquiring this parcel.

Thank you.

Sincerely,


Mildred M. Martin
P.O. Box 2652
Homer, AK 99603

 2/21

FAX 276-7178

RECEIVED
FEB 10 1995

Trustees
Exxon Valdez Oil Spill Trustee Council
645 G. Street Suite 431
Anchorage, Alaska 99501-3451

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

Dear Trustee Council Member:

I am delighted to know that Overlook Park, a 97 acre parcel just west of the Homer City limits and owned by Cronland, Geisler, Lloyd, McNiven, and Whytal, has met the criteria for selection for small parcel habitat protection. Public acquisition could do much to protect the rocky tidal pools adjacent to this land with their unusually rich intertidal and subtidal marine life. The wildlife habitat on the land and below the land includes Harbor Seal haulout areas, Bald Eagle nests, Harlequin duck feeding areas, and intertidal and subtidal habitat for hundreds of invertebrate species. I request that this parcel be placed at the top of your priority list for small parcel acquisition.

I have hiked to Overlook Park twice this year, once by walking the approximately three miles from Bishop's Beach (just off of Main Street in Homer) and once by hiking a trail on other private property from Mt. Augustine Drive. On the beach hike, I was dismayed to note the slides and heavy erosion that surrounded every road and well-used trail to the beach on the entire hike from Bishop's Beach to Overlook Park. Local biologists have documented a decline of invertebrate marine life in test sites on the beach near Overlook Park since 1989 which they think is related to erosion and silt.

I also request that you acquire the adjacent property east of Overlook Park, owned by Michael Bullock and known as Country Club Estates 1, 2, and 4. The reasons I hope you acquire Bullock's land are that (1) the rocky tidal pools extend beyond the boundaries of Overlook Park west and east, including the water frontage of Bullock's land, (2) his land meets the criteria for small parcels, (3) it would provide access from Mt Augustine Drive to Overlook Park which is quicker than the beach access (4) if you don't acquire his land, he is planning a large residential subdivision which would certainly add to erosion.

Because of the actual and potential erosion to the steep bluffs in Overlook Park and on Bullock's land, I think both parcels should be acquired, combined, and used for habitat protection and habitat viewing from the Sterling Highway Scenic Overlook and State Park Headquarters. Another possible use would be a low impact park for hikers only, which most residents and visitors to Homer probably would prefer. Of the two parcels, Overlook Park is the most important because of its extensive beach frontage which includes and is adjacent to more of the delicate marine ecosystem.

Sincerely yours,

Amy Bollenbach

Amy Bollenbach

Trustees
Exxon Valdez Oil Spill Trustee Council
645 G St., Suite 402
Anchorage, AK 99501

February 10, 1995

Dear Trustees:

I understand that small parcel acquisition is on your agenda for February 13. Please consider this a voice in favor of Overlook Park on the north shore of Kachemak Bay near Homer.

I've personally walked to this area more than once. So much of South Central Alaska is mountainous and inaccessible to older persons, that it's a wonderful change to be able to walk on flat beaches. I'm 52 and my companion is 75.

Of course, you don't protect habitat just for the convenience of humans, but for the many land and sea creatures whose very survival depends on open space. I know that the Kachemak Heritage Land Trust has presented you with data on the importance of this tidepool area for marine invertebrates, fish, sea mammals and birds.

Because land for the proposed Overlook Park is now in private hands, the danger of development is both real and imminent. I can think of no better parcel in this area so deserving of your purchase.

Sincerely,

Diana Conway

Diana Conway
Box 6461
Halibut Cove, AK 99603-6461

296-2225

Ken 2/14

Gregory S. McIntosh
The Narrows
Box 6404 Halibut Cove, AK 99603

2/12/95

Trustees
Exxon Valdez Oil Spill Trustee Council
645 G Street
Suite 402
Anchorage, AK 99501

Dear Trustees:

We understand the Trustees have "short-listed" the Overlook Park Site, Homer, for acquisition. As a residents of Halibut Cove, my wife and I strongly urge the Council to acquire this piece of property as it contains habitat, unique to the north side of Kachemak Bay. Of particular value are rocky tide pools which provide habitat to a number of important marine species. Loss of this habitat through development would degrade land values of adjacent property.

Mrs. McIntosh and I moved to Alaska from south Florida because of such development. Little by little, coastal parcel after coastal parcel was developed. Development of one parcel fostered development of the remaining bits of land. Soon, the very attributes which had attracted thousands of visitors to become residents were destroyed by the very people who had come to enjoy those attributes. We would not like to see the same sort of thing happen here.

Therefore, by means of this letter we urge the Trustees to purchase "Overlook Park" in order that its environmental uniqueness may be preserved so that the residents and visitors to the lower Kenai may enjoy them in the future.

Sincerely,


Gregory S. McIntosh


Suzanne F. McIntosh



PO Box 1281
Homer, AK 99603
February 27, 1995

Exxon Valdez Oil Spill Trustee Council
645 G Street, Suite 402
Anchorage, AK 99501

Subject: OVERLOOK PARK, HOMER

The other day I was up at Bay Crest hill here in Homer, and as always, I stopped at the Sterling highway overlook to walk over and take in that wonderful panorama of Kachemak Bay and lower Cook Inlet. Is there anyone who has not been impressed by this magnificent view? The tide was low and so off of the line of spruce trees far below the dark rocks of the tide flats were silhouetted against the sun-glinting pools and mud flats which make this such an important intertidal area on this side of the water. The four small lakes on what is locally called the 'slide area' were frozen and I could readily imagine the tracks of moose, possibly a bear, and a variety of canines and birds criss-crossing back and forth as I have seen them on winter hikes down there.

It is possible to clamber down the steep cliffs of Borough land, starting more or less directly from the overlook -a group of us did it once- but I would not wish to try to return by the same route!

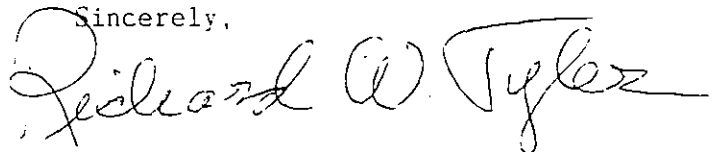
Back in the 60's there was a little talk of using this site for a college campus -but, of course, nothing came of it (Access would have been impractical). There have been other schemes, including those of the present owners to develop a remote-access only retreat of some sort. You may recall that there was even an earlier strong attempt to encourage the State to acquire this important site. Now it is before you, the Trustees and, for myself as a longtime resident here, I can think of no more appropriate solution to guarantee that this pristine area will always remain as everyone remembers it and enjoys it still.

After one last fond gaze down past the two bald eagles slowly circling below me in the updraft, I vowed to write one more letter in support of this unique and ever-popular piece of our natural scenic Alaskan wonderland.

RECEIVED
FEB 28 1995

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

Sincerely,



Richard W. Tyler

March 5, 1995

Dear Trustee Council,

I've lived to the east of the
"Country Club Estates" for 2 years.

My cabin overlooks this area,
which adjoins the Overlook Park below
Bay Crest Hill at the "gates of Homer."

A year or two following the oil spill,
I heard from two long time residents
Richard "Bumppo" Bremicker and
Jane Middleton, (biologist), that there
had been a dramatic decline in the
tide pool life, in the past few years,
along the Overlook park shoreline.

Jane & Bumppo had both been
visiting the area for 20 years. In
that time they reflected that the

difference in the tide pool life went from
"very rich" to "nearly dead."

I urge you to protect this very special
zone, the most awesome area near Homer
in my opinion.

I am very concerned about the road
that has been started to access the
beach on the Country Club Estates property.
If this switch back road is ever successfully
completed, there would be many motorized
vehicles accessing the beach by this route.
The wildlife would no doubt be affected.

Last year I saw several moose as
well as a sow and 3 cubs in this area.
The bears were black with brown noses.

Also last year, I saw a pair of
coyotes bounding along the beach, and then
later saw ^{them} on my property.

There are many, many soaring eagles
in this area, as well as swarms of smaller birds.

There is one Key favored eagle's
roost in a huge spruce tree over
the beach on the Country Club Estate
land. For awhile I thought there was a
nest in it. I'm sure ~~there~~ ^{there are} nests in the area.
The beach in this zone is

different than I've seen anywhere;
it is mainly, ^(or wholly) composed of huge rock
blabs that have varied depressions.
Large boulders sit upon the hard
beach floor. They have tiny barnacles
+ mussels.

Two years ^(in the summer) ago there were more
otters in the area. I believe
that this area has declined in
sea life and I urge your support
in helping it recover.

What an opportunity to protect
such a place — for the wildlife,
local residents and visitors from

around the world to marvel at.

Sincerely,
Linda Redman

Linda Redman
P.O. Box 2731
Homer, AK 99603
(2411 Tanja Count)

RECEIVED
MAR 6 1991

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

P.O. Box 3593
Homer, AK 99603

Exxon Valdez Oil Spill Trustee Council
645 G Street
Suite 402
Anchorage AK 99501

RECEIVED
MAR 1

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

Hello:

I'm writing with regard to the Exxon Valdez Trustee Council's consideration of the purchase of the Overlook and Country Club Estates parcels, located on the north side of Kachemak Bay, near Homer, AK. My reasons for acquiring these lands are simple. The Overlook parcel offers unique access to marine intertidal life and marine mammals on the North side of Kachemak Bay. The adjacent Country Club Estates parcel, which is threatened with development, offers wildlife habitat for moose and bear and provides upland access to the Overlook parcel. These two parcels offer marine and terrestrial wildlife habitat that is easily accessible to the public from the Sterling highway (the public does not have to hire a water taxi to access the area). For these reasons I urge the council to purchase these two parcels with restoration funds.

Thank-you for the opportunity to express my desire to see these lands acquired for habitat protection.

Sincerely,

Mark Schollenberger
Mark Schollenberger

3/8/95

**KACHEMAK BAY STATE PARK
CITIZEN'S ADVISORY BOARD**

P.O. Box 3248
Homer, Alaska 99603

DAVE STUTZER, CHAIRMAN

Resolution 95-2

Resolution in support of small parcel acquisition of Overlook Park (KEN 55 and Baycrest (KEN 12)

Whereas, the Kachemak Bay State Park Citizen's Advisory Board whose membership includes citizens appointed by the Director of Alaska State Parks to advise the Division of Parks and Outdoor Recreation regarding management issues and make recommendations, and

Whereas, this board has a long standing history of support for the management of properties important for the health and welfare of the people, and

Whereas, this board has the same long history of support for the inclusion of properties important for habitat and resource protection into the State Park system, and

Whereas, the Overlook Park and Baycrest properties meet all criteria for small parcel acquisition, are a logical inclusion into the State Park system and have a wide public support in the Homer area for such inclusion,

We resolve, by unanimous vote, that the acquisition and protection of these parcels is important to the people of Alaska and for the management of the habitat and resources therein.

Resolution approved:



Dave Stutzer, Chairman, KBSP Citizens' Advisory Board

Approved March 8, 1995

RECEIVED
MAR 20 1995

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

Kachemak Bay State Park Citizens Advisory Board

March 8, 1995

Resolution

regarding: Overlook Park (ID KEN 55) and Baycrest (ID KEN 12)

Whereas Overlook Park was ranked of Moderate importance and in the first fourteen of your ranking for parcels that merit acquisition, and

whereas the 97 acre Overlook Park is valuable for habitat protection because of extensive tidal pools, intertidal habitat, and a bench with open meadows, bogs, freshwater ponds, and a variety of birds and mammals including moose and bear, and

whereas the intertidal habitat contains an especially diverse flora and fauna, and

whereas Overlook Park is situated below the Sterling Highway scenic overlook west of Homer and is part of the magnificent view of Kachemak Bay and Cook Inlet that is enjoyed by residents of and visitors to Homer, and

whereas Neil Johannsen, Director of the Division of Parks and Outdoor Recreation, has stated that the Division would willingly act as the principal managing agency "since the parcel is in view of and in close proximity to our existing Homer ranger station and would not create an undue burden on our ability to operate and maintain other state parks in the area", and

whereas Baycrest is a 90 acre parcel east of Overlook Park which would provide upland access to it, and

whereas Baycrest is in imminent danger of development which would erode the bluffs and damage both the bench and the tidal pools, therefore

be it resolved that the Kachemak Bay State Park Citizens Advisory Board request the Exxon Valdez Trustee Council purchase these properties due to their importance to the spill affected area and their contribution towards the restoration of lost values and services. If a choice must be made between the two, Overlook Park is the higher priority.

signed:



David Stutzer, Chair

KEN-55

PHONE COMMENT LOG

Name: Michael McBride Affiliation: calling from Hawaii - on island
Represents: Kachemach Her Tage Land Trust
CENTR for ALASKAN Coastal Studies

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

Date of call: 3-7-95 Comment taker: J Yockey

Subject of comments:

Comments: Re: Chuma Foot Bay - KEN-20 (low)
Overlook Park - KEN-55 (moderate)

wanting to fax written support for
these parcels. Explained where we are
in the process at this point. Asked
him to send small Parcel Volume III +
nominations form to: c/o Mills
PO Box 4612
Ketchikan, Id 99901

I told him KEN-20 would remain on
the active list.

He has identified species on the parcels
that were affected by the spill.

Colleen Herning-Wickens
P.O. Box 80628
College, AK 99708

RECEIVED
MAR 22 1995

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

March 18, 1995

Exxon Valdez Oil Spill Trustee Council
645 G Street, Suite 402
Anchorage, Alaska 99501

Dear Chairperson:

I am writing to urge you to purchase Overlook Park and the adjoining Country Club Estates, the small parcels in the Homer area which meet your criteria for acquisition for habitat protection. These properties provide a haven for a variety of wild animals who otherwise would be driven back further in the mountains and away from the coastal life that nourishes them.

My family has been visiting this area for 20 years and, due to the relatively intact state of Overlook Park and Country Club Estates up until this time, this tract of land has maintained the true flora and fauna indicative of the Kenai Peninsula and the Cook Inlet tidal bioregion. Your purchase of these two properties would prevent the destruction of this unique spot and make it available to visitors from all over Alaska and the world to appreciate its value.

You have an opportunity to save this habitat for future generations and aid in its continuing role as a wildlife treasure trove. The animals, birdlife and marine life that use this piece of the earth cannot thank you for your generosity and understanding but I will and the many others that love the Homer area and the Kenai Peninsula.

Sincerely Yours,

Colleen Herning-Wickens

Colleen Herning-Wickens

CITY OF HOMER
HOMER, ALASKA

Cushing

RESOLUTION 95-24

A RESOLUTION OF THE CITY COUNCIL OF HOMER,
ALASKA SUPPORTING THE ACQUISITION AND
PROTECTION OF OVERLOOK PARK AND BAYCREST
WHICH ARE IMPORTANT TO ALASKA AND TO HOMER.

WHEREAS, the 97 acre Overlook Park situated below the Sterling Highway scenic overlook west of Homer is a bench of open meadows, bogs, freshwater pounds and home to a variety of birds and mammals including moose, bear and eagles and is a pristine and fragile habitat unsuitable for commercial/residential development; and

WHEREAS, strong community support in the form of signed petitions in the past has indicated its ideal use as a park; and

WHEREAS, Overlook Park (parcel ID KEN 55) is currently under consideration for purchase by the Exxon Valdez Oil Spill Trustee Council for habitat protection and restoration; and

WHEREAS, Neil Johannsen, Director of Alaska State Parks, has stated that this parcel has habitat, scenic, and recreation value and that Alaska State Parks would willing act as the principle managing agent "since the parcel is in view of and in close proximity to our existing Homer ranger station and would not create an undue burden on our ability to operate and maintain other state parks in the area"; and

WHEREAS, in addition, parcel Baycrest (ID KEN 12) adjacent to Overlook Park is a logical addition, its natural systems being contiguous with the latter; acquisition of this parcel could facilitate access to Overlook Park and to the intertidal areas zones of both parcels; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of Homer, Alaska supports the acquisition and protection of Overlook Park and Baycrest which are important to Alaska and to Homer; and

BE IT FURTHER RESOLVED that the City Council of Homer, Alaska requests purchase of these properties by the Exxon Valdez Oil spill Trustee Council, noting that if a choice must be made between the two that Overlook Park is the higher priority.

PASSED AND ADOPTED BY THE CITY COUNCIL OF HOMER, ALASKA this 3rd day of April, 1995.

CITY OF HOMER


HARRY E. GREGOIRE, MAYOR

ATTEST:


MARY L. CALHOUN, CITY CLERK

David Swarthout

OnLine Services of Homer

P O Box 671

Homer AK 99603-0671

Overlook Park

To the Trustees,
EXXON VALDEZ OIL SPILL TRUSTEE
COUNCIL

I am writing in support of the proposed Overlook Park site near Homer.

The area is a beautiful and as yet unspoiled parcel, accessible from the ocean shore near Homer. It is relatively pristine habitat, a mixture of old-growth spruce, grassy meadow, natural freshwater ponds and rugged sea shore. Many birds and animals use the area year round. As a hiking destination, it offers an unparalleled opportunity for people that can't treat themselves to some of the more rugged wilderness for which Alaska is justly famous. By its proximity to the City of Homer, this area has characteristics that make it highly desirable for just such a foot-travel destination. Please protect this special area for future generations to enjoy.

I know you will give my recommendation your careful consideration

Sincerely,

David J. Swarthout

April 6, 1995

58335 East End Rd.
Homer, Ak 99603

Exxon Valdez Oil spill Trustee Council
645 G street, Suite 402
Anchorage, Ak. 99501

Dear Trustees,

I am writing to urge you to support acquisition of the Overlook Park north of Homer. There are many good reasons for acquiring these lands - providing beach access, preventing erosion from development and protecting marine and bird life that inhabits this area, but I must admit I am partial to the area for a more sublime reason.

When I first came to Homer I pulled off at the scenic overlook (as thousands do each year) and was spellbound by what I saw. My eyes followed the finger of sandy spit pointing halfway into the austere blue of Kachemak Bay to the green-clad mountains and aqua glaciers across the bay. Mount Augustine puffed a stream of smoke out in Cook Inlet and Cape Douglas and the Barren Islands were visible to the south. It was at that moment that a seed began to grow in me and I began to contemplate moving here. That was nineteen years ago and I've been a happy resident ~~ever~~ since.

I return to this spot many times and **never** cease to be enchanted by its spell. It is one of those places that immediately affirms the reason why I live in Alaska. I am sure countless visitors and residents alike are also touched by this spot. It would be sad indeed if this flawless view, with its bluff lakes and inviting beach just below, were ever to be developed. I hope you will do all you can to help preserve this land for future enjoyment and protection.

Sincerely,

Steve Hughes

RECEIVED
APR 10 1995

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

Tutka Bay Lodge

Beyond the End of the Road

Jon & Nelda Osgood
P.O. Box 960
Homer, Alaska 99603
(907)235-3905

RECEIVED
APR 12 1995

April 10, 1995

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

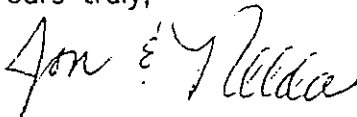
Trustees
Exxon Valdez Oil Spill Trustee Council
645 G Street, Suite 402
Anchorage, Alaska 99501

Dear Trustees,

We own and operate a small nature lodge on the south shore of Kachemak Bay. The 1989 Exxon Valdez oil spill affected us severely both financially and psychologically.

You now have an opportunity to acquire and set aside for habitat protection a lovely piece of property on the Homer bluffs - Overlook Park. We hope you will decide to use restoration funds to purchase this unique land.

Yours truly,



Jon & Nelda Osgood

Box 1417
Homer, AK 99603
April 13, 1995

RECEIVED
APR 14 1995

Trustees
Exxon Valdez Oil Spill Trustee Council
645 G Street, Suite 402
Anchorage, AK 99501

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

Dear Trustees,

Thank you for this opportunity to comment on the small parcels selected for acquisition by the Trustees Council.

I enthusiastically support your acquiring the Overlook Parcel identified as KEN 55. This parcel first touched my heart when I arrived in Homer over 20 years ago and stopped at the top of the Baycrest Hill to enjoy the breath-taking view across this property to the expanse of Cook Inlet and the mountains beyond. Now there is a designated scenic turnout on the highway at this spot and I still stop here to share the experience with visiting friends and relatives.

Rooftops and roads would destroy this dramatic introduction to Homer.

Development would also adversely affect the wildlife that calls this home. Bald eagles, ducks, cranes, and song birds live among healthy stands of spruce and birch trees.

Protection would save natural vegetation and wildlife for the enjoyment of present and future generations of Alaskans and visitors.

I am familiar with several of the parcels on the acquisition short list and recommend this one as the most important among them. Please add my support to acquiring Overlook Park.

Sincerely,

Mary Griswold
Mary Griswold

RECEIVED

APR 18 1995

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

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

Please support the small parcel acquisition of Overlook Park,
Homer, on the Kenai Peninsula.

This property includes a valuable intertidal zone which has present
species damaged in the Valdez spill.

Acquisition of this property for a relatively small outlay of
available Trustee funds will help preserve these threatened
species.

Sylvia Cassidy

SYLVIA CASSIDY
P.O. Box 2004
Homer, AK 99063-9904

April 14, 1995

PHONE COMMENT LOG

Name	Affiliation	Phone	Address
Charles Morris	Resident		P.O. Box 906 Homer, AK 99603

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

Date of call: 4-25-95 Comment taker: Keri Dike

Subject of comments: Homer small parcels
re: the Tulin Parcel

Comments: Very much against T.C. purchase of
Tulin property

1) The timber has already been high graded.
2) Fallen timber lying around will create
insect hazard.

3) Any road at or to Diamond Creek will
be next to impossible to maintain, so
no beach camp ground access will be
possible. The ground is too unstable.

He is concerned that Trustee Council
is being cheated. It looks to him like
a political payoff.

Would rather see the money spent on
a Homer base-line study. If Campground
is a must, TC should try to buy Anchor Pt.
property.

- Supports purchase of Overlook Park. KEM-55

EVOS Trustee Council
645 G St #402
Anchorage, Alaska 99510

PO Box 1281
Homer, Alaska 99603
June 15, 1995

Dear Sirs:

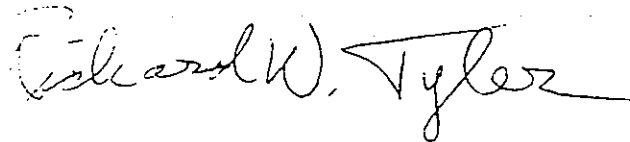
I am writing to express my enthusiastic support for the small-parcel acquisition of the so-called Fox Farm property which spans the peninsula (known locally as the 'Island Peninsula'), facing south on China Poot Bay and North on Kachemak Bay looking out to Gull Island Rookery.

This 26+ acre parcel (Ken 20 -U. S. Survery #1539) has importance far above its small size as has been well documented in your letter of March 14 from Mike McBride. To me, the most critical protection need for this parcel is the existence of the large midden on the China Poot beach which has still never received much carefully documented excavation. There is considerable local speculation that this is the site that Jokelsohn mentions having been taken to from his brief camp on Yukon Island in the late 18 hundreds. This is a very intriguing possibility. The site is now mostly well overgrown with young spruce trees which protects it to some degree.

There is only one bit of information that I need to add to Mr. McBride's thorough analysis of the various ~~the~~ many incidences of use of this parcel by EVOS 'injured species': that is that just off of the Kachemak facing cliffs of this property is a small rock in the intertidal area which has the local name of 'Black Oystercatcher Rock' where these birds are quite regularly seen feeding in the proper season. The rock, of course, is not part of the property, but the presence of this species in the area on a feeding -but not a nesting- rock is significant.

Whatever final arrangement is made for oversight of this parcel, it would seem to me to be an important addition to your many accomplishments.

Thank You,



Richard W. Tyler
PO Box 1281
Homer, Alaska 99603

P.S. I realize that the various properties being contemplated by you folks at present are each different and each have separate merits: making it difficult to judge between them. In so far as general use by the public (and by use, I mean here primarily the ability to be seen by almost everyone) The two Overlook Parcels to the West of Homer still strike me as the most important to be acquired by EVOS. However, protection of the midden on Ken 20 would get my second vote, with perhaps the Tulin property along the mouth of Diamond Creek as a third place nominee if arrangements can be made to turn it into a managed camp ground which this ^{area} truly needs.

RECEIVED
JUN 19 1995

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

7/14/95

Dear Molly,

I thought these articles might be of interest to you.

This was to have been the Nature Conservancy's 1st project in Alaska.

Paul Fischer balked.

In one of the articles I mentioned the presence of 3 eagles nests in the valley. When I last looked for the one visible from the

Overlook through binoculars. I couldn't find it. 10-12 years ago I watched eaglets in the nest from the overlook waysides.

Another nest was in the meadow on private land to the N.E. + one was on Ciri land to the W.

Best wishes

George Rydley
938 Arapahoe
Boulder, CO 80306

RECEIVED
JUL 20 1995

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

The Nature Conservancy

Washington/Alaska Field Office
1601 Second Avenue, Suite 910, Seattle, Washington 98101
(206) 624-9623

RECEIVED
JUL 20 1985
EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

January 31, 1985

Senator Paul A. Fischer
Senate District D.
Box 784
Soldotna, Alaska 99669

Dear Senator Fischer:

This is to acknowledge our receipt of your letter requesting our assistance in the acquisition of the Abbott property near Homer. We were very pleased to learn of your strong support for the project, and are now in the process of obtaining an option from the owner based on your interest and optimism regarding the needed appropriation.

Since we hope to secure the land for park purposes and protect it for the future, we have offered to pay \$10,000 for an option until the end of this fiscal year. This option payment is non-refundable, so we are in effect "betting" that amount in anticipation of your success in securing the needed funding for the purchase. If the appropriation is made and approved by the Governor we will exercise the option, purchase the property, and later transfer it at our cost to the DNR.

I plan to be in Juneau for the latter part of next week, and hope that we will have an opportunity to meet at that time. I would like to be able to bring you further up-to-date on our efforts to secure the Homer property and also to provide you with some information regarding our efforts to establish a new Alaska Natural Heritage Program. We sincerely hope that you may be able to assist us in this effort.

Sincerely,



Elliot Marks
Washington/Alaska Director

em:mlm



Grass-roots effort needed to protect Bluff Point

by George Ripley

There are very few people in this town, both resident and visitor, who have not shared in the enjoyment of one of this region's simplest and yet most profound pleasures. Some have been so awe-stricken by their first view of Kachemak Bay that they knew immediately that this would be their home. The Kachemak region weaves an almost magical charm. Even long-term residents are not jaded by the experience and take pleasure during all the seasons of the year in driving up to the edge of town to get a new perspective on the setting sun or the magnificence of Southcentral Alaska. During the summer months the wayside overlooks atop the hill are continuously full of excited visitors, almost all of whom get out of their cars to fully appreciate the powerful beauty of the high headland that is Bluff Point, the gateway to Kachemak Bay. These waysides are the type of charismatic place where it would be appropriate to hold an Easter morning convocation. Carnivals can in no way match the natural splendor of this setting.

"Welcome to Kachemak Bay" the sign says, and as people stumble from the confinement of their cars they are happily struck again and again by the beauty that surrounds them: Mount Iliamna, Augustine, Cape Douglas, the Shelikof, the Kachemak Alps, the Spit; boats and ships of all kinds heading to and fro on the seas below; songbirds and eagles in the air above and, spread at their feet, a perfect cameo of the wilderness they've hoped to find.

With lakes, meadows, forests and beaches, this beautiful cameo known as "the valley" gives peace to weary souls. It also provides for an exceptionally vital wild habitat. Three eagle nests exist in the valley. From the overlooks with binoculars one can see eaglets in the nest. Moose, bear and coyotes roam the woods and meadows. Beaver and swans can be seen in the lakes. Seals and sea otter fish the rocky tidepools of the rugged headland. Huge schools of salmon hug the shore as they move up Cook Inlet. Several species of whales can be seen from above as they feed offshore.

In 1984 the community of Homer gave broad support to an effort to make the valley a part of the state park

Moose, bear and coyotes roam the woods and meadows. Beaver and swans can be seen in the lakes. Seals and sea otter fish the rocky tidepools of the rugged headland. Huge schools of salmon hug the shore as they move up Cook Inlet. Several species of whales can be seen from above as they feed offshore.

system. The Chamber of Commerce and the city quickly recognized its value to the tourism industry as the very "gatepost" to Kachemak Bay. Fish and Game biologist Dave Holdermann recognized the valley as a unique and richly condensed micro-habitat. Borough officials, highway officials, parks officials, legislators and the state resources commissioner all gathered in Homer and agreed that this project was eminently worthy and should be put on the "front burner." The Seattle director of the Nature Conservancy was present and said that he had "never seen a bureaucracy say 'Yes!' to a project so quickly." Helping the state to acquire the valley was to become the Nature Conservancy's first Alaska project.

So what happened? The project sped quickly to the office of a freshman legislator in Juneau where it was ignored. It made a token appearance on the final budget but then was cut by the governor and the valley was back up for grabs.

About that time newcomers drove over the crest of the hill, stopped at the overlook, and decided to make their lives in Kachemak Bay. When they drove to town they discovered that the beautiful valley was for sale. Concerned that nothing mar the beauty of their new home, they successfully set about buying the property themselves in an attempt to protect it until such time that it could become a park. That has been their hope, yet their ability to continue holding the land has nearly come to an end. It is once again for sale. Now is the time for the community to again request of the state whatever moderate sum is required to protect the valley (a mere 250 acres) for the benefit of all and

future generations — this valley that has been recognized by all experts as having outstanding and unique value.

What needs to be done? Grass-roots networking, lobbying, educating, planning, negotiating. It won't be an easy job regardless of its popular appeal. The groundwork needs to be done by volunteers working through a volunteer organization. The community at large needs to show its support.

An educational/interpretive display placed in the wayside overlooks could help in the nonpolitical education of the traveling public — there should be a display there anyway; those waysides are a very neglected public asset.

A well-organized petitioning effort could probably raise 2,000-3,000 signatures by Labor Day. (The previous effort 9 years ago netted 1,200 signatures in April and May.)

Private donors interested in protecting the beauty of the region could be sought for tax-exempt contributions.

The borough, the state, and the Exxon Trustees Council could all be requested to help.

The owners would be willing sellers.

On the subject of access it is considered that the primary value of the valley is as a viewing park, similar to the Grand Canyon. Wildlife observation and habitat protection will remain the primary objective. Current means of access would not be enhanced in the foreseeable future.

Gov. Hickel's editorial in the 6/29/93 Homer Tribune underscores the reason to protect the Overlook Park: "At 62%, Alaska tied with Vermont for first place among states where residents rank their first interest as wildlife viewing or photography."

This may well be an idea whose time has come, provided that at least one committed individual assumes the job. That it comes so quickly on the heels of the saving of Kachemak Bay State Park serves to provide notice that Kachemak Bay deserves recognition as being synonymous with "park land."

George Ripley spent 16 years as a local parks advocate and currently resides in Dutch Harbor. He can be reached by calling 581-3444.

1/8/93

Homer News

News
Homer
June 7 '84

East rem

Money for the Road project is until the reconvenes, but has the support of Transportation Commissioner Knapp.

According to two bills, SB173, both contain the \$50,000 needed for final plans for the road.

The \$850,000 Bill Sheffield is trying to find for the road. It is also in SB173.

"It's not dead yet," Mr. Knapp says. The matter will be decided when the legislature reconvenes next Friday.

Mr. Knapp supports the idea of the East Hill Road recently flown miles in question. It has never driven road during the past year. "I probably could have made it up," he said.

He said a lot of people on the hill and down the road daily.

"Something is being done," he said. "It's expensive, but the cost of the road is at over \$6 million."

The \$850,000 in SB173 will be used for purchasing rights-of-way, relocating utilities, and other things. Knapp said he has a chance of that being passed by the legislature. "It's being put up, being anything else, temporary fix-up."

"There is only one way to do it and that's the way," he said. "We'd keep the money after that."



Photo by Hal Spencer

Standing on the bluff at the top of Baycrest Hill, George Ripley points out various parts of the proposed Overlook Park to Div. of Parks Director Nell Johansen, right, Borough Mayor Stan Thompson, left, and other visiting officials, Friday afternoon.

State, borough officials view park site

State parks and transportation officials toured the site of a proposed park below Baycrest Hill last week, and said they would pursue development of a "Homer Overlook Park."

After seeing the land they met at City Hall to discuss the proposal. George Ripley, local resident and promoter of the park, said he was assured by the department representatives that they would pursue the proposal within both the state division of parks and Dept. of Natural Resources.

"The development would create an aura in Homer of parks," Mr. Ripley told the gathering. "It would say, welcome to one of the park areas of Alaska."

The proposed park would be a 250-acre valley at the foot of the bluff north of town. Included

in the arrangement, is a plan to upgrade the turnoffs at the top of the bluff which is a natural scenic draw to tourists.

"We got a solid commitment by the state to pursue this park as a priority," said Mr. Ripley. "I walked out of the meeting feeling totally relieved as if they'd lifted the entire project from my shoulders."

"The Homer City Council has already called on the Alaska Dept. of Natural Resources to study the possibility of incorporating the area into the state parks system. Soon after, the Student Council of Homer High School endorsed the idea."

Some of those at the meeting included Skip Harding, Jack Wiles, and Bill Garry of the Div. of Parks, Jim Barnett of the Dept. of Natural Resources and Elliot Marks of the Nature

Conservancy.

Rep. Milo Fritz, R-Anchorage, and Sen. Paul Fischer, R-Soldotna, have indicated they would sponsor legislation in its behalf. Well over 1,000 local residents have signed petitions favoring the park.

Eighty acres of the land is designated as Kenai Borough land. The state owns 11 acres, while 46 acres are native owned. Some 169 acres, more than three-fifths, is held by three individuals.

Borough Mayor Stan Thompson and Assemblywoman Marilyn Dlimmick were at the meeting, and each agreed they saw no problem in convincing the assembly to give up their 80 acres in exchange for other state land.

Jack Wiles of the Div. of Parks, said he would push for development funds at the same time as acquisition money to ensure the park's completion.

Several schools of thought surround development of the park itself. Some favor doing nothing to make access down the steep bluff any easier.

According to Mr. Ripley, the slope is not as treacherous as it might seem, and safe paths and stairways could be built giving access from the top. Presently, it takes a long walk along the beach to reach the land.

But it is unlikely any paths, staircases, or roads

would be built until large numbers of people begin making their own trails into the area, thereby creating potential hazards to themselves and the environment, said a park prospectus.

Eleven acres now owned by the state of Alaska sits on the western rim of the bluff. Park sponsors propose that this land be used as the site for a Southern Peninsula State Park Headquarters and Visitors' Reception Center. Buildings on the site were once used by the University of Alaska.

Park backers also like to see the wayside turnoffs on top of the bluff upgraded. Signs are needed to warn traffic because the pulloffs are on a blind turn.

One idea is to build an efficient parking system and traffic flow design, relocate the historic sign on an island in the middle of the pull off, and place plaques along a railing describing the view. The railing itself would be pulled back from the bluff to provide more area for picnic tables.

The next step is to contact landowners and start negotiations, begin the appraisal process, and at that point the Nature Conservancy will work out an deed of trust agreement with the major landowner to keep the property off the market until the state legislature can pass acquisition funds, said Mr. Ripley.

Culvert to be replaced on East End Road

The collapsed culvert which has led to erosion of the new section of East End Road near McNeil Canyon will be replaced this summer, according to the Dept. of Transportation.

Repairs will require digging out part of the fill which McNeil Creek, said an attorney of the department's Anchorage operations office.

It is not known what caused the culvert to collapse, he said, but the failure was first observed when the area was hit by torrential rains the

of the road to slough away beneath the guardrail on the downhill side.

Mr. Coatney said replacing the pipe and repairing the road may cost as much as \$150,000.

The weight of the gravel fill may have collapsed the pipe, he said, or caused it to pull apart.

He said the date of the repairs has not been set, but that the road will be fixed this summer.

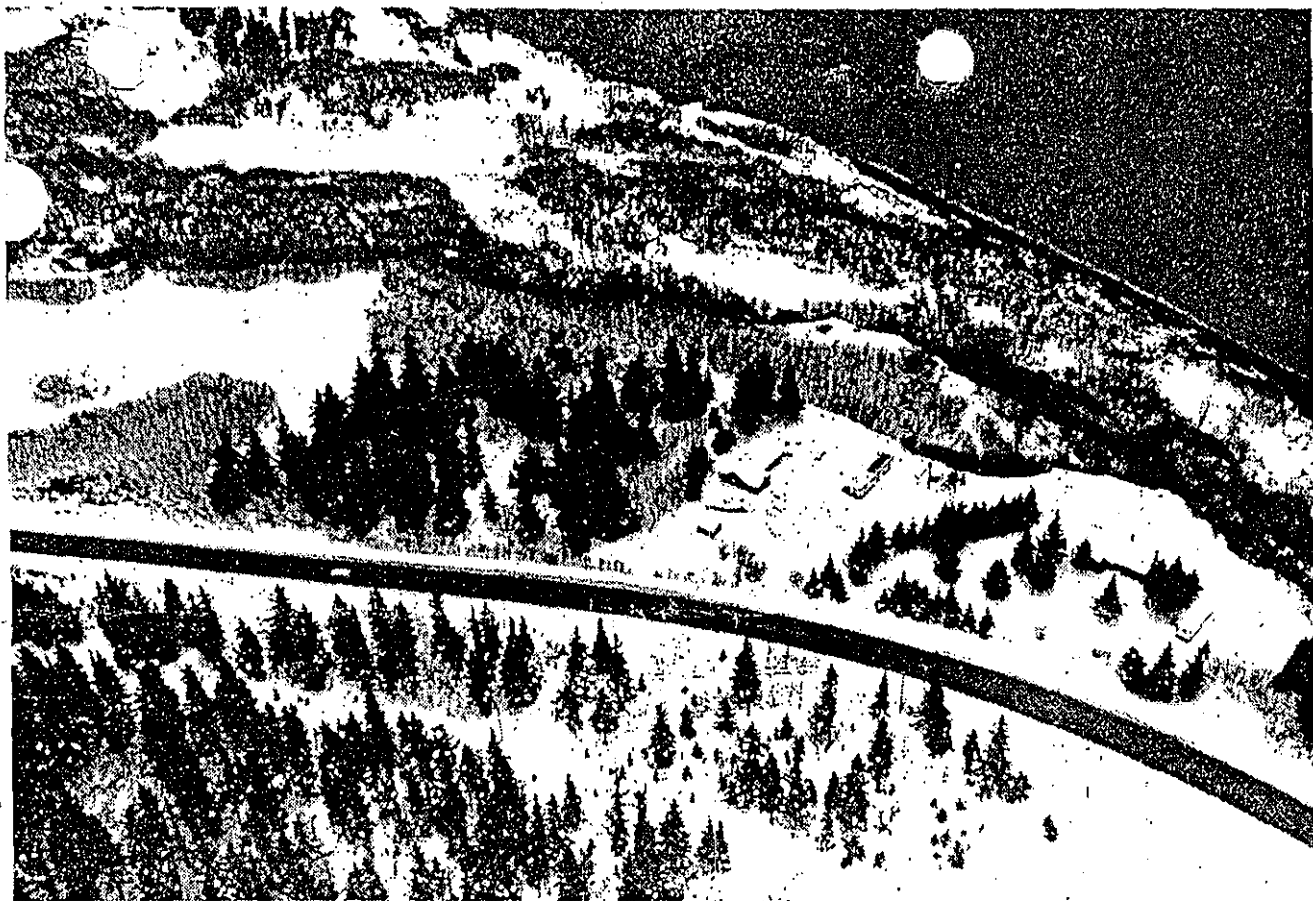
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Tuesday-S

WATCH F





Land suggested for a park lies below the Sterling Highway near the viewpoint on Baycrest Hill.

Photo by George Ripley

Pic beg

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Park proposed below Baycrest look-out

Between the overlook on Baycrest Hill and the beach lies a gentle bench land which provides a home for wildlife and an opportunity for people, says George Ripley.

Informally known as "The Valley" or "The Slides," the small pocket of land is a "cameo of Alaskan wilderness" Mr. Ripley said. If it were preserved that way, he continued, area residents and tourists could share a jewel of a park.

Mr. Ripley, a wilderness guide and a person long active in the planning of Kachemak Bay State Park, is mobilizing support to draw "The Valley" into the state park system. It's a natural, he said, and he is encouraged by the response so far.

"This area means a lot to a lot of people," he said. "It's here that many people fall in love with Homer and Kachemak Bay." And from the standpoint of the tourist industry, he adds, "It is the point of Homer's first sale."

From the overlook, he said, it is not uncommon to spot moose and black bear in the proposed park. He said he has seen swans in the ponds along the bench, and the beach and rock shoals offshore support a myriad of birds and sealife.

Though steep bluffs now

limit access, Mr. Ripley says many people could enjoy the place by means of a stairway down the steep ground and a trail system below.

According to Mr. Ripley, only about 12 acres, up near the highway, is owned by the state. Along the middle ground, between the highway and the bench is about 80 acres owned by the Kenai Peninsula Borough, about 46 acres owned by Cook Inlet Region Inc., and

about 34 acres owned by the Hillstrand family. Along the beach is about 110 acres in the old Abbott homestead, and about 26 acres owned by the Wilkins family of Homer.

Sooner or later the land may be developed privately, Mr. Ripley said. He hopes that through land trades the state could obtain the area for a park.

The location has historical significance as well, Mr. Ripley said. The word

Kachemak is thought to stem from the Russian term for "smoky bay." Smoldering coal seams along this part of the bluff caused the smoke, he said.

Mr. Ripley said he is presenting the idea to local organizations and individuals, and is aiming to get 4,000 signatures on a petition to present to the state.

Thomas and Ellsworth honored by Fire Dept.

Gary Thomas was named firefighter of the year, and Linda Ellsworth EMT of the year, at the fire department's annual banquet Saturday.

"They are two of the finest people I've had the opportunity to work with in the fire service," said Fire Chief Tom Craig. "They're outgoing and are not always looking for a pat on the back for their efforts, which are considerable," he said. "They've given a lot to the people of the city of Homer."

Other awards at the banquet went to Dan Cross as the most improved firefighter, and to Keith Valentine, Chaz Ingham,

and Terre Saladin in appreciation of all their volunteer efforts.

Firefighter of the year is chosen by the past three recipients of the award. Making the selection this year were Robert Purcell, Fred Morris, and Cathy Stingley.

EMT of the year was chosen by past recipients Cathy and Dick Stingley.

Mr. Craig selected the most improved firefighter.

Over 80 people attended the dinner, including members of the fire department and their guests and representatives of several city agencies.

Homer emissaries

East is east and west is west, but next month the two may draw a little closer together when residents of Homer travel to Teshio, our sister city in Japan.

This will be Homer's first official trip to the area, and there is room for 25 people to go along, said travel coordinator Ginger Van Wagoner, of Homer Travel Service.

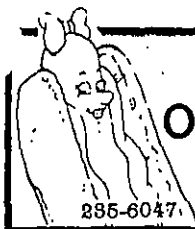
Already signed up for the trip are mayor Erle Cooper — who was given the money to go as the city's representative at the City Council's last meeting — Margret and Patti Pate, Mike and Diane McBride and children, Ms. Van Wagoner, and two who first initiated the idea of a Japanese sister city — Steve and Noko Yoshida.

Besides Teshio, located on the northern tip of Hokkaido, the group will visit Sapporo,

Jozankei Sy
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TINY'S OPEN FOR LUNCH

Monday-Wednesday 11:30am-midnight
Thursday-Friday 11:30-1am
Saturday 2pm-1am Closed Sunday

285-6047

Dr. James F. Heston
announces the opening of

7/14/95

Dear Molly,

I thought these articles might be of interest to you.

This was to have been the Nature

Conservancy's 1st project in Alaska.

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George Rydley
938 Arapahoe
Boulder, CO 80306

RECEIVED

JUL 20 1995

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

The Nature Conservancy

Washington/Alaska Field Office
1601 Second Avenue, Suite 910, Seattle, Washington 98101
(206) 624-9623

RECEIVED
JUL 20 1985
EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

January 31, 1985

Senator Paul A. Fischer
Senate District D.
Box 784
Soldotna, Alaska 99669

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Sincerely,



Elliot Marks
Washington/Alaska Director

em:mlm



Grass-roots effort needed to protect Bluff Point

by George Ripley

There are very few people in this town, both resident and visitor, who have not shared in the enjoyment of one of this region's simplest and yet most profound pleasures. Some have been so awe-stricken by their first view of Kachemak Bay that they knew immediately that this would be their home. The Kachemak region weaves an almost magical charm. Even long-term residents are not jaded by the experience and take pleasure during all the seasons of the year in driving up to the edge of town to get a new perspective on the setting sun or the magnificence of Southcentral Alaska. During the summer months the wayside overlooks atop the hill are continuously full of excited visitors, almost all of whom get out of their cars to fully appreciate the powerful beauty of the high headland that is Bluff Point, the gateway to Kachemak Bay. These waysides are the type of charismatic place where it would be appropriate to hold an Easter morning convocation. Carnivals can in no way match the natural splendor of this setting.

"Welcome to Kachemak Bay" the sign says, and as people stumble from the confinement of their cars they are happily struck again and again by the beauty that surrounds them: Mount Iliamna, Augustine, Cape Douglas, the Shelikof, the Kachemak Alps, the Spit; boats and ships of all kinds heading to and fro on the seas below; songbirds and eagles in the air above and, spread at their feet, a perfect cameo of the wilderness they've hoped to find.

With lakes, meadows, forests and beaches, this beautiful cameo known as "the valley" gives peace to weary souls. It also provides for an exceptionally vital wild habitat. Three eagle nests exist in the valley. From the overlooks with binoculars one can see eaglets in the nest. Moose, bear and coyotes roam the woods and meadows. Beaver and swans can be seen in the lakes. Seals and sea otter fish the rocky tidepools of the rugged headland. Huge schools of salmon hug the shore as they move up Cook Inlet. Several species of whales can be seen from above as they feed offshore.

In 1984 the community of Homer gave broad support to an effort to make the valley a part of the state park

Moose, bear and coyotes roam the woods and meadows. Beaver and swans can be seen in the lakes. Seals and sea otter fish the rocky tidepools of the rugged headland. Huge schools of salmon hug the shore as they move up Cook Inlet. Several species of whales can be seen from above as they feed offshore.

system. The Chamber of Commerce and the city quickly recognized its value to the tourism industry as the very "gatepost" to Kachemak Bay. Fish and Game biologist Dave Holcermann recognized the valley as a unique and richly condensed micro-habitat. Borough officials, highway officials, parks officials, legislators and the state resources commissioner all gathered in Homer and agreed that this project was eminently worthy and should be put on the "front burner." The Seattle director of the Nature Conservancy was present and said that he had "never seen a bureaucracy say 'Yes!' to a project so quickly." Helping the state to acquire the valley was to become the Nature Conservancy's first Alaska project.

So what happened? The project sped quickly to the office of a freshman legislator in Juneau where it was ignored. It made a token appearance on the final budget but then was cut by the governor and the valley was back up for grabs.

About that time newcomers drove over the crest of the hill, stopped at the overlook, and decided to make their lives in Kachemak Bay. When they drove to town they discovered that the beautiful valley was for sale. Concerned that nothing mar the beauty of their new home, they successfully set about buying the property themselves in an attempt to protect it until such time that it could become a park. That has been their hope, yet their ability to continue holding the land has nearly come to an end. It is once again for sale. Now is the time for the community to again request of the state whatever moderate sum is required to protect the valley (a mere 250 acres) for the benefit of all and

future generations — this valley that has been recognized by all experts as having outstanding and unique value.

What needs to be done? Grass-roots networking, lobbying, educating, planning, negotiating. It won't be an easy job regardless of its popular appeal. The groundwork needs to be done by volunteers working through a volunteer organization. The community at large needs to show its support.

An educational/interpretive display placed in the wayside overlooks could help in the nonpolitical education of the traveling public — there should be a display there anyway; those waysides are a very neglected public asset.

A well-organized petitioning effort could probably raise 2,000-3,000 signatures by Labor Day. (The previous effort 9 years ago netted 1,200 signatures in April and May.)

Private donors interested in protecting the beauty of the region could be sought for tax-exempt contributions.

The borough, the state, and the Exxon Trustees Council could all be requested to help.

The owners would be willing sellers.

On the subject of access it is considered that the primary value of the valley is as a viewing park, similar to the Grand Canyon. Wildlife observation and habitat protection will remain the primary objective. Current means of access would not be enhanced in the foreseeable future.

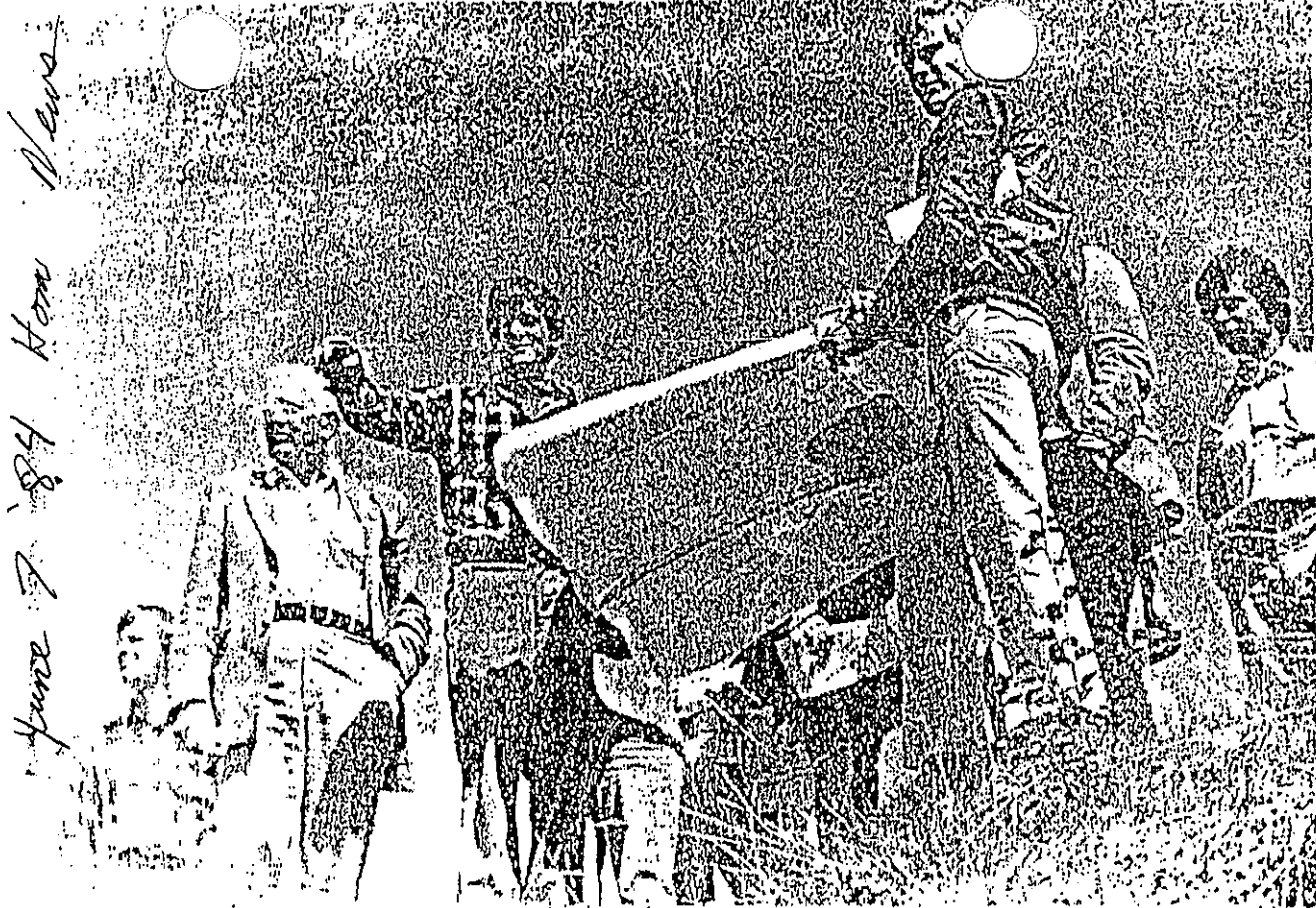
Gov. Hickel's editorial in the 6/29/93 Homer Tribune underscores the reason to protect the Overlook Park: "At 62%, Alaska tied with Vermont for first place among states where residents rank their first interest as wildlife viewing or photography."

This may well be an idea whose time has come, provided that at least one committed individual assumes the job. That it comes so quickly on the heels of the saving of Kachemak Bay State Park serves to provide notice that Kachemak Bay deserves recognition as being synonymous with "park land."

George Ripley spent 16 years as a local parks advocate and currently resides in Dutch Harbor. He can be reached by calling 581-3444.

1/8/93

Homer News



Standing on the bluff at the top of Baycrest Hill, George Ripley points out various parts of the proposed Overlook Park to Div. of Parks Director Nell Johansen, right, Borough Mayor Stan Thompson, left, and other visiting officials, Friday afternoon.

Photo by Hal Spence

State, borough officials view park site

State parks and transportation officials toured the site of a proposed park below Baycrest Hill last week, and said they would pursue development of a "Homer Overlook Park."

After seeing the land they met at City Hall to discuss the proposal. George Ripley, local resident and promoter of the park, said he was assured by the department representatives that they would pursue the proposal within both the state division of parks and Dept. of Natural Resources.

"The development would create an aura in Homer of parks," Mr. Ripley told the gathering. "It would say, welcome to one of the park areas of Alaska."

The proposed park would be a 250-acre valley at the foot of the bluff north of town. Included

in the arrangement, is a plan to upgrade the turnoffs at the top of the bluff which is a natural scenic draw to tourists.

"We got a solid commitment by the state to pursue this park as a priority," said Mr. Ripley. "I walked out of the meeting feeling totally relieved as if they'd lifted the entire project from my shoulders."

"The Homer City Council has already called on the Alaska Dept. of Natural Resources to study the possibility of incorporating the area into the state parks system. Soon after, the Student Council of Homer High School endorsed the idea.

Some of those at the meeting included Skip Harding, Jack Wiles, and Bill Garry of the Div. of Parks, Jim Barnett of the Dept. of Natural Resources and Elliot Marks of the Nature

Conservancy.

Rep. Mike Fritz, R-Anchorage Point, and Sen. Paul Fischer, R-Soldotna, have indicated they would sponsor legislation in its behalf. Well over 1,000 local residents have signed petitions favoring the park.

Eighty acres of the land is designated as Kenai Borough land. The state owns 11 acres, while 46 acres are native owned. Some 169 acres, more than three fifths, is held by three individuals.

Borough Mayor Stan Thompson and Assemblywoman Marilyn Dimmick were at the meeting, and each agreed they saw no problem in convincing the assembly to give up their 80 acres in exchange for other state land.

Jack Wiles of the Div. of Parks, said he would push for development funds at the same time as acquisition money to ensure the park's completion.

Several schools of thought surround development of the park itself. Some favor doing nothing to make access down the steep bluff any easier.

According to Mr. Ripley, the slope is not as treacherous as it might seem, and safe paths and stairways could be built giving access from the top. Presently, it takes a long walk along the beach to reach the land.

But it is unlikely any paths, staircases, or roads

would be built until large numbers of people begin making their own trails into the area, thereby creating potential hazards to themselves and the environment, said a park prospectus.

Eleven acres now owned by the state of Alaska sits on the western rim of the bluff. Park sponsors propose that this land be used as the site for a Southern Peninsula State Park Headquarters and Visitors' Reception Center. Buildings on the site were once used by the University of Alaska.

Park backers also like to see the wayside turnoffs on top of the bluff upgraded. Signs are needed to warn traffic because the pulloffs are on a blind turn.

One idea is to build an efficient parking system and traffic flow design, relocate the historic sign on an island in the middle of the pull off, and place plaques along a railing describing the view. The railing itself would be pulled back from the bluff to provide more area for picnic tables.

The next step is to contact landowners and start negotiations, begin the appraisal process, and at that point the Nature Conservancy will work out an deed of trust agreement with the major landowner to keep the property off the market until the state legislature can pass acquisition funds, said Mr. Ripley.

East rema

Money for the Road project is until the reconvenes, but has the support of the Transportation, Knapp.

According to two bills, SB173 both contain the \$50,000 needed for final plans for the

The \$850,000 Bill Sheffield said to find for East is also in SB173.

"It's not dead Mr. Knapp. The matter will be when the reconvenes perhaps Friday.

Mr. Knapp supports the idea of East Hill Road, recently flown off miles in question has never driving road during break "I probably could make it up, and said.

He said a lot of on the hill and de road daily.

"Something not done," he said. "be expensive." put the cost of the at over \$6 million.

The \$850,000 SB173 will be us chasing rights-of relocating until Knapp said he chance of that missed by the legislature, anything else, temporary fix-up

"There is only do it and that's way," he said. "we'd keep throwing money after bad."

Culvert to be replaced on East End Road

The collapsed culvert which has led to erosion of the new section of East End Road near McNeil Canyon will be replaced this summer, according to the Dept. of Transportation.

Repairs will require digging out part of the fill which McNeil Creek, said an attorney of the department's Anchorage operations office.

It is not known what caused the culvert to collapse, he said, but the failure was first observed when the area was hit by torrential rains the

of the road to slough away beneath the guardrail on the downhill side.

Mr. Coatney said replacing the pipe and repairing the road may cost as much as \$150,000.

The weight of the gravel fill may have collapsed the pipe, he said, or caused it to pull apart.

He said the date of the repairs has not been set, but that the road will be fixed this summer.

T's CHA

Ra



Tuesday-Sa

WATCH FO





Land suggested for a park lies below the Sterling Highway near the viewpoint on Baycrest Hill.

Photo by George Ripley

Pio begi

Ways to Avenue saf travel and i will be ad citizen advi ed to guide major reco ject.

A numbe drainage and blem areas were noted a ing last weel said City P. Helminiak, p cerned with t at Main St Street, with t snow berms side, and v safety.

For insta people found many traffic made at th crossing, wh streets — Pio East End together.

Some of meeting, and tatives of bu munity gr selected for committee, s is not yet con

Upgradi Avenue is th one priority year, and k projects pr state Legis ding.

The advic will be to he. and a profi

Park proposed below Baycrest look-out

Between the overlook on Baycrest Hill and the beach lies a gentle bench land which provides a home for wildlife and an opportunity for people, says George Ripley.

Informally known as "The Valley" or "The Slides," the small pocket of land is a "cameo of Alaskan wilderness" Mr. Ripley said. If it were preserved that way, he continued, area residents and tourists could share a jewel of a park.

Mr. Ripley, a wilderness guide and a person long active in the planning of Kachemak Bay State Park, is mobilizing support to draw "The Valley" into the state park system. It's a natural, he said, and he is encouraged by the response so far.

"This area means a lot to a of people," he said. "It's here that many people fall in love with Homer and Kachemak Bay." And from the standpoint of the tourist industry, he adds, "It is the point of Homer's first sale."

From the overlook, he said, it is not uncommon to spot moose and black bear in the proposed park. He said he has seen swans in the ponds along the bench, and the beach and rock shoals offshore support a myriad of birds and sealife.

Though steep bluffs now

limit access, Mr. Ripley says many people could enjoy the place by means of a stairway down the steep ground and a trail system below.

According to Mr. Ripley, only about 12 acres, up near the highway, is owned by the state. Along the middle ground, between the highway and the bench is about 80 acres owned by the Kenai Peninsula Borough, about 46 acres owned by Cook Inlet Region Inc., and

about 34 acres owned by the Hillstrand family. Along the beach is about 110 acres in the old Abbott homestead, and about 26 acres owned by the Wilkins family of Homer.

Sooner or later the land may be developed privately, Mr. Ripley said. He hopes that through land trades the state could obtain the area for a park.

The location has historical significance as well, Mr. Ripley said. The word

Kachemak is thought to stem from the Russian term for "smoky bay." Smoldering coal seams along this part of the bluff caused the smoke, he said.

Mr. Ripley said he is presenting the idea to local organizations and individuals, and is aiming to get 4,000 signatures on a petition to present to the state.

Homer emissaries

East is east and west is west, but next month the two may draw a little closer together when residents of Homer travel to Teshio, our sister city in Japan.

This will be Homer's first official trip to the area, and there is room for 25 people to go along, said travel coordinator Ginger Van Wagoner, of Homer Travel Service.

Already signed up for the trip are mayor Erle Cooper — who was given the money to go as the city's representative at the City Council's last meeting — Margret and Patti Pate, Mike and Diane McBride and children, Ms. Van Wagoner, and two who first initiated the idea of a Japanese sister city — Steve and Noko Yoshida.

Besides Teshio, located on the northern tip of Hokkaido, the group will visit Sapporo,

Jozankei Spa. Seven days of will be spent, the rest will dependent, i tivities, Ms. said.

The sister c the works for and was inspi nual summer dent visit to H course of the idea was

Homer's citk Teshio's city g

The benefi tionship includ economic ties said. In addi

Thomas and Ellsworth honored by Fire Dept.

Gary Thomas was named firefighter of the year, and Linda Ellsworth EMT of the year, at the fire department's annual banquet Saturday.

"They are two of the finest people I've had the opportunity to work with in the fire service," said Fire Chief Tom Craig. "They're outgoing and are not always looking for a pat on the back for their efforts, which are considerable," he said. "They've given a lot to the people of the city of Homer."

Other awards at the banquet went to Dan Cross as the most improved firefighter, and to Keith Valentine, Chaz Ingham,

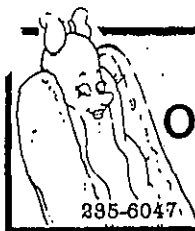
and Terre Saladin in appreciation of all their volunteer efforts.

Firefighter of the year is chosen by the past three recipients of the award. Making the selection this year were Robert Purcell, Fred Morris, and Cathy Stingley.

EMT of the year was chosen by past recipients Cathy and Dick Stingley.

Mr. Craig selected the most improved firefighter.

Over 80 people attended the dinner, including members of the fire department and their guests and representatives of several city agencies.



TINY'S OPEN FOR LUNCH

Monday-Wednesday 11:30am-midnight
Thursday-Friday 11:30-1am
Saturday 2pm-1am Closed Sunday

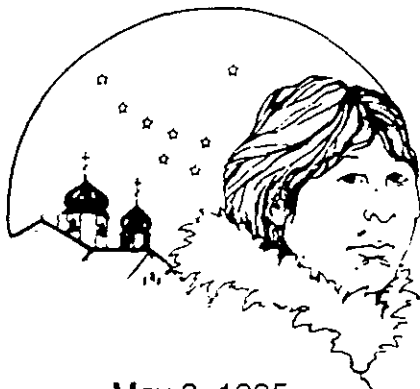
395-6047

Dr. James F. Heston
announces the opening of



SMALL PARCEL NOMINATION

KAP-105



Kodiak Island Borough

710 MILL BAY ROAD
KODIAK, ALASKA 99615-6398

May 8, 1995

RECEIVED
MAY 11 1995

Molly McCammon, Executive Director
Exxon Valdez Oil Spill Trustee Council
645 G Street, Suite 401
Anchorage, AK 99501

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

Dear Molly;

Per our recent discussion, enclosed is the Kodiak Island Borough Resolution No. 95-23 prioritizing small parcel acquisitions in the Kodiak region. As indicated in the resolution, this priority is the result of input from all of the local staff people of the state and federal and private resource agencies on Kodiak Island as well as public interest, especially in Termination Point.

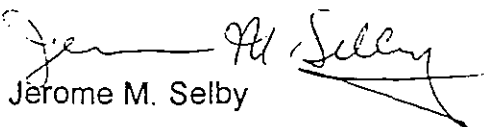
As is obvious from our list, all parties were disappointed that the importance of commercial fisheries apparently had little value in the EVOS staff rating system since the weir sites did not rate very high. It also appeared that proximity or access to large parcel acquisition was not considered in the evaluation process. Many of these parcels are critical to the large parcels that are being acquired. The highest priority parcels on our list tend to have multiple special merit values for resources and services injured by the Exxon Valdez oil spill. We are not sure the multiple factors were given enough consideration. We hope this can be corrected now.

If there are any questions, or if additional information is needed on any of the parcels, please let me know and we will obtain the information for you as quickly as possible.

I look forward to working with you and the Council on the acquisition of these parcels.

Sincerely,

OFFICE OF THE MAYOR


Jerome M. Selby

Enclosure

Introduced by: Mayor Selby
Requested by: Mayor Selby
Drafted: Mayor Selby
Introduced: 05/04/95
Adopted: 05/04/95

KODIAK ISLAND BOROUGH
RESOLUTION NO. 95-23

**A RESOLUTION URGING THE EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL
TO ACQUIRE CERTAIN SMALL PARCELS
WITHIN THE KODIAK ISLAND BOROUGH
AS PART OF THE SMALL PARCEL ACQUISITION PROGRAM**

WHEREAS, the Exxon Valdez Oil Spill Trustee Council has determined that acquisition of certain high value and special merit small parcels of land should be acquired as part of the overall restoration process resulting from the Exxon Valdez oil spill; and

WHEREAS, many more parcels have been nominated and identified for consideration than can possibly be bought with the available funds by the Trustee Council; and

WHEREAS, the Kodiak Island Borough has worked with the area's federal, state and local agencies that have an interest in restoration of the fish, marine mammal, bird, and wildlife species that were impacted by the oil spill, and in that process has been able to define and identify critical habitat areas of property which have special merit value for the injured resources or services; and

WHEREAS, many of the parcels that have been identified in this process of the Kodiak Island Borough working with the various agencies include outstanding wilderness areas, outstanding subsistence and recreational value areas, necessity for commercial fisheries habitat or management, outstanding critical habitat areas for the various species of birds and animals, and outstanding estuary areas for species protection for the future health of the ecosystem; and

WHEREAS, many of these outstanding parcels have the multiple feature of being critical access areas for the larger parcels which have been acquired by the Exxon Valdez Oil Spill Trustee Council through the large parcel acquisition process; and

WHEREAS, it is extremely difficult to identify the most important parcels meriting acquisition without having first hand knowledge of these areas, having lived in the Kodiak Island Borough area, and understanding the inter-relationships of the parcels and the importance of their multiple features which are deserving of special merit for consideration of purchase; and

WHEREAS, the Kodiak Island Borough has completed a very careful and thorough process with the U.S. Fish and Wildlife Service, the Alaska Department of Fish and Game, the Kodiak Regional Aquaculture Association, the Alaska State Parks system, and other agencies to identify the parcels which have multiple special merit value for inclusion in the restoration program.

NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE KODIAK ISLAND BOROUGH that the Exxon Valdez Oil Spill Trustee Council is urged to give careful and thoughtful consideration to the list of parcels which have been selected as a result of a great deal of research by the multiple agencies and are recommended for acquisition to the Trustee Council by the Kodiak Island Borough on the basis of the multiple special merit value for resources and services injured by the Exxon Valdez oil spill.

NOW, THEREFORE, BE IT FURTHER RESOLVED BY THE ASSEMBLY OF THE KODIAK ISLAND BOROUGH that the outstanding wilderness, subsistence, commercial fisheries resource, critical habitat, recreational value, and access to larger parcel acquisitions concerns have been included in this recommendation and should be carefully considered by the Trustee Council in making a decision to acquire these parcels.

NOW, THEREFORE, BE IT FURTHER RESOLVED BY THE ASSEMBLY OF THE KODIAK ISLAND BOROUGH that the parcels which should be acquired in the Kodiak Island Borough in the following order of priority are:

PARCEL	LOCATION
KAP 145	Termination Point
KAP 150	Karluk Weir Site
KAP 130	Uyak Bay
KAP 226	Karluk Lagoon
KAP 220	Ayakulik River
KAP 151	Ayakulik Weir Site
5 Acres (parcel# unknown)	Pauls Bay Weir Site
5 Acres (parcel# unknown)	Litnik (Afognak River) Weir Site
5 Acres (parcel# unknown)	Perenosa Weir Site
5 Acres (parcel# unknown)	Malina Weir Site
5 Acres (parcel# unknown)	Upper Station Weir Site

5 Acres (parcel# unknown)	Akalura Weir Site
15 Acres (parcel# unknown)	Dog Salmon Flats Weir Site
5 Acres (parcel# unknown)	Red River Weir Site
5 Acres (parcel# unknown)	Waterfall Weir Site
36 Acres (parcel# unknown)	Kitoy Bay Hatchery Weir Site
5 Acres (parcel# unknown)	Thorsheim Weir Site
5 Acres (parcel# unknown)	Horse Marine Weir Site
5 Acres (parcel# unknown)	Karluk Lake Weir Site
KAP 116	Sulua Bay
KAP 140	Uganik Bay
KAP 109	Sulua Bay
KAP 262	Halibut Bay
KAP 106	Brown's Lagoon
KAP 139	Uganik Bay
KAP 245	Gurney Bay
KAP 246	Bumble Bay
KAP 247	Halibut Bay
KAP 252	Deadman Bay
KAP 96	Sitkalidak Strait
KAP 101	Sitkalidak Strait
KAP 104	Kiliuda Bay
KAP 131	Kiliuda Bay
KAP 132	Sitkalidak Strait
KAP 133	Kiliuda Bay
KAP 137	Kiliuda Bay
KAP 105	Three Saints Bay
KAP 100	Kiliuda Bay

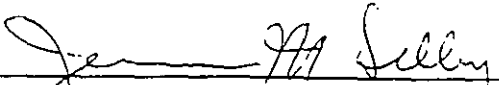
KAP 107	Shelikof Strait
KAP 125	Shelikof Strait
KAP 138	Kiliuda Bay
KAP 142	Three Saints Bay
KAP 143	Kiliuda Bay
KAP 115	Uyak Bay
KAP 98	Shelikof Strait
KAP 99	Kiliuda Bay
KAP 102	Sitkalidak Strait
KAP 103	Sitkalidak Strait
KAP 108	Uyak Bay
KAP 110	Kaiugnak Bay
KAP 114	Uyak Bay
KAP 123	Kaiugnak Bay
KAP 126	Three Saints Bay
KAP 134	Three Saints Bay
KAP 135	Kiliuda Bay
KAP 136	Kiliuda Bay
KAP 144	Three Saints Bay
KAP 91	Sitkalidak Strait
KAP 93	Sitkalidak Strait
KAP 127	Sitkalidak Strait
KAP 270	Three Saints Bay
KAP 271	Three Saints Bay
KAP 272	Three Saints Bay
KAP 244	Halibut Cove
KAP 263	Kiavak Bay

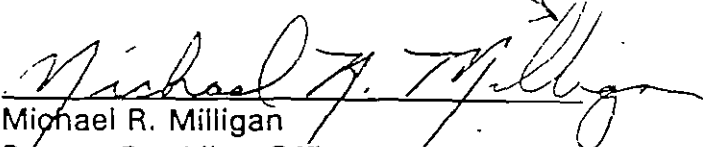
KAP 128

Kaguyak Bay

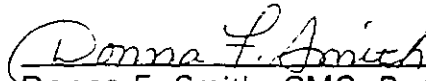
ADOPTED BY THE ASSEMBLY OF THE KODIAK ISLAND BOROUGH
THIS FOURTH DAY OF MAY, 1995.

KODIAK ISLAND BOROUGH


Jerome M. Selby, Borough Mayor


Michael R. Milligan
Deputy Presiding Officer
for Mary A. Monroe, Presiding Officer

ATTEST:


Donna F. Smith, CMC, Borough Clerk

SMALL PARCEL NOMINATION

KAP-130



U.S. Fish and Wildlife Service

Region 7 - Alaska

1011 East Tudor Road
Anchorage, Alaska 99503

News

(907) 786-3487 - TTY available

Connie M.J. Barclay

Land Added To Refuge System *U.S. Fish and Wildlife Service Receives Land Gift*

Close on the heels of the first National Wildlife Refuge week, Alaska wildlife received another gift when a private organization made a donation of land -- the first ever for a national wildlife refuge in Alaska -- for the bears and salmon of the Kodiak National Wildlife Refuge.

Today the U.S. Fish and Wildlife Service accepted the 318-acre piece of land which lies at the head of Uyak Bay on the west side of Kodiak island, from the Richard King Mellon Foundation and The Conservation Fund. Surrounded by the Kodiak National Wildlife Refuge, the property includes one half mile of ocean shoreline, a salmon stream and important bear habitat.

"The donation of this property within the Kodiak National Wildlife Refuge is a very generous act that will help protect important fish and wildlife habitat for future generations," said David Allen, the Fish and Wildlife Service's Regional Director for Alaska.

The Kodiak Refuge's 1.8 million acres provide homes to brown bear, bald eagles, tundra swans, five species of salmon, river otters, fox, Sitka black-tailed deer, waterfowl and nesting birds. Originally created to protect bears and their habitats, the Kodiak Refuge encompasses almost 2 million acres and provides homes for more than 2,500 bears.

The Richard King Mellon Foundation has acquired habitat and historic areas in more than 30 states for presentations as gifts to state and federal conservation agencies.

FWS

OPTIONAL FORM 99 (7-90)

FAX TRANSMITTAL

of pages ► 1

To <i>Molly McCammon</i>	From <i>Glenn Ellison</i>
Dept./Agency	Phone # <i>786-3545</i>
Fax # <i>786-3545</i>	Fax #



U.S. Fish and Wildlife Service

Region 7 - Alaska

1011 East Tudor Road

Anchorage, Alaska 99503

News

(907) 786-3487 - TTY available

Connie M.J. Barclay

October 16, 1995

Land Added To Refuge System

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"The donation of this property within the Kodiak National Wildlife Refuge is a very generous act that will help protect fish and wildlife habitat for future generations," said David Allen, the Fish and Wildlife Service's Regional Director for Alaska. Jay Bellinger, Kodiak Refuge Manager said "This gift of the Uyak Bay land is a tremendous gesture for the bears."

The Richard King Mellon Foundation, based in Pittsburgh, Pennsylvania, has a long-standing commitment to conservation. Through its American Land Conservation Program the Foundation has acquired wildlife habitat and historic areas in more than 30 states as gifts to state and federal conservation agencies.

Acquisition of the Uyak Bay property continues The Conservation Fund's involvement in the protection of the Kodiak Refuge. Earlier this year Dr. Bob Putz, the Fund's Senior Scientist, was a negotiator for the US Fish and Wildlife Service and the Exxon Valdez Oil Spill Trustees in the purchase of 152,000 acres in fee and easement on Kodiak.

Since 1985, The Conservation Fund has helped its partners protect over 900,000 acres of wildlife habitat, open space, and historic sites in 41 states. Fund programs include American Greenways, the National Forum on Nonpoint Source Pollution, the Freshwater Institute, the Civil War Battlefield Campaign, and, with the Richard King Mellon Foundation, the American Land Conservation Program. The Conservation Fund established an office in Alaska in 1994 headquarters are in Arlington, Virginia.

The Kodiak Refuge's 1.8 million acres provide habitat for brown bear, Bald Eagles, Tundra Swans, five species of salmon, river otters, red fox, Sitka black-tailed deer, waterfowl, and nesting birds. Originally created to protect bears and their habitats, the Kodiak Refuge encompasses almost 2 million acres and supports more than 2,500 brown bears.

FWS

For more information contact The Conservation Fund at (907) 694-9060

SMALL PARCEL NOMINATION

KAP-142



Kodiak Island Borough

710 MILL BAY ROAD
KODIAK, ALASKA 99615-6398

May 8, 1995

Molly McCammon, Executive Director
Exxon Valdez Oil Spill Trustee Council
645 G Street, Suite 401
Anchorage, AK 99501

RECEIVED
MAY 11 1995

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

Dear Molly;

Per our recent discussion, enclosed is the Kodiak Island Borough Resolution No. 95-23 prioritizing small parcel acquisitions in the Kodiak region. As indicated in the resolution, this priority is the result of input from all of the local staff people of the state and federal and private resource agencies on Kodiak Island as well as public interest, especially in Termination Point.

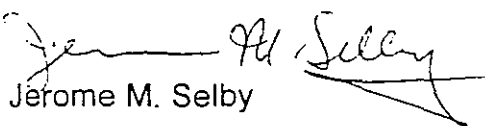
As is obvious from our list, all parties were disappointed that the importance of commercial fisheries apparently had little value in the EVOS staff rating system since the weir sites did not rate very high. It also appeared that proximity or access to large parcel acquisition was not considered in the evaluation process. Many of these parcels are critical to the large parcels that are being acquired. The highest priority parcels on our list tend to have multiple special merit values for resources and services injured by the Exxon Valdez oil spill. We are not sure the multiple factors were given enough consideration. We hope this can be corrected now.

If there are any questions, or if additional information is needed on any of the parcels, please let me know and we will obtain the information for you as quickly as possible.

I look forward to working with you and the Council on the acquisition of these parcels.

Sincerely,

OFFICE OF THE MAYOR


Jerome M. Selby

Enclosure

Introduced by: Mayor Selby
Requested by: Mayor Selby
Drafted: Mayor Selby
Introduced: 05/04/95
Adopted: 05/04/95

**KODIAK ISLAND BOROUGH
RESOLUTION NO. 95-23**

**A RESOLUTION URGING THE EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL
TO ACQUIRE CERTAIN SMALL PARCELS
WITHIN THE KODIAK ISLAND BOROUGH
AS PART OF THE SMALL PARCEL ACQUISITION PROGRAM**

WHEREAS, the Exxon Valdez Oil Spill Trustee Council has determined that acquisition of certain high value and special merit small parcels of land should be acquired as part of the overall restoration process resulting from the Exxon Valdez oil spill; and

WHEREAS, many more parcels have been nominated and identified for consideration than can possibly be bought with the available funds by the Trustee Council; and

WHEREAS, the Kodiak Island Borough has worked with the area's federal, state and local agencies that have an interest in restoration of the fish, marine mammal, bird, and wildlife species that were impacted by the oil spill, and in that process has been able to define and identify critical habitat areas of property which have special merit value for the injured resources or services; and

WHEREAS, many of the parcels that have been identified in this process of the Kodiak Island Borough working with the various agencies include outstanding wilderness areas, outstanding subsistence and recreational value areas, necessity for commercial fisheries habitat or management, outstanding critical habitat areas for the various species of birds and animals, and outstanding estuary areas for species protection for the future health of the ecosystem; and

WHEREAS, many of these outstanding parcels have the multiple feature of being critical access areas for the larger parcels which have been acquired by the Exxon Valdez Oil Spill Trustee Council through the large parcel acquisition process; and

WHEREAS, it is extremely difficult to identify the most important parcels meriting acquisition without having first hand knowledge of these areas, having lived in the Kodiak Island Borough area, and understanding the inter-relationships of the parcels and the importance of their multiple features which are deserving of special merit for consideration of purchase; and

WHEREAS, the Kodiak Island Borough has completed a very careful and thorough process with the U.S. Fish and Wildlife Service, the Alaska Department of Fish and Game, the Kodiak Regional Aquaculture Association, the Alaska State Parks system, and other agencies to identify the parcels which have multiple special merit value for inclusion in the restoration program.

NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE KODIAK ISLAND BOROUGH that the Exxon Valdez Oil Spill Trustee Council is urged to give careful and thoughtful consideration to the list of parcels which have been selected as a result of a great deal of research by the multiple agencies and are recommended for acquisition to the Trustee Council by the Kodiak Island Borough on the basis of the multiple special merit value for resources and services injured by the Exxon Valdez oil spill.

NOW, THEREFORE, BE IT FURTHER RESOLVED BY THE ASSEMBLY OF THE KODIAK ISLAND BOROUGH that the outstanding wilderness, subsistence, commercial fisheries resource, critical habitat, recreational value, and access to larger parcel acquisitions concerns have been included in this recommendation and should be carefully considered by the Trustee Council in making a decision to acquire these parcels.

NOW, THEREFORE, BE IT FURTHER RESOLVED BY THE ASSEMBLY OF THE KODIAK ISLAND BOROUGH that the parcels which should be acquired in the Kodiak Island Borough in the following order of priority are:

PARCEL	LOCATION
KAP 145	Termination Point
KAP 150	Karluk Weir Site
KAP 130	Uyak Bay
KAP 226	Karluk Lagoon
KAP 220	Ayakulik River
KAP 151	Ayakulik Weir Site
5 Acres (parcel# unknown)	Pauls Bay Weir Site
5 Acres (parcel# unknown)	Litnik (Afognak River) Weir Site
5 Acres (parcel# unknown)	Perenosa Weir Site
5 Acres (parcel# unknown)	Malina Weir Site
5 Acres (parcel# unknown)	Upper Station Weir Site

5 Acres (parcel# unknown)	Akalura Weir Site
15 Acres (parcel# unknown)	Dog Salmon Flats Weir Site
5 Acres (parcel# unknown)	Red River Weir Site
5 Acres (parcel# unknown)	Waterfall Weir Site
36 Acres (parcel# unknown)	Kitot Bay Hatchery Weir Site
5 Acres (parcel# unknown)	Thorsheim Weir Site
5 Acres (parcel# unknown)	Horse Marine Weir Site
5 Acres (parcel# unknown)	Karluk Lake Weir Site
KAP 116	Sulua Bay
KAP 140	Uganik Bay
KAP 109	Sulua Bay
KAP 262	Halibut Bay
KAP 106	Brown's Lagoon
KAP 139	Uganik Bay
KAP 245	Gurney Bay
KAP 246	Bumble Bay
KAP 247	Halibut Bay
KAP 252	Deadman Bay
KAP 96	Sitkalidak Strait
KAP 101	Sitkalidak Strait
KAP 104	Kiliuda Bay
KAP 131	Kiliuda Bay
KAP 132	Sitkalidak Strait
KAP 133	Kiliuda Bay
KAP 137	Kiliuda Bay
KAP 105	Three Saints Bay
KAP 100	Kiliuda Bay

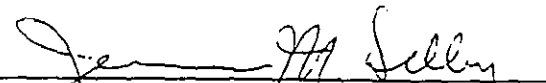
KAP 107	Shelikof Strait
KAP 125	Shelikof Strait
KAP 138	Kiliuda Bay
KAP 142	Three Saints Bay
KAP 143	Kiliuda Bay
KAP 115	Uyak Bay
KAP 98	Shelikof Strait
KAP 99	Kiliuda Bay
KAP 102	Sitkalidak Strait
KAP 103	Sitkalidak Strait
KAP 108	Uyak Bay
KAP 110	Kaiugnak Bay
KAP 114	Uyak Bay
KAP 123	Kaiugnak Bay
KAP 126	Three Saints Bay
KAP 134	Three Saints Bay
KAP 135	Kiliuda Bay
KAP 136	Kiliuda Bay
KAP 144	Three Saints Bay
KAP 91	Sitkalidak Strait
KAP 93	Sitkalidak Strait
KAP 127	Sitkalidak Strait
KAP 270	Three Saints Bay
KAP 271	Three Saints Bay
KAP 272	Three Saints Bay
KAP 244	Halibut Cove
KAP 263	Kiavak Bay

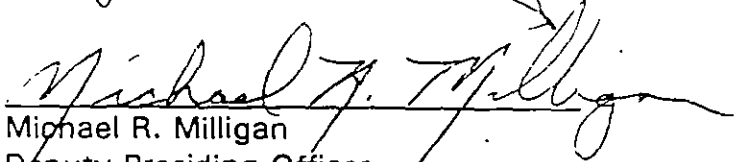
KAP 128

Kaguyak Bay

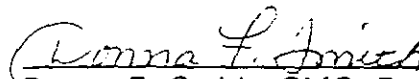
ADOPTED BY THE ASSEMBLY OF THE KODIAK ISLAND BOROUGH
THIS FOURTH DAY OF MAY, 1995.

KODIAK ISLAND BOROUGH


Jerome M. Selby, Borough Mayor


Michael R. Milligan
Deputy Presiding Officer
for Mary A. Monroe, Presiding Officer

ATTEST:


Donna F. Smith, CMC, Borough Clerk

I would really like
to see it remain undeveloped

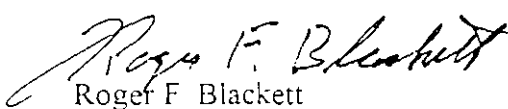
Thank you

Mary Jacobs

The Kodiak State Parks Citizens' Advisory Board supports the nomination of Termination Point for acquisition and requests your consideration of the outstanding qualities of this small land parcel for restoration of injured resources in the Kodiak area. Please keep us advised of progress in the small land parcel acquisition process and let us know if any further information is needed on the Termination Point nomination.

Sincerely,

KODIAK STATE PARKS CITIZENS' ADVISORY BOARD

A handwritten signature in cursive script, reading "Roger F. Blackett". The signature is written in dark ink and is positioned above the printed name and title.

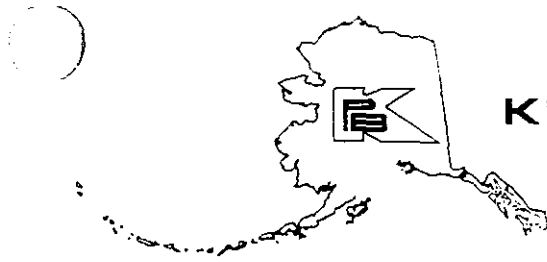
Roger F. Blackett
Chairman

copy: Claire Holland, Kodiak District Park Ranger

SMALL PARCEL NOMINATION

KAP-145

(Termination Point)



KENAI PENINSULA BOROUGH

144 N. BINKLEY SOLDOTNA, ALASKA 99662-7522
BUSINESS (907) 262-4441 FAX (907) 262-1692

August 9, 1994

Ken 9/27/94

DON GILMAN
MAYOR

Mr. Jim Ayers, Executive Director
Exxon Valdez Oil Spill Trustee Council
645 G Street
Anchorage, Alaska 99501

Dear Mr. Ayers:

RE: Small Parcel Acquisition Program/Chester Cone Kenai River Property

On August 8, 1994 the Kenai Peninsula Borough Planning Commission in regular session voted favorably to support Mr. Chester Cone's request to the Exxon Valdez Oil Spill Trustee Council to consider his property for acquisition under the Council's small parcel element of the Comprehensive Habitat Protection Process.

It appears from the information furnished to the Planning Commission that Mr. Cone's property, consisting of two tracts adjacent to the Kenai River, meets the threshold criteria established for small parcel acquisition.

The Commission also expressed support for acquisition of other properties having similar characteristics and under circumstances that would provide protection for salmon habitat.

Sincerely,

John Hammelman

John Hammelman, Chairman
Kenai Peninsula Borough Planning Commission

Hans U. Tschersich, M.D.
1423 Baranof Street
Kodiak, Alaska 99615
Phone 907-486 5648

EXXON VALDEZ TRUSTEE COUNCIL
15-3121 V-1-1-1

Sat, 20 Aug, 1994

Exxon Valdez Trustee Council
645 G Street
Anchorage, Alaska 99501

Re.: Acquisition of Termination Point / Monashka Bay near Kodiak

The densely wooded, undeveloped west side of Monashka Bay ends in a grassy bluff called Termination Point. It is, because of its unspoiled beauty and proximity to the city of Kodiak, a favorite hiking and recreation area of people in this area. An old cabin at Termination Point, a historic military remnant from the second World War, has housed for many years a log book containing many entries from visitors from all over the country and from all over the world, extolling the pristine beauty of this area. From the wooded cliffs of Termination Point one can observe an abundance of wildlife at sea and the forest is full of game trails.

This unique natural area is owned by the Leisnoi Native Corporation, which, because of urgent financial needs, has slated this area for logging in 1995. Now a more immediate threat has developed, since one of Leisnoi's creditors (Koncor Forest Products) may have the right, according to news reports on radio KMXT in Kodiak, to harvest the timber as early as September 1994.

I feel personally and as the vice president of Kodiak's Audubon Society that the Termination Point area needs urgent protection as a unique natural area for the preservation of its natural diversity and the great recreational value for the local inhabitants and the many visitors to this area. Funds from the Exxon settlement could be properly applied for the purchase of this fairly small acreage. I hope that the Council will take a careful look at this situation and will help in the preservation of this area.

Sincerely,



Hans U. Tschersich

Mike Sirofchuck

Box 970

Kodiak, AK 99615

907 - 486 - 6498



SEP 08 1994

September 1, 1994

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

Dear Exxon Oil Spill Trustee Council:

I strongly urge you to choose Termination Point in Kodiak for small parcel acquisition.

Termination Point is pristine, prime wildlife habitat, making it a perfect candidate for parcels enhancing wildlife recovery. It is also the single most popular hiking area in Kodiak. For most new arrivals to Kodiak, their first hike is out to Termination Point. That was true for me when I moved to Kodiak in 1987; I fell in love with the area and have hiked there frequently at all times of the year.

On my many hikes in that area I have seen deer, beaver, land and sea otters, sea lions, ermine, squirrels, marbled murrelets, gulls, and countless other species of birds. I have seen sign of bear, but luckily have never run into one out there. Just as importantly, I usually encounter other hikers enjoying this unique area. The comments I read in the log in the cabin near the point echo the joy, relaxation, and recreation one gains traveling through the Sitka spruce forest and along the ocean coast. And, on those less than frequent sunny days in Kodiak, I have taken some great naps at the end of the trail, out on the point.

No amount of money gained by logging this area could equal its value to Kodiak residents and visitors in recreation and habitat. It is a prime tourist attraction, especially in this time of ever increasing "eco-tourism" in our community.

Using oil spill settlement money to acquire this parcel is a small investment that will prove an excellent, continuing return to our community. That is not much to ask for after the devastating effects of the Exxon Valdez Oil Spill on our island.

Sincerely,

Mike Sirofchuck
Mike Sirofchuck

EXXON VALLEY OIL SPILL
TRUSTEE COUNCIL
SEP 09 1994

Sept 4
Box 3080
Kodiak AK
99615

Trustee Council

6456 St

Anchorage AK 99501

Dear Sirs,

I would like to voice
the support of the council
using some of the restoration
funds to buy land at
termination point on Kodiak
Island. It is a valuable recreation
area, enjoyed by residents
and visitors alike. We have
so little area on our road
system available to persons
wanting to explore virgin
forest and termination point
is within 15 miles of town
and an easy day exploration

Stacy Studebaker

Box 970

Kodiak, AK 99615

907 - 486 - 6498



Exxon Valdez Oil Spill Trustee Council
Restoration Office
645 G Street, Suite 401
Anchorage, AK 99501

[Handwritten signature] 9/8

9/3/94

RECEIVED
SEP 06 1994

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

To whom it may concern,

Enclosed are two articles from the Kodiak Daily Mirror which both pertain to the Termination Point parcel (Case # KAP120). I would appreciate it if you would include them in the file for the trustees to review.

Thankyou.

Sincerely,

[Handwritten signature: Stacy Studebaker]

California quake poses no tsunami threat

The Tsunami Warning Center in Palmer called off a watch about 8:30 this morning when an earthquake off the coast of Northern California appeared to cause no worrisome tide fluctuations.

The earthquake registered 6.8 on the Richter scale. Its epicenter was 255 miles northwest of San Francisco.

"There wasn't any potential" for a tsunami, said Tom Sokolowski, Tsunami Warning Center chief.

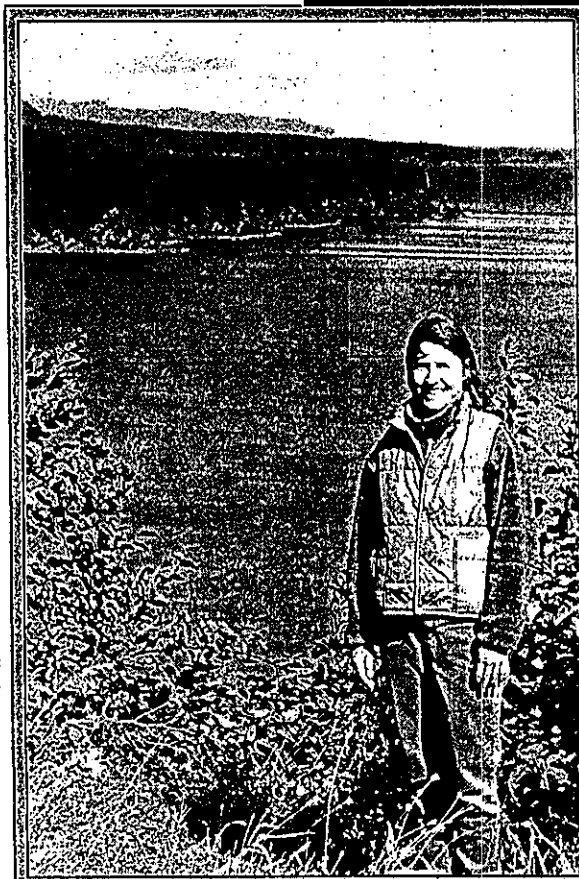
However, the center went on watch anyway, monitoring tide gauges and checking reports from tide stations in California.

crew found no significant changes in the tide patterns.

"Which is exactly what we expected," Sokolowski said.

The center issues an evacuation warning for all earthquakes over 7.1 on the Richter scale.

For sizable earthquakes below that magnitude, the center monitors tide reports but does not issue a warning unless its necessary.



Stacy Studebaker wants to save Termination Point — in the background — for future generations.

Studebaker leads effort to spare Termination Point

By JOHN BREIBER

Kodiak Mirror Staff Writer

A local school teacher is spearheading a drive to save Termination Point.

Stacy Studebaker, a life and environmental science teacher at Kodiak High School, would like to see the Exxon Valdez Oil Spill Trustee Council purchase about 1,000 acres at the end of the Monashka Bay Road and turn it into a state park.

"It's a unique piece of recreational property," Studebaker said.

"It takes in so many ecological niches. You can see birds along the coast. You can hike through the forests and see forest creatures and beaver ponds," she said. "The land is also easily accessible."

It's just 12 miles from town. As the logbook shows, it's used by a lot of different user groups," Studebaker said.

The property, 11,023 acres in all, is owned by Leisnoi and a Kodiak-based Native Village corporation.

Leisnoi is already doing selective logging on the opposite end of the road system, on property it owns at Cape Chiniak and interim CEO Fred Zharoff says the company may look at expanding its operation to Termination Point in the future.

"Definitely, there is a possibility at some point we may look at Termination Point," Zharoff said in a recent interview.

Also hanging over the land is an outstanding debt Leisnoi owes to Konkor Forest Products Company.

Leisnoi used the Termination Point land and other property at Black Canyon in Kasilof Bay to secure an outstanding debt resulting from the merger and subsequent de-merger with Kodiak's regional Native corporation, Komag Inc.

Konkor at the time had advanced the different villages a certain number of dollars. As a result of the de-merger, the courts determined that money. See Termination, Page 6.

6—KODIAK DAILY MIRROR—THURSDAY, SEPTEMBER 1, 1994

For many years, hikers have written their comments and observations in a logbook, kept in an empty cabin at the end of the Termination Point trail.

March 13, 1991

I've visited this cabin a couple of times but never read through the journal before. I had to realize so many people cared about this place.

I have reading about people coming out and building a fire and having a nice meal and here.

I picked up the place a little, but it needs real work. Lisa Schrader, Bruce Lee, Chris & Chris and everybody else who works to keep this place viable. I commend you!

This is a special place worth preserving and protecting.

PT

July 13, 1991

I'm on my last few weeks in Kodiak. This is my second time at Termination Point.

I will miss Kodiak and what it has contributed to my life and my soul. I guarantee I will be back. May this cabin and what it represents still be here!

Lisa Schabauer, Menominee, WI

August 14, 1992

Great hike up. I have spent 4 hrs. coming up here and out on point. Termination view — cold, misty, beautiful country. I have not heard or seen a human since I left the end of the road. BEAUTIFUL. LOVE IT HERE.

Larry Sigford, Elton, FL

July 1, 1994

We decided to go hiking and we never dreamed to stumble onto something this cool. We are off the submarine... and love the outdoors. A lot of people off the boat may have a bad impression. Hope you don't think we all try to raise hell. Hope to come back one day and see it in the same or better shape. You got something real nice. That's hard to find these days.

Steven M. Emerson, Killeen, TX

Termination—

Continued from Page 1

had to be paid back," Zharoff said.

Leisnoi was supposed to make a \$100,000 payment to Konkor Aug. 1, but was unable to do so because of Leisnoi's ongoing financial problems.

Zharoff said Leisnoi asked for, and obtained, a 60-day extension.

"This is not the first time," Zharoff said, explaining that Konkor has granted Leisnoi other extensions in the past.

Zharoff doesn't foresee any problems making this year's payment, or — for that matter — the final installment due in Aug. 1995.

"I think we'll probably be able to achieve that goal," he said.

To get Termination Point considered by the Trustee Council, Studebaker had to obtain the support of both Zharoff and Leisnoi's Board of Directors.

"He (Zharoff) was very agreeable to the whole thing," Studebaker said.

Studebaker submitted the nomination under the Trustee Council's small parcel program.

That program is the second phase of the council's Comprehensive Habitat Protection Process.

During the first phase the council focused on larger parcels, such as the recent purchase of 42,000 acres near Seal Bay, on Afognak Island.

During the second phase, the council is examining parcels of 1,000 acres or less.

"Basically, we're evaluating the benefits of small parcel pro-

tection to the recovery of injured resources and services," said Tom Gerlach, a member of the council's habitat protection workgroup.

During the 60-day nomination period, which ended July 15, the council received 270 small parcel nominations, Studebaker said.

Now, Gerlach's group is deciding which parcels to keep on the list.

"All parcels have to meet a minimum threshold criteria to get into the door, so to speak," Gerlach said.

The parcels that make this first cut will then be ranked and submitted to the Trustee Council.

"They're going to come out with a ranked list by the end of fall," Studebaker said.

After the parcels are appraised, the Trustee Council will begin negotiating with landowners, she said.

It's unclear, at this point, just how much money the council will spend.

"There has been no money amount set," Gerlach said. "No one can really say what the interest level is from the Trustee Council."

In the meantime, anyone interested in commenting on the Termination Point purchase should write the Exxon Valdez Oil Spill Trustee Council Restoration Office at 645 G Street, Suite 401, Anchorage, Ak. 99501.

"We have a file here that we keep all the support for all the parcels in," Gerlach said.

"We'll tabulate all of those comments and provide them to the Trustee Council as an indication of support," he said.

Leisnoi locked in legal battle

Rival factions trade allegations

By JOHN PFEIFER
Mirror Writer

Lawsuits are flying faster than wood chips at a Native corporation-owned logging firm in Kodiak.

Woody Island Timber Company Inc. and its parent firm, Leisnoi Inc., are both plaintiffs and defendants in a raft of legal motions filed recently in Kodiak and Anchorage.

While the court battles rage, workers and subcontractors must wait for their checks.

Standing in the middle of this legal quagmire is Sen. Fred Zharoff (D-Kodiak), who became interim CEO of Leisnoi July 4.

Zharoff and his faction took the helm after a bitter, behind-the-scenes battle that lasted most of June. Once in control, they fired the company's former CEO and all of its employees.

Now, Zharoff and his allies are accusing those same people of "gross misuse and non-accountability of corporate funds."

They have even called in the Alaska State Troopers to investigate.

The former managers and em-

ployees deny the charges.

Others, in turn, have raised questions about Zharoff's alleged use of his senate position to secure certain considerations for

the company.

Zharoff admits he opened a few avenues for Leisnoi but says he did nothing wrong.

"It wasn't anything more, or

anything less, than I would do for anyone else," Zharoff said.

"We're just struggling on, trying to get this thing resolved."

See Leisnoi, Page 14



Ross Courtney photo

Gary Marlar operated a logging truck for Environmental Timber Company. He is one of many subcontractors still waiting to be paid. Marlar looks forward to hauling logs under a new contract with Woody Island Timber Company.

Native Corporation embattled since its beginning

By ROSS COURTNEY
Mirror Writer

Since its birth in 1974, Leisnoi Inc. has been embroiled in lawsuits, some of which challenge the corporation's very right to exist.

Managers say the ceaseless court battles have left the corporation financially strapped and unable to use its most valuable asset — its land.

Kodiak rancher Omar Stratman filed the first lawsuit in 1976 in the U.S. District Court in Anchorage. He was joined by

other cattle ranchers who owned grazing leases on what is now Leisnoi land.

Still under appeal, the lawsuit challenges the legitimacy of Leisnoi as a village corporation.

Leisnoi was created when a group of Natives who said they had historical ties to Woody Island applied for village corporation status under the Alaska Native Claims Settlement Act (ANCSA) of 1972.

The U.S. government granted them status, entitling them to more than 115,000 acres. Some

of the land they selected overlapped Stratman's leases on Kodiak Island.

Stratman's lawsuit claimed there never was a village on Woody Island. Therefore, he said, Leisnoi did not deserve to be a corporation.

"You can't just say, 'Hey, I'm a village, give me all of money, give me a lot of land,'" said Michael Schneider, Stratman's current attorney.

After two years of legal briefs and motions, the federal court dismissed the case. Stratman took

the case to the 9th U.S. Circuit Court of Appeals in San Francisco.

But before the appeals court could rule, Leisnoi merged with Kodiak's regional Native corporation, Koniag Inc. Koniag inherited Leisnoi's legal battle.

That complicated thing. The appeals court ordered the lower court to hear Stratman's case.

In an attempt to settle, Koniag offered Stratman about 18,000 acres of land if he dropped the case. See History, Page 14

Leisnoi—

Continued from Page 1

How it all began

Leisnoi got into the logging business on May 11, 1993, when it formed Woody Island Timber Company.

Dyan Conaway was general manager of Leisnoi at the time, and a member of its board of directors.

Conaway said she was asked to take over as manager in October 1993, after the previous manager, Michael Pagano, was dismissed.

At the time, Leisnoi's corporate headquarters were in Anchorage. They didn't move to Kodiak until April 1994.

"I was living in the valley at the time... and I started coming into the office (in Anchorage) to hold things together. Everything had basically fallen apart," Conaway said.

"We had to figure out a way to make some money in a hurry to keep the corporation going, since all of our land has been tied up for all these years (see sidebar).

"I started right away trying to work out this logging thing," Conaway said.

"My brother-in-law, Stan Olsen, had been involved in logging and selective logging in Alaska, Oregon and Washington for 25 years.

Selective logging is an alternative to clear-cutting. It removes older, mature trees, while leaving most of the forest standing.

Olsen and a friend of his, David "Zeke" Smith, formed a corporation called Environmental Timber Company (ETC), and made a proposal to do selective logging on land Leisnoi owned at Cape Chiniak, about 45 road-miles southeast of Kodiak.

"We liked the idea of keeping our forest and making enough money to keep going," Conaway said.

So, Woody Island Timber signed a one-year logging license, or contract, with ETC, Conaway said.

Smith and Olsen began felling timber in July 1993.

"It started out OK," Conaway said.

"Then it began to become clear that the agreement we made wasn't working," she said.

"The percentages weren't working, and they were getting farther and farther in the hole," Conaway said.

Under the terms of the logging

'There's no question that we'll be in court for a long, long while.'

Leisnoi attorney Edgar Paul Boyko

license, Leisnoi agreed to pay ETC 53 percent of all revenues from the sale of the logs. After ETC had received \$300,000 in net profits, future proceeds would go to Leisnoi.

Plans called for the logs to be transported by truck to a freight terminal in Womens Bay, just south of Kodiak.

Two other companies, Seaport Terminal Services and Vulcan Company, would store the logs and then ship them to Afognak Island.

The barge shipments would be timed to coincide with the arrival of a freighter that already would be hauling logs from Afognak to Japan.

Sealaska Timber Corporation agreed to act as middleman, buying the logs from Woody Island Timber and then marketing them abroad.

Sealaska gave ETC a \$500,000 cash advance to cover initial expenses. ETC agreed to repay the loan, a bit at a time, as the logs were delivered.

Roughly a half-dozen such shipments were made.

Zharoff, who was named to Woody Island Timber's board of directors shortly after the corporation formed, said he began to question the provisions of the contract almost immediately.

"At that time, the group in charge (of Leisnoi's board) had some problems with the questions we were asking," Zharoff said.

In February, Leisnoi's directors, who determine the makeup of the Woody Island Timber board, removed Zharoff and Dave Imus (another member who was asking questions) from the board, Zharoff said.

Donna Plank, former secretary and treasurer for Woody Island Timber and office manager for Leisnoi, tells a different story.

She says Zharoff suffered from a "Rip Van Winkle" effect.

"He didn't wake up until the money started coming in," Plank said.

"Some of these things he's accusing us of as Woody Island Timber officers, he approved himself, ratified at a board meeting. It's all

in the minutes," Plank said.

After Zharoff left the Woody Island Timber board in February, he and the other dissidents began a campaign to take control of the board.

Allegations of financial mismanagement

Zharoff said his primary reason for wanting to change leadership at the Native corporation was a "concern about financial expenditures and accountability."

Those concerns were described in detail in Leisnoi's July 1994 newsletter, which was mailed to all of Leisnoi's 330 shareholders.

Zharoff calls the newsletter a "compilation" written by several board members, including himself.

It says that, during the month of June, an "informal financial and management review was conducted by Leisnoi directors Mike Waller, Fred Zharoff and Edward Ward."

The newsletter says the review uncovered "gross misuse and non-accountability of corporate funds and credit cards by (Leisnoi) employees."

"Some of the improprieties uncovered include (but are not limited to) excessive payroll advances in the thousands of dollars, use of corporate credit cards for personal use, use of corporate credit cards by unauthorized employees, insufficient records to document purchases, stonewalling Leisnoi directors' attempt to access corporate and subsidiary information, and the disbursement of loans to employees without board knowledge or approval."

The newsletter says, "An investigation by the proper authorities is underway to determine the extent of wrongdoing."

Alaska State Trooper spokesman Steve Wilhelm confirms troopers did begin an investigation, "based on a complaint by a couple of (Leisnoi) board members." It is being conducted by the White Collar Crime Division of the trooper's Criminal Investigation Bureau.

Wilhelm said investigators are now waiting for the results of an

only lawyer crazy enough to take the case."

They returned to the original plan and tried to reopen the case in the U.S. District Court in Anchorage.

Stratman posed the same argument he did in 1976 — Leisnoi was never a village.

And just like in 1976, the court dismissed the case.

Again, Stratman appealed to circuit court, where the case now waits for oral arguments.

Ironically, Stratman will not get any land or money even if he wins.

However, Schneider says his client does not want land. He wants the right to make his initial claim that Leisnoi is a bogus village.

"If he can't have his 18,000 acres, then he ought to have his lawsuit back," Schneider said.

If Schneider and Stratman succeed, the U.S. government will get the land.

Leisnoi has now filed a suit of their own in Kodiak Superior Court. It says Stratman is using the land improperly. It also wants \$324,000 in lease payments.

Stratman counterclaims he has lived on the land so long, he has the right to use it anyway he wants.

Antoinette and James Burton, who joined Stratman in his 1976 claim but later dropped out, are also in court again.

They want two small tracts of land on which they have grazed horses since 1978.

The continuing court battles have been expensive for Leisnoi and have virtually locked up its land.

Settling them is job one for interim CEO Fred Zharoff, who predicted in the company's July newsletter, "I also see us settling those court cases which have been hanging over our heads and holding us back for so long."

Timeline

1974

Leisnoi incorporated under ANCSA

1976

Ranchers file lawsuit challenging formation

1980

Leisnoi merges with Koniag, Inc.

1983

Leisnoi demerges from Koniag

1993

May 11 Leisnoi forms Woody Is. Timber Co.

May 26 Woody Is. signs contract with ETC.

1994

March 12 Fred Zharoff & Ed Ward elected to Leisnoi board

June 4 Recall vote. Locks changed at Leisnoi's office

June 13 Recall results reversed. Old office staff returns

June 14 Seaport files lien against ETC

June 30 Zharoff's faction regains control of Leisnoi board

July 8 Stipulation signed. Log shipment goes to Afognak Island

July 25 ETC files lien against Leisnoi and Woody Is. Timber

Aug. 8 Leisnoi and Woody Is. Timber file cross claim against ETC.

audit, being conducted by Leisnoi.

"If the audit is done, and the outcome shows something to be wrong, we will investigate further," Wilhelm said.

The former employees of Leisnoi flatly deny the allegations.

Former CEO Conaway said that she, for one, received no payroll advances.

Conaway said use of the corporate credit card "was approved during and after (the) move to Kodiak. I ended this practice in Jan. 1994. All charges were repaid," Conaway said.

Furthermore, Conaway said, "No Leisnoi directors were denied access to corporate records."

"The previous board was working together to keep Leisnoi going. There was no intentional wrongdoing. There were mistakes, just as anyone makes, but each had the best interest of the shareholders as first priority."

Donna Plank agrees.

"It was all accounted for. It was all on the general ledger," Plank said.

"There were a lot of moving costs involved in moving the offices to Kodiak. It had been authorized by a previous board member who was president and chairman at the time," Plank said.

Depending on the outcome of the investigation, Plank said she may consider a lawsuit of her own.

"I've talked to an attorney about

it. We're kind of waiting to see what happens with this investigation by the troopers. I think we're going to be cleared of any wrongdoing," Plank said.

The third former Leisnoi employee, Cheryl Holmeyer, also denies the allegations.

"They don't want to listen, anyone's story, they just want to take what they see and go with it," Holmeyer said.

The "illegal" recall

The takeover at Leisnoi was, no means, tidy.

It stretched over a period of months.

Zharoff and Ed Ward were elected to the board in March 1994.

Shortly thereafter, they began organizing a recall of board members Conaway and Walter Sargent.

The recall was scheduled to take place at a special membership meeting June 4.

In response, Conaway and others started their own recall effort of Zharoff and Ward.

"We said we'd do it at the same meeting to save money," Conaway said.

As usually happens at such meetings, most of the votes were cast by proxy, or written authorizations sent in by shareholders who couldn't attend the meeting.

"The bylaws stated that, in order for a director to be recalled, See Leisnoi, Page 15

History—

Continued from Page 1

suit. Stratman took the offer in 1982.

But by the time the titles were conveyed, Koniag and Leisnoi demerged, splitting the land rights. Leisnoi received the surface, Koniag — the subsurface.

Since Stratman settled with Koniag, he received the subsurface rights, which were of little use to him as a rancher.

Leisnoi refused to convey the surface.

Stratman filed suit again, this time in the state court. He won.

Koniag and Leisnoi appealed. The State Supreme Court overturned the lower court's decision in 1992, ruling that Stratman should have seen the demerger coming.

Since the decision, Stratman has hired a new attorney, Schneider, who calls himself "the

Leisnoi—

Continued from Page 14

nd to have at least 51 percent of shareholders of the outstanding shares," Conaway said.

Although Zharoff's side beat Conaway's side in terms of the total number of proxies returned, "neither side had the 51 percent required by the bylaws," Conaway said.

"So, when we got to the meeting, Ed Ward said he wanted to change the agenda," she said.

She and the others objected. Because it was a special meeting, they said, only one subject could be discussed: the recall.

"There was an attorney present who told him it couldn't be done," Conaway said.

Despite that advice, they went ahead with the motion, Conaway said.

Ward amended the agenda to include a proposed change to the corporate bylaws, one that would modify the way the recall vote would be counted.

"He wanted to amend the bylaws to say that you didn't have to have 51 percent of the shareholders vote to recall a director, you only had to have 51 percent of the shares represented at the meeting," Conaway said.

"He made the motion, got somebody to second it and called for a question," Conaway said.

The motion passed. Conaway and Sargent were removed from the board ... at least for the time being.

Later that same night, Conaway said, the new managers went to the Leisnoi office and changed the locks.

"They, more or less, took over the office," Conaway said.

Nine days later, on June 13, the new management team had a change of heart.

"Rather than going through with

the expense of what it would take to have the courts finally decide whether the action on June 4 was valid or not," Zharoff said.

The group decided to return Conaway and Sargent to the board and give them back the office, Zharoff said.

Plank said she and the other employees were surprised at what they found — or rather, didn't find — when they returned.

"We got back in the office and there were a lot of documents missing," Plank said, documents that would help disprove the charges levied against Plank and the other employees.

Plank said some of the missing files "showed up magically on our doorstep one night, but there was still a lot missing."

Zharoff admits documents were removed from the office for two or three days — during a brief power failure — but says everything was returned.

Zharoff's group eventually gained control of the corporation, June 30, after incumbent board member Dave Buckley resigned. Zharoff and the others were able to get one of their own nominees, Marty Shuravloff, elected to the board, using proxies left over from the March 12 meeting.

Abuse of power?

Zharoff, who is between sessions of the Alaska Legislature, says the job of interim CEO at Leisnoi has had little or no impact on his senate position.

"As complaints or concerns come in, we handle them from my other office," Zharoff said.

Leisnoi is currently advertising for a permanent CEO, and Zharoff hopes he, or she, will be hired before fall.

If anything, Zharoff says, being a state senator has made things easier for him at Leisnoi.

How he uses his position was il-

lustrated earlier this week, when Kodiak's public radio station, KMXT-FM, aired a portion of a tape recording made at the Aug. 4 Leisnoi board meeting.

Zharoff was heard to say, "I don't know how we're going to get out of these financial obligations we have. We're using up a lot of goodwill."

"I tell you, I'm using up a lot of goodwill, myself, and my position there with the state."

"A lot of these things we would not be getting — we would not be getting consideration if I was not in the senate. That's come up several times," Zharoff said.

"Consideration from whom," someone asked.

"From the people we have to deal with to get breaks, to get allowances."

"I mean, this has been an asset. It's been pointed out several times," Zharoff said.

"I can talk to state agencies. I can get into the commissioner's office. I can talk to some of the people that are in charge of some of these logging companies, because they have to come back and they have to deal with me later on," he said.

Later, Zharoff added, "I mean, I don't call up and say that this is Fred Zharoff, executive officer of Leisnoi. I call up and say, 'I'm Senator Zharoff, can I speak to so-and-so.'"

"That's really abusing this power a little bit, but it's getting us in and it's getting us some results," Zharoff said.

Later, when asked if the tape was an accurate representation of what he said at the meeting, Zharoff replied, "Probably, things go by so quickly at meetings that — a lot of the time — you don't realize what you're saying."

When asked if his actions really do constitute an abuse of power, Zharoff said, "No, I really don't think so."

It wasn't anything he wouldn't normally do for any other constituent, Zharoff said.

"Any (constituent) that comes in with a complaint that they can't get through to an individual in either the state or the federal agencies, we'll call them up, there, and say, 'This is Sen. Zharoff. I want to speak to so-and-so,'" Zharoff said.

"That's basically the context we use here."

Seaport gets nervous

Political and corporate machinations aside, all the changes at Leisnoi during the month of June made the folks at Seaport Terminal Services very nervous.

Seaport's General Manager, Dale Heath, explained just how nervous in a court affidavit:

"On June 9, I was informed by certain Leisnoi Inc. shareholders that Leisnoi Inc. was experiencing a change in leadership on its board of directors and that the likelihood of ETC being able to pay Seaport and Vulcan Company Inc. was not promising."

Since the beginning of operations under Seaport's agreement, ETC had not paid a single bill, Heath wrote.

ETC's outstanding balance, as of June 1, was \$93,890.02.

"Due to the flux and instability of Leisnoi Inc., and the inability to get paid by ETC and the uncertainty as to whether Seaport would ever get paid, I filed, and had recorded, a lien on the subject logs," Heath wrote.



John Pfeiffer photo

Sen. Fred Zharoff

The lien was filed under a little-known section of the Alaska Statutes regulating commercial timber transactions.

That law requires the court to appoint, without notice, a third party, "receiver," who takes control of the logs. In this case, the receiver was the Department of Public Safety.

On July 8, however, the parties agreed to settle the dispute, at least temporarily.

According to a stipulation filed with the court, the parties agreed to let some of the logs be shipped to Afognak Island during the first part of July.

Woody Island Timber agreed to pay Seaport and Vulcan \$119,629 from the proceeds of the sale.

The rest of the money went to Sealaska Timber Corporation to pay off a portion of the cash advances given to ETC, Zharoff said.

"I don't think we got anything," he said.

And the lawsuits begin to fly ...

A few days after the stipulation was signed, on July 11, Woody Island Timber canceled the logging license, cutting ETC completely out of the picture.

ETC's attorney, Kirk Wickersham, said his clients were ready to throw in the towel.

"We approached them (Woody Island Timber) and said, 'Okay, you win. If you take over the debts, you can have the logs.'"

Wickersham said Woody Island Timber turned down the offer. "They said they wanted the logs but they didn't want the obligations," he said.

A few days later, on July 25, ETC filed a new lien against Leisnoi and Woody Island Timber, again halting the shipment of logs felled by ETC.

Wickersham said he requested the lien "only to protect ETC's creditors," all the logging subcontractors and suppliers who advanced goods or services to ETC.

"In order for them to get paid, the remaining logs would have to be transported," Wickersham said.

"In other words, ETC and its

creditors have put in all of this work over all of these months ... now it's payday and Leisnoi has cut us off," Wickersham said.

Leisnoi's attorney, Edgar Paul Boyko, sees it somewhat differently.

He says ETC's lien is "totally unjustified," and says Leisnoi will ignore it.

"We're basically starting a brand new operation," Boyko said.

Zharoff confirms that a new contractor, Ben A. Thomas Inc., began felling timber at Chiniak two weeks ago.

"To the extent possible, we're keeping the same cutting procedures, which are basically selective cutting," Zharoff said.

"We anticipate that we should be able to harvest conservatively ... about 10 to 15 million board feet a year."

In the meantime, the court battle continues.

More creditors have filed liens on the logs harvested by ETC.

Boyko has also filed a counter suit on behalf of Leisnoi and Woody Island Timber in Anchorage Superior Court.

The complaint alleges ETC failed to repay more than \$72,000 in loans made to ETC by Woody Island Timber.

It accuses ETC of violating several provisions of the logging license, including "damaging and destroying numerous standing trees," not properly disposing of "slash," and "leaving stump heights of greater than 12 inches."

Among other things, the complaint asks the court to turn over all of ETC's assets to Woody Island Timber. It also asks for a judgment against ETC, "Zeke Smith and Stan Olsen" "in an amount in excess of \$100,000."

ETC's attorney, Wickersham, is busy preparing a response.

"It's quite a ballgame," Wickersham said.

Boyko agrees.

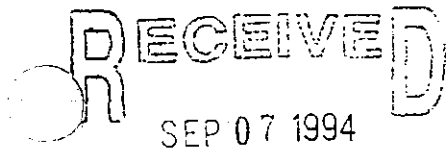
"There's no question that we'll be in court for a long, long while," Boyko said.

"It's not exactly what we want to do but we really don't have much choice."



Ross Courtney photo

Logs felled by ETC wait in Seaport's storage yard at Womens Bay. No one can touch them until the courts sort out the competing legal claims.



EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

21
K 9/8

P.O. Box 3269

Kodiak, AK 99615

September 6, 1994

Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 H. Street, Suite 40

Anchorage, AK 99615

To Whom It May Concern:

We are writing to express our support of the use of funds to purchase "Termination Point" from Lesnoid Incorporated. We feel that this area should be preserved from development and used to protect wildlife habitat and to be enjoyed for recreational purposes as it is now. As thirteen year residents of Kodiak, we have frequently hiked in this area and enjoyed its beauty. Please consider using your funds to purchase this area so that it can continue to be utilized by residents and visitors to Kodiak.

Alice M. MacDonough
Stephen Coon

Cheryl L. Merriman
P. O. Box 1155
Kodiak, AK 99615

0. 1994

September 9, 1994

Exxon Valdez Oil Spill Trustee Council Restoration Office
645 G Street, Suite 401
Anchorage, Alaska 99501

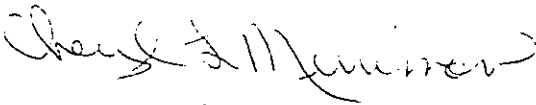
To Whom It May Concern:

I am writing to express my feelings that Termination Point on Kodiak Island should be preserved. This area is very unique in that it is an area close to the road system that families can go for nature walks, picnics, ice skating in the winter and use as a great recreation area.

I myself took a class at the college on "Edible Plants of Alaska" and it was to Termination Point that our instructor, Stacy Studebaker, took us to find these plants in their natural settings. I was not aware of what a scenic area this was until this trip. I have since recommended it to others as a great place to go for a hike and take their families.

With this letter I am therefore asking that you consider this parcel as one to be preserved.

Sincerely,



Cheryl L. Merriman

Diana Holt
P. O. Box 3484
Kodiak, Alaska 99615

September 9, 1994

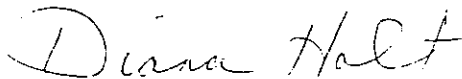
Exxon Valdez Oil Spill Trustee Council Restoration Office
645 G Street, Suite 401
Anchorage, AK 99501

To Whom It May Concern:

It has been brought to my attention that there is a possibility of Termination Point being logged and destroyed of its natural beauty. I would therefore ask that you consider this area as one of the parcels that you select for preservation.

I have walked the trails at Termination Point many times and have enjoyed the natural beauty and rare plants in that area. It would be a shame to loose this area that serves as a recreational release for so many of the local residents of Kodiak. Thank you for your consideration.

Sincerely,



Diana Holt

RECEIVED
SEP 11 1994

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

Traci L. Beinart
P. O. Box 2287
Kodiak, Alaska 99615

SEP 16 1994

September 9, 1994

 9/27/94

Exxon Valdez Oil Spill Trustee Council Restoration Office
645 G Street, Suite 401
Anchorage, AK 99501

To Whom It May Concern:

With this letter I wish to ask that you consider Termination Point on Kodiak Island as one of your parcels to be preserved. This area is very accessible as a recreational area for the people of Kodiak. I would hate to see the old timber cut for lumber and the beauty of the area destroyed.

Thank you for your consideration in this matter.

Sincerely,



Traci L. Beinart

September 14, 1994

SEP 16 1994

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

To whom it may concern,

I have lived in Kodiak for 6 years and have been a biologist/naturalist for the same amount of time. Recently many of my favorite hiking, bird watching and general recreating areas have been sold for logging and private subdivisions. Most of the land along the road system is native owned and can be developed. Termination Point is one of the most beautiful, lush, tree lined sections along the road system. It is home to a variety of plant and animal life (some of it rare-orchids, marbled murrelets). It also provides year round recreational opportunities for residents as well as visitors alike. (On a typical Kodiak day-rain and wind) one can find refuge under the hugh Sitka Spruce and because of the varied habitat one is always able to view wildlife.

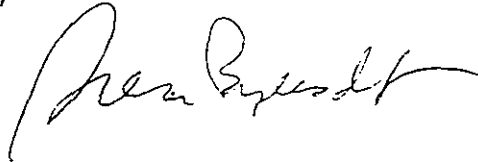
The entire Termination Point coastline was oiled as a result of the Exxon Valdez oil spill in 1989 and hardened oil has been found by various visitors along the beaches during this summer (1994).

By purchasing Termination Point a number of precious habitats will be protected for use by recreational, historical, rare and varied wildlife and plantlife.

Thank you for your consideration.

Sincerely,

Susie Byersdorfer



Date: September 16, 1994

To: Exxon Valdez Oil Spill Trustee Council

From: Robin Schaeffer
P.O.Box 2133
Kodiak, Alaska 99615
(907) 487-2765

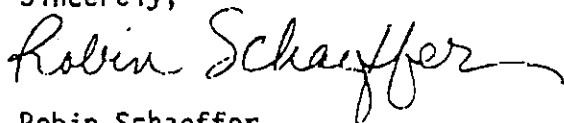
Re: Termination Point Acquisition

This letter is to express my support of the acquisition of the Termination Point property in Monashka Bay, Kodiak, Alaska. I encourage the council to expend funds to purchase and protect this area, one of the few forest systems of any size accessible from the road side. Lesnoi, in the past, has allowed public access for school, nature and private groups to enjoy forest ecosystems. Our community values and uses Termination Point extensively as a trail system and for related recreational and academic purposes.

As a person who has occasion to travel frequently in the states of Washington and Oregon, it grieves me to anticipate timber and/or gravel harvest of the magnitude common to these states on the Kodiak road system, or within the archipelago at all.

Please, consider my opinion as you approach your final decision regarding Termination Point acquisition.

Sincerely,



Robin Schaeffer

KODIAK ISLAND MEDICAL ASSOCIATES

BRAD BRINGGOLD, M.D. • FAMILY PRACTICE

1818 EAST REZANOF DRIVE • KODIAK, ALASKA 99615 • (907) 486-6065 or 486-3177

FILED
SEP 21 1994
KODIAK, ALASKA
U.S. DEPT. OF JUSTICE

September 21, 1994



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

re: habitat on Kodiak and Afognak

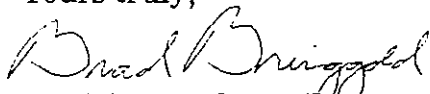
Dear Mr. Ayers:

Sadly I understand that some of our native corporations plan to clear cut areas on Kodiak and Afognak which I consider to be prime recreational and habitat areas. Since 1982 I have lived and worked here, and I have been fortunate enough to enjoy these and other portions of this archipelago. In the early 1980's my family and I used to go to the upper end of Danger Bay to a beautiful valley inhabited by elk, deer and bear where we loved to hike and hunt and fish. Now Danger Bay has been clear cut. Those areas that are not lunar landscapes or impassable seas of limbs and brush have some scrub growth, but I doubt they will be forested in our lifetimes much less be returned to their original splendor.

Plans are afoot to clear cut Termination Point on Monashka Bay and much of the north end of Afognak Island. Termination Point, the view out my front windows, has terrific hiking trails, a fine silver salmon run accessible by road, and abundant wildlife. In the Spring I can see deer on the beach across the Bay, and for me, this marks the end of Winter and the return of life to the Island. Not only are they threatening to clear cut it, but another corporation wants to make it into a gravel pit. I can not express the disgust I feel for these "native peoples" who have so little regard for their native lands. North Afognak, less accessible and pretty much untouched, is what Danger Bay was once.

Please consider these areas for setting aside. I have no problem with logging if it is done in a sustainable way with consideration for the long term use of the land. I used to live in a national forest area in Arizona where multiple uses were sustained. It breaks my heart, however, to go to Danger Bay now, and the thought of losing Termination and North Afognak is worse. Let me know how I can best help save these prime areas from destruction.

Yours truly,


Brad Bringgold, M.D.

9/24/94

Dear Trustee Council:

In reference to the trail to Termination Point on Kodiak Island, I'm writing to ask you to buy back this area and preserve it. As a former Kodiak resident, I hiked this route several times. The rainforest through which the trail runs is beautiful, serene, and easy to access. I loved the old growth forest in there - it would be a real shame to let loggers in there, when so much other land, less beautiful and historic, exists on other parts of Kodiak. I also enjoyed visiting the old cabin at the end of the trail - a journal inside was filled with the impressions of other visitors who, like me, appreciated the beauty and quiet of the forest.

Please consider protecting the trail to Termination Point and the surrounding forest. It's a lot more valuable as a cultural & environmental refuge than it would be as a logging area. Thank you.

Sincerely,

Kathleen Kemoleen

Box 287

Sterling, AK 99672

RECEIVED

SEP 27 1994

EXXON VALDEZ OIL SPILL
TRUSTEE COO

9/28/94
J. Ken

2 October 1994

Dear Council

I finally saw what a beautiful place Kodiak is when I visited the island for the first time this past summer. My guest from Ektiside and I spent three gorgeous days exploring the "tip" of this beautiful place.

One of the most beautiful parts of the trip was the three-mile "Coastal Trail" that goes to Termination Point. It has now come to my attention that this trail may be threatened by logging or development. After hiking on this trail, it is obvious what a tragedy this would be. I am writing this letter to ask you to consider protecting this trail and the forest that surrounds it. It is a wonderful, and fairly accessible, hike into Alaska's temperate rainforest.

Thank you for your consideration.

Sincerely,

Beth Carlson

Beth Carlson
19632 Delphin Cir
Eagle River AK 99577



Kodiak State Parks
CITIZENS' ADVISORY BOARD

S.R. Box 3800
Kodiak, Alaska 99615
Tel. 486-6339

10/12/94

10/12/94

October 9, 1994

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

10/12/94

Dear Trustee Council Members:

The Kodiak State Parks Citizens' Advisory Board, at the September 19, 1994 Board meeting, by unanimous vote, supports acquisition of Termination Point, Kodiak Island. This tract of land, owned by Leisnoi Inc., was nominated for a "small parcel" acquisition by Stacy Studebaker on July 14, 1994.

On behalf of the Board, I would like to express to you some of the outstanding qualities of the Termination Point land parcel. In 1940-43, military observation posts were established on Termination Point as well as foot trails. The remains of these historic structures are still visible and the foot trails (both coastal and interior) have been used extensively by the public for recreational hiking after construction in the 1970s of the Monashka Bay Road to the trail head. Termination Point is one of the few relatively virgin habitat areas remaining on the road system within approximately 12 miles of Kodiak City. The habitat in this parcel, although dominated by mature stands of Sitka spruce, is varied with small lakes, wetlands and creeks, open meadow areas, rocky high cliffs along the coast and two gravel and sand beaches. This varied habitat, adjacent to Monashka Bay, supports to some degree, nearly all of the animal species injured by the oil spill. The diversity of the Termination Point habitat and animal species, in fact, is one of the reasons why the trails are so popular with recreational hikers, wildlife observers, and the Audubon Society. The mature forest provides winter habitat for deer and concentrations of deer are often visible along the beaches in winter. The tract has at least one known archeological site.

Termination Point and Monashka Bay was oiled in 1989 and impacted by the oil and clean-up activities. Mammals and birds exposed to the oil were killed and recreational activities along the coast were curtailed because of the presence of oil globules and Exxon crews.

Unfortunately, Termination Point habitat and the animal life this habitat supports is again threatened. The landowner, Leisnoi, intends to log this area in the near future after the Chiniak log sale is completed. However, Leisnoi has expressed willingness to consider nomination, appraisal, and sale of the Termination Point tract as stated on the Nomination Form.

When I first heard that Termination Point was in danger of destruction, I was stunned, speechless. It was like hearing that I was about to lose a limb for no good purpose. I have lived here since infancy, so I suppose I took the magnificent beauty of Termination Point for granted—as if anyone in the United States could picnic in old-growth forest, go hunting and fishing and berrypicking in the shadow of trees that may be older than the Constitution. I struggled for months to find the words to express to someone who may never have seen it exactly what Termination Point means to me, and to many of the people who live here. Finally a very wise friend advised me to write from the heart.

If you come to Kodiak in July—if, God willing, the forest is still there—call me and I will take you walking on a path that might have been laid out by a master gardener of imperial Japan. I will show you an entire thicket of the rare sweet yellow strain of salmonberry, next to bushes full of tender blueberries the size of marbles, and not a worm in any of them. I will lead you down a shaded walk heavy with the fragrance of rein orchid, though not a blossom is to be seen. There are tiny streams there that wind like miniature rivers, with minuscule cliffs and shoals; their water is clear and full of gentle music, and birds bathe fearlessly next to the path. Eagles soar high over the trees; their cries echo off the slanting faces of the hills. Maybe we will see the prints of deer and fox, so new that fresh water is still welling into them. Green alder leaves will be scattered on the moss among the tiny white flowers called shy maiden or single delight. The hermit thrushes will be singing like fairy flutes in the high branches; in July, they hardly stop even to breathe, day or night.

if you come in the right season, we can go fishing in the river next to the woods, or hunting among the thickets of devil's club whose broad flat leaves cover entire hillsides with a second forest floor. We can go three-wheeling or biking if that is your inclination; it kicks up a lot of mud, but the forest has plenty of room for people who walk and people who ride. Or we could hike all the way to the tip of the point and strain to see the shores of Spruce Island through the fog. Bring your camera or you will wish you had. We can camp if you like, and wake up to the scolding of squirrels in the morning.

Or you can visit the new gravel pit; your choice.

Termination Point is not pristine, not perfect. I have seen garbage and spent shells everywhere, the remains of someone's party. I have also seen a long line of people who apparently thought they were in a park solemnly piling bag after bag of trash around someone's homemade burn barrel until it was almost buried. To be fair, they had out-of-state plates, so they probably couldn't conceive of a place that was just *there*, where nobody had been hired to clean up after them, where they had to take responsibility. Even if Termination Point is no longer in immediate danger of destruction, I urge you to acquire it to save it from people like that, who love it too much but care for it too little. I understand that this will probably lead to posted rules, gravel paths, laurels, interpretive exhibits, and the like, but if I must see Termination Point domesticated or destroyed, I will choose the lesser of two evils.

Still, I can hope. I urge you, not only to acquire the Termination Point area from the river to land's end, but to keep it as it is. Let it be a place where people can hunt or bike or walk or picnic as they please, without fee or regulation. Give the land to the Nature Conservancy or some other group that will *leave it alone*. The idea that wilderness is a separate place with boundaries on a map, someplace where we only go on special occasions and under certain conditions, used to be foreign to this community, but it has sprung up like a poisonous mushroom. Let there be one wild place left near town where the only regulations are those of personal responsibility and community law, a place that is free to all. Considering human irresponsibility and destructiveness, this is probably a vain hope. If you cannot save Termination Point as I love it, please save it as you can.

Jennifer T. Langan
P.O. Box 3354
Kodiak, 99615
486-1757

J. Ken 2/14

Hans U. Tschersich, M.D.
1423 Baranof Street
Kodiak, AK 99615

10 Febr. 1995

Re.: Testimony given to the Exxon Valdez Trustee Council in Favor of the
Acquisition of Termination Point Land near Kodiak - A Small Parcel

Dear Members of the Council:

I have often hiked the many wooded trails and kayaked the rocky shores of this beautiful recreational area so close to the town of Kodiak. I included these very accessible trails into a recently published hiking guide that has become popular with locals and visitors alike.

Termination Point is an area full of terrestrial and maritime wildlife, since the dense forest provides winter cover for deer and many other creatures. The cliffs along Monashka Bay are home to sea mammals and provide wintering shelter for many sea birds.

In short: The Termination Point Area is a unique area for humans and animals alike. Therefore I recommend the purchase of this land with funds from the Exxon settlement. This will save the area from threatened logging and preserve it for the many wildlife species. In addition it is easily accessible for healthful human enjoyment and provides needed parkland close to the growing City of Kodiak.

Sincerely,



Hans U. Tschersich

*Mike Sirofchuck**Box 970**Kodiak, AK 99615**907 - 486 - 6498*

February 12, 1995

TO THE EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL:

PLEASE APPROVE FUNDING FOR ACQUISITION OF TERMINATION
POINT IN KODIAK.

This parcel acquisition offers superb opportunities for habitat restoration as well as recreation. Termination Point will tie in with Kodiak Island Borough lands to create a large section of preserved old growth Sitka Spruce forest, thus providing habitat for a number of species affected by the oil spill. Furthermore, a traditional hunting and recreational area will be protected from exploitation and development. I urge you to approve the acquisition of Termination Point.

Sincerely,

Mike Sirofchuck

Kodiak, AK

To: The Exxon Valdez Oil Spill Trustee Council

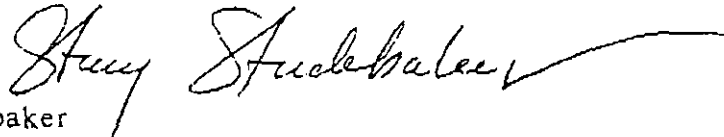
2/13/95

Please protect Termination Point. It is a very important piece of land to the community of Kodiak. It offers unique, year round, multi-use recreation in one of the only old growth Sitka Spruce forests accessible from our road system.

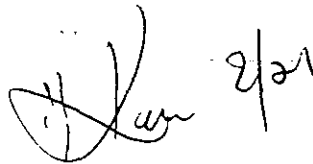
The Marine Recreation Council recently nominated the Kodiak Borough land immediately adjacent to Termination Point as it's Number 1 priority for funding. This means that the Kodiak Borough is committed to maintaining and upgrading a prime recreation area which allows trail access to the Termination Trail system.

Please don't let a natural treasure be lost to clear cutting.

Sincerely,



Stacy Studebaker
P.O. Box 970
Kodiak, AK 99615



Afognak Island
3/22/95

Ms. Molly Mc Cammon
Executive Director
Exxon Valdez Oil Spill Trustees Council
Restoration Office
645 G St.
Anchorage, AK
99501-3451

RECEIVED
MAR 31 1995

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

Dear Ms. McCammon:

There was an article in the 3/16/95 Kodiak Paper requesting our comments concerning the buyout of Termination Point on Kodiak Island for a State Park.

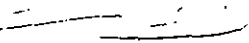
Since the government already owns 88% of Alaska and manages most of it for non development, I do not understand why we need to take any more private tax paying land out of production to create another Park. We have cut the Park department budget in 1994 and cannot afford to run the parks that we now have. Even though the proposed purchase is from "free" oil spill money it still costs money to administer a park. Most of Kodiak Island is in the Wildlife Refuge and managed like a park. Adding another 1028 Ac. for recreation is a waste of money.

Termination Point was not impacted by the oil spill. Buying it has nothing to do with oil spill restoration.

If Termination Point is critical habitat and needs to be purchased, why not take 1028Ac from Seal Bay or some other park that we don't need, and put it back in private ownership?

When the oil money runs out; private land and a diversified private sector economy will be the only things left to finance our growing state government. We will not survive if all of us become government employees and there is no one else left to pay the bills.

Sincerely,


William S. Haag
Bx 1159
Kodiak, AK
99615

KONIAG, INC.

• 4300 B Street, Suite 407, Anchorage, AK 99503

(907) 561-2668 • FAX (907) 562-5256

April 13, 1995

Ms. Molly McCammon
Exxon Valdez Oil Spill Trustee Council
645 G Street; Suite 402
Anchorage, Alaska 99501

RECEIVED
APR 17 1995

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

Dear Ms. McCammon;

As you are probably aware, for the past several months there has been a grass-roots movement in the Kodiak conservation community to have the EVOS Trustees acquire the 1028 acre tract known as Termination Point as a part of its oil spill mitigation program. This virgin tract owned by Leisnoi, Inc./Koniag, Inc. (surface/subsurface respectively) is located just at the terminus of the all-weather Monashka Bay Road, about four air miles and ten to eleven road miles north of Kodiak City. Because of its location, the tract receives considerable de facto recreational use, with long used foot trails incised into its ground.

Notwithstanding all the publicity the proposed acquisition has generated of late, to the best of my knowledge no one from either the local community or the EVOS Trustee Staff has formally or informally approached or contacted the landowners. I can state as fact that neither has contacted Koniag, Inc..

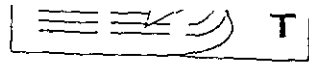
This letter is to advise you that if the EVOS Trustees are contemplating a possible purchase of Termination Point, it would be prudent to negotiate with both surface and subsurface owners for the entire fee estate. The Trustees should understand that as the owner of the dominant estate (the subsurface) Koniag, Inc. would fully exercise its right to develop that estate especially for the extraction of sand, rock gravel, armour rock, etc..

Sincerely,
KONIAG, INC.

John Merrick

John Merrick
Manager, Lands and Resources

cc: Leisnoi, Inc.



Unclear title could slow Termination Point buy

By GLORIA CANTENS
Mirror Writer

The lead negotiator for several Exxon Valdez Oil Spill Trustee Council projects last night told a group of about 20 that unclear title could slow down the acquisition process for Termination Point.

"If you could get Mr. Stratman and Leisnoi Inc. to resolve their legal problems, that would help," said Al Swiderski, lead negotiator for many of the acquisitions, including Termination Point.

The Ninth Circuit Court of Appeals and an Anchorage trial court recently cleared the way for rancher Omar Stratman to proceed with his decertification suit against Leisnoi Inc.

Stratman is waiting for the court to rule on an injunction that would halt logging on the corporation's lands in Chiniak. Stratman also has filed a lis pendens (which gives notice of a pending lawsuit that may affect title) for Termination Point.

The decertification suit throws title to the parcels into question.

Representatives from the council, including Executive Director Molly McCammon, were in Kodiak Thursday to listen to public comment on the long-term restoration plan.

Most of those present last night supported the council's acquisition of Termination Point, a 1,028-acre tract that is a documented marbled murrelet habitat.

The parcel also contains an active beaver pond and archaeological resources and is a popular recreational spot for hikers, campers and sport fishermen.

McCammon told them the message was loud and clear.

"The file is this big," she said, holding her hands wide.

Those gathered also received an update on council activities and plans for FY96.

The council has spent \$300 million of the \$410 million it has received from the Exxon Corp. Another \$300 million of the total settlement have been committed.

More than \$342 million have been spent on habitat acquisition.

About \$1.5 million were spent on the new Alutiiq Museum and Archaeological Repository. Many local treasures used to be sent off-island because of a lack of adequate housing.

A forecast of work planned for 1996 is outlined in the *Draft Restoration Program: FY 96 and Beyond*, which is available from the Restoration Office at (907) 278-8012, or toll-free within Alaska at (800) 478-7745.

Comments on the Program must be received by May 1 to be incorporated in the final decision process.

KAF 45



Kodiak Island Borough

710 MILL BAY ROAD
KODIAK, ALASKA 99615-6398

May 8, 1995

RECEIVED
MAY 11 1995

Molly McCammon, Executive Director
Exxon Valdez Oil Spill Trustee Council
645 G Street, Suite 401
Anchorage, AK 99501

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

Dear Molly;

Per our recent discussion, enclosed is the Kodiak Island Borough Resolution No. 95-23 prioritizing small parcel acquisitions in the Kodiak region. As indicated in the resolution, this priority is the result of input from all of the local staff people of the state and federal and private resource agencies on Kodiak Island as well as public interest, especially in Termination Point.

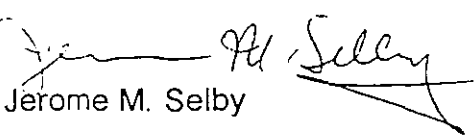
As is obvious from our list, all parties were disappointed that the importance of commercial fisheries apparently had little value in the EVOS staff rating system since the weir sites did not rate very high. It also appeared that proximity or access to large parcel acquisition was not considered in the evaluation process. Many of these parcels are critical to the large parcels that are being acquired. The highest priority parcels on our list tend to have multiple special merit values for resources and services injured by the Exxon Valdez oil spill. We are not sure the multiple factors were given enough consideration. We hope this can be corrected now.

If there are any questions, or if additional information is needed on any of the parcels, please let me know and we will obtain the information for you as quickly as possible.

I look forward to working with you and the Council on the acquisition of these parcels.

Sincerely,

OFFICE OF THE MAYOR


Jerome M. Selby

Enclosure

Introduced by: Mayor Selby
Requested by: Mayor Selby
Drafted: Mayor Selby
Introduced: 05/04/95
Adopted: 05/04/95

KODIAK ISLAND BOROUGH
RESOLUTION NO. 95-23

**A RESOLUTION URGING THE EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL
TO ACQUIRE CERTAIN SMALL PARCELS
WITHIN THE KODIAK ISLAND BOROUGH
AS PART OF THE SMALL PARCEL ACQUISITION PROGRAM**

WHEREAS, the Exxon Valdez Oil Spill Trustee Council has determined that acquisition of certain high value and special merit small parcels of land should be acquired as part of the overall restoration process resulting from the Exxon Valdez oil spill; and

WHEREAS, many more parcels have been nominated and identified for consideration than can possibly be bought with the available funds by the Trustee Council; and

WHEREAS, the Kodiak Island Borough has worked with the area's federal, state and local agencies that have an interest in restoration of the fish, marine mammal, bird, and wildlife species that were impacted by the oil spill, and in that process has been able to define and identify critical habitat areas of property which have special merit value for the injured resources or services; and

WHEREAS, many of the parcels that have been identified in this process of the Kodiak Island Borough working with the various agencies include outstanding wilderness areas, outstanding subsistence and recreational value areas, necessity for commercial fisheries habitat or management, outstanding critical habitat areas for the various species of birds and animals, and outstanding estuary areas for species protection for the future health of the ecosystem; and

WHEREAS, many of these outstanding parcels have the multiple feature of being critical access areas for the larger parcels which have been acquired by the Exxon Valdez Oil Spill Trustee Council through the large parcel acquisition process; and

WHEREAS, it is extremely difficult to identify the most important parcels meriting acquisition without having first hand knowledge of these areas, having lived in the Kodiak Island Borough area, and understanding the inter-relationships of the parcels and the importance of their multiple features which are deserving of special merit for consideration of purchase; and

WHEREAS, the Kodiak Island Borough has completed a very careful and thorough process with the U.S. Fish and Wildlife Service, the Alaska Department of Fish and Game, the Kodiak Regional Aquaculture Association, the Alaska State Parks system, and other agencies to identify the parcels which have multiple special merit value for inclusion in the restoration program.

NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE KODIAK ISLAND BOROUGH that the Exxon Valdez Oil Spill Trustee Council is urged to give careful and thoughtful consideration to the list of parcels which have been selected as a result of a great deal of research by the multiple agencies and are recommended for acquisition to the Trustee Council by the Kodiak Island Borough on the basis of the multiple special merit value for resources and services injured by the Exxon Valdez oil spill.

NOW, THEREFORE, BE IT FURTHER RESOLVED BY THE ASSEMBLY OF THE KODIAK ISLAND BOROUGH that the outstanding wilderness, subsistence, commercial fisheries resource, critical habitat, recreational value, and access to larger parcel acquisitions concerns have been included in this recommendation and should be carefully considered by the Trustee Council in making a decision to acquire these parcels.

NOW, THEREFORE, BE IT FURTHER RESOLVED BY THE ASSEMBLY OF THE KODIAK ISLAND BOROUGH that the parcels which should be acquired in the Kodiak Island Borough in the following order of priority are:

PARCEL	LOCATION
KAP 145	Termination Point
KAP 150	Karluk Weir Site
KAP 130	Uyak Bay
KAP 226	Karluk Lagoon
KAP 220	Ayakulik River
KAP 151	Ayakulik Weir Site
5 Acres (parcel# unknown)	Pauls Bay Weir Site
5 Acres (parcel# unknown)	Litnik (Afognak River) Weir Site
5 Acres (parcel# unknown)	Perenosa Weir Site
5 Acres (parcel# unknown)	Malina Weir Site
5 Acres (parcel# unknown)	Upper Station Weir Site

5 Acres (parcel# unknown)	Akalura Weir Site
15 Acres (parcel# unknown)	Dog Salmon Flats Weir Site
5 Acres (parcel# unknown)	Red River Weir Site
5 Acres (parcel# unknown)	Waterfall Weir Site
36 Acres (parcel# unknown)	Kitot Bay Hatchery Weir Site
5 Acres (parcel# unknown)	Thorsheim Weir Site
5 Acres (parcel# unknown)	Horse Marine Weir Site
5 Acres (parcel# unknown)	Karluk Lake Weir Site
KAP 116	Sulua Bay
KAP 140	Uganik Bay
KAP 109	Sulua Bay
KAP 262	Halibut Bay
KAP 106	Brown's Lagoon
KAP 139	Uganik Bay
KAP 245	Gurney Bay
KAP 246	Bumble Bay
KAP 247	Halibut Bay
KAP 252	Deadman Bay
KAP 96	Sitkalidak Strait
KAP 101	Sitkalidak Strait
KAP 104	Kiliuda Bay
KAP 131	Kiliuda Bay
KAP 132	Sitkalidak Strait
KAP 133	Kiliuda Bay
KAP 137	Kiliuda Bay
KAP 105	Three Saints Bay
KAP 100	Kiliuda Bay

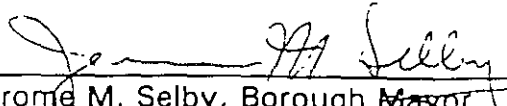
KAP 107	Shelikof Strait
KAP 125	Shelikof Strait
KAP 138	Kiliuda Bay
KAP 142	Three Saints Bay
KAP 143	Kiliuda Bay
KAP 115	Uyak Bay
KAP 98	Shelikof Strait
KAP 99	Kiliuda Bay
KAP 102	Sitkalidak Strait
KAP 103	Sitkalidak Strait
KAP 108	Uyak Bay
KAP 110	Kaiugnak Bay
KAP 114	Uyak Bay
KAP 123	Kaiugnak Bay
KAP 126	Three Saints Bay
KAP 134	Three Saints Bay
KAP 135	Kiliuda Bay
KAP 136	Kiliuda Bay
KAP 144	Three Saints Bay
KAP 91	Sitkalidak Strait
KAP 93	Sitkalidak Strait
KAP 127	Sitkalidak Strait
KAP 270	Three Saints Bay
KAP 271	Three Saints Bay
KAP 272	Three Saints Bay
KAP 244	Halibut Cove
KAP 263	Kiavak Bay

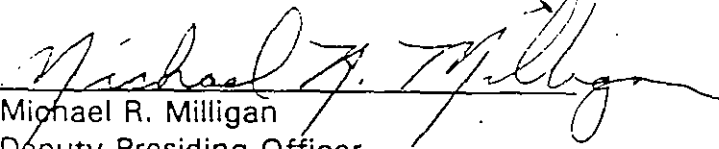
KAP 128

Kaguyak Bay

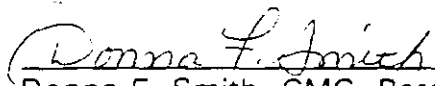
ADOPTED BY THE ASSEMBLY OF THE KODIAK ISLAND BOROUGH
THIS FOURTH DAY OF MAY, 1995.

KODIAK ISLAND BOROUGH


Jerome M. Selby, Borough Mayor


Michael R. Milligan
Deputy Presiding Officer
for Mary A. Monroe, Presiding Officer

ATTEST:


Donna F. Smith, CMC, Borough Clerk

Introduced by: Mayor Seiby
Requested by: Planning & Zoning
Commission
Drafted by: Community
Development Department
Introduced: 08/17/95
Public Hearing:
Adopted.

KODIAK ISLAND BOROUGH
ORDINANCE NO. 95-12

**AN ORDINANCE REZONING PROPERTY SURROUNDING THE MONASHKA BAY
WATERSHED, INCLUDING BOROUGH-OWNED LAND AT THE END OF THE ROAD
IN MONASHKA BAY, FROM C--CONSERVATION TO NU--NATURAL USE.**

WHEREAS, the Kodiak Island Borough resource management office has suggested that certain property surrounding the Pillar Creek and Monashka Bay watershed area, transferred to the Kodiak Island Borough from Ouzinkie Native Corporation, through ANILCA for watershed purposes, and outside the area currently zoned W-Watershed, including Borough owned land near Termination Point, be rezoned from C--Conservation to NU--Natural Use; and

WHEREAS, the Kodiak Island Borough Planning and Zoning Commission held a public hearing on this rezoning; and

WHEREAS, public testimony unanimously supported this rezone; and

WHEREAS, the Kodiak Island Borough Planning and Zoning Commission has recommended that the Kodiak Island Borough Assembly approve this rezone.

NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KODIAK ISLAND BOROUGH THAT:

Section 1: This ordinance is not of general application and shall not be codified.

Section 2: The property surrounding the Monashka Bay watershed, and Borough owned land adjacent to Termination Point, specifically defined in the metes and bounds description dated July 28, 1995 (attached) is hereby rezoned from C--Conservation to NU--Natural Use.

Section 3: The findings of the Kodiak Island Borough Planning and Zoning Commission in recommending approval of this rezone are hereby confirmed as follows:

17.72.020 A. Findings as to the Need and Justification for a Change or Amendment.

A rezone of property adjacent to the Monashka Creek watershed from C--Conservation to NU-Natural Use Lands is needed and justified because the NU-Natural Use Lands zoning district:

A. will serve as a buffer to ensure good water quality is maintained by better protecting the municipal watershed, a stated objective of the Monashka Bay Comprehensive Plan;

B. will provide, consistent with objectives stated in the Monashka Bay Comprehensive Plan, a greater measure of protection for the environment and preservation of recreational opportunities and natural amenities in this area which is principally used for a range of recreational activities including hiking, camping, fishing, hunting, sightseeing, and beachcombing;

C. is consistent with local ordinances developed by the City of Kodiak to further protect its watershed;

D. is consistent with the specific reasons contained within ANILCA for which this property was transferred to the Borough;

E. will prohibit more intensive land uses permitted in the C--Conservation zoning district that are not compatible with protection of watershed and enhancement of recreational value.

17.72.020 B. Findings as to the Effect a Change or Amendment would have on the Objectives of the Comprehensive Plan.

A change of zoning from C--Conservation to the NU-Natural Use Lands zoning district is consistent with the 1968 Borough Comprehensive Plan which generally designates this area as a watershed reserve. More intensive land uses are available under the C--Conservation zoning district. As a buffer zone, the NU-Natural Use Lands zoning district provides a greater measure of watershed protection.

This rezone is also consistent with stated objectives of the Monashka Bay Comprehensive Plan including watershed protection and designation and development of public land for hiking trails, beach/park areas, and other recreational uses.

ADOPTED BY THE ASSEMBLY OF THE KODIAK ISLAND BOROUGH

THIS ____ DAY OF ____ 1995

KODIAK ISLAND BOROUGH

Jerome M. Selby, Borough Mayor

ATTEST:

Mary A. Monroe, Presiding Officer

Donna F. Smith, CMC, Borough Clerk

METES AND BOUNDS DESCRIPTION

PARCEL 1

Beginning at the NW corner of Section 9, of Township 27S, Range 20W, Zone 5, Seward Meridian, Alaska State Plane, the true point of beginning;

Thence N 88 D 43' 52" E a distance of 21,111.138' along the northern boundary of Sections 9, 10, 11, & 12, of said township to the NE corner of Section 12, a corner common with the NW corner of Section 7, Township 27S, Range 19W, Zone 5, Seward Meridian, Alaska State Plane;

Thence S 1 D 18' 41" E a distance of 7092.74', more or less to the meander line of Monashka Bay

Thence following the meander line in a northwesterly direction a distance of approximately 9663.3' to a point on the southern boundary of Section 13, of Township 27S, Range 20W, Zone 5, Seward Meridian, Alaska State Plane

Thence S 88 D 42' 16" W a distance of 2496.816' to a point on the southern boundary of Section 13, this point is 2622.740' from the southeast corner of Section 13

Thence N 19 D 24' 21" E a distance of 490.317'

Thence N 28 D 24' 46" W a distance of 3467.708'

Thence N 25 D 28' 30" E a distance of 2115.703'

Thence N 32 D 32' 06" W a distance of 687.968'

Thence N 89 D 37' 30" W a distance of 6110.131'

Thence S 79 D 05' 42" W a distance of 2220.090'

Thence N 53 D 31' 10" W a distance of 3532.082'

Thence N 68 D 55' 07" W a distance of 2807.935'

Thence S 21 D 29' 44" W a distance of 2783.613'

Thence S 44 D 14' 34" E a distance of 3210.545'

Thence S 57 D 51' 55" W a distance of 2350.021'

Thence S 35 D 41' 15" W a distance of 5072.101'

Thence N 01 D 18' 35" W a distance of 11,676.991' along the western boundary of Sections 21, 16 and 9 to the true point of beginning,

containing 2733.6 acres, more or less.

PARCEL 2

Beginning at the SW corner of Section 21 of Township 27S, Range 20W, Zone 5, Seward Meridian, Alaska State Plane, the true point of beginning;

Thence N 01 D 19' 8" W a distance of 3859.545'

Thence S 60 D 43' 55" E a distance of 862.105'

Thence S 01 D 0' 18" W a distance of 1140.18'

Thence S 56 D 35' 00" E a distance of 4011.548', a point on the southern boundary of Section 21 common with the northern boundary of Section 28.

Thence S 88 D 44' 24" W a distance of 3993.147' along said southern boundary of Section 21 to the true point of beginning,

containing 145 acres, more or less.

PARCEL 3

Beginning at the SW corner of Section 27 of Township 27 S, Range 20 W, Zone 5, Seward Meridian, Alaska State Plane, the true point of beginning;

Thence N 01 D 18' 37" W a distance of 3929.437' along the common boundary between Sections 27 and 28,

Thence S 78 D 57' 33" E a distance of 1045.799'

Thence S 84 D 53' 32" E a distance of 1797.137'

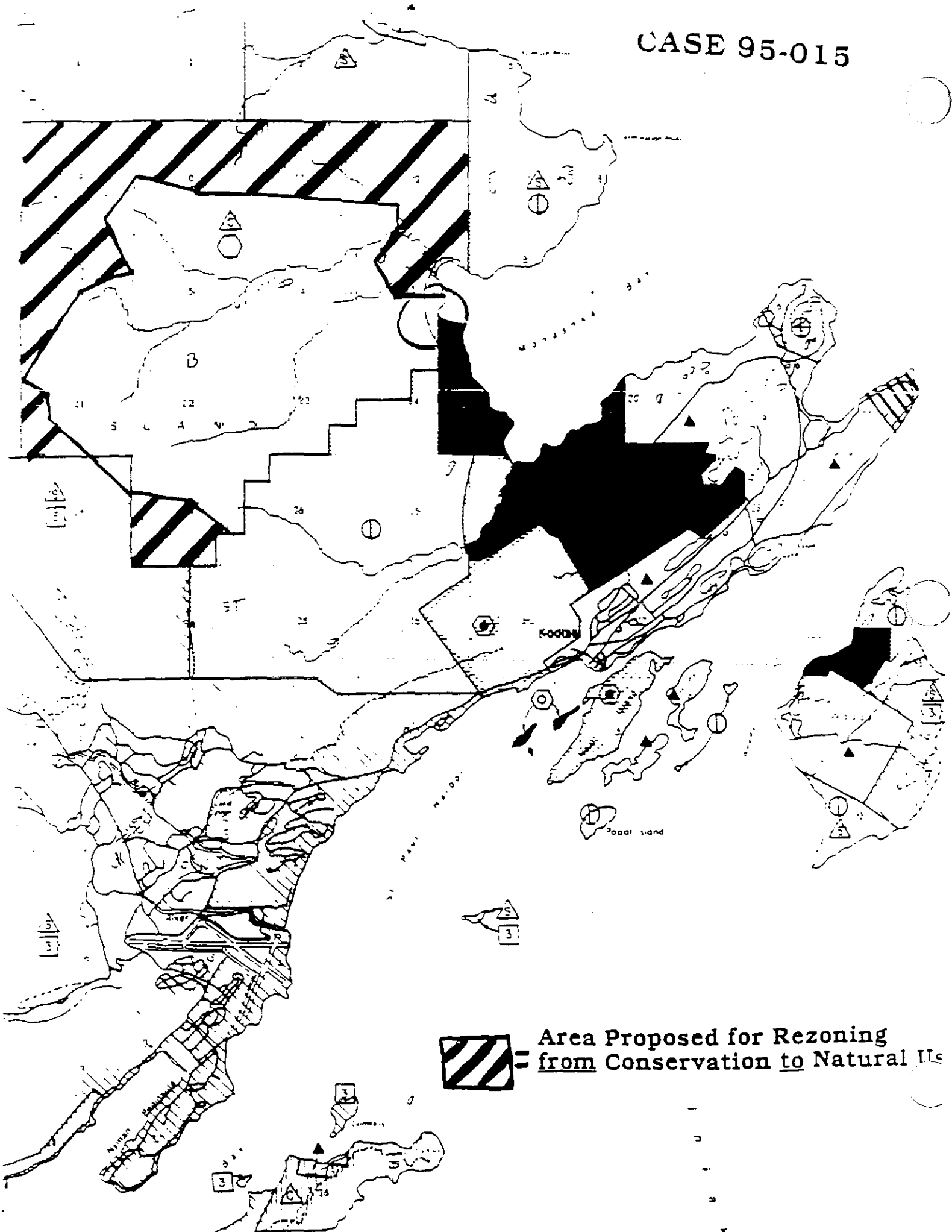
Thence S 07 D 3' 8" E a distance of 977.395'

Thence S 43 D 32' 46" E a distance of 1555.040'

Thence S 01 D 20' 09" E a distance of 1392.428'

Thence S 88 D 51' 18" W a distance of 3951.157 to the true point of beginning.

containing 291.24 acres, more or less.



PARCEL KEN-148

**NO PUBLIC COMMENT RECEIVED ON
THIS PARCEL**

PARCEL KEN- 149

**NO PUBLIC COMMENT RECEIVED ON
THIS PARCEL**

SMALL PARCEL NOMINATION

KAP- 150 (Karluk)

1741 152



Kodiak Island Borough

710 MILL BAY ROAD
KODIAK, ALASKA 99615-6398

May 8, 1995

Molly McCammon, Executive Director
Exxon Valdez Oil Spill Trustee Council
645 G Street, Suite 401
Anchorage, AK 99501

RECEIVED
MAY 11 1995

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

Dear Molly;

Per our recent discussion, enclosed is the Kodiak Island Borough Resolution No. 95-23 prioritizing small parcel acquisitions in the Kodiak region. As indicated in the resolution, this priority is the result of input from all of the local staff people of the state and federal and private resource agencies on Kodiak Island as well as public interest, especially in Termination Point.

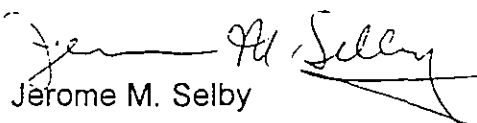
As is obvious from our list, all parties were disappointed that the importance of commercial fisheries apparently had little value in the EVOS staff rating system since the weir sites did not rate very high. It also appeared that proximity or access to large parcel acquisition was not considered in the evaluation process. Many of these parcels are critical to the large parcels that are being acquired. The highest priority parcels on our list tend to have multiple special merit values for resources and services injured by the Exxon Valdez oil spill. We are not sure the multiple factors were given enough consideration. We hope this can be corrected now.

If there are any questions, or if additional information is needed on any of the parcels, please let me know and we will obtain the information for you as quickly as possible.

I look forward to working with you and the Council on the acquisition of these parcels.

Sincerely,

OFFICE OF THE MAYOR


Jerome M. Selby

Enclosure

Introduced by:	Mayor Selby
Requested by:	Mayor Selby
Drafted:	Mayor Selby
Introduced:	05/04/95
Adopted:	05/04/95

**KODIAK ISLAND BOROUGH
RESOLUTION NO. 95-23**

**A RESOLUTION URGING THE EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL
TO ACQUIRE CERTAIN SMALL PARCELS
WITHIN THE KODIAK ISLAND BOROUGH
AS PART OF THE SMALL PARCEL ACQUISITION PROGRAM**

WHEREAS, the Exxon Valdez Oil Spill Trustee Council has determined that acquisition of certain high value and special merit small parcels of land should be acquired as part of the overall restoration process resulting from the Exxon Valdez oil spill; and

WHEREAS, many more parcels have been nominated and identified for consideration than can possibly be bought with the available funds by the Trustee Council; and

WHEREAS, the Kodiak Island Borough has worked with the area's federal, state and local agencies that have an interest in restoration of the fish, marine mammal, bird, and wildlife species that were impacted by the oil spill, and in that process has been able to define and identify critical habitat areas of property which have special merit value for the injured resources or services; and

WHEREAS, many of the parcels that have been identified in this process of the Kodiak Island Borough working with the various agencies include outstanding wilderness areas, outstanding subsistence and recreational value areas, necessity for commercial fisheries habitat or management, outstanding critical habitat areas for the various species of birds and animals, and outstanding estuary areas for species protection for the future health of the ecosystem; and

WHEREAS, many of these outstanding parcels have the multiple feature of being critical access areas for the larger parcels which have been acquired by the Exxon Valdez Oil Spill Trustee Council through the large parcel acquisition process; and

WHEREAS, it is extremely difficult to identify the most important parcels meriting acquisition without having first hand knowledge of these areas, having lived in the Kodiak Island Borough area, and understanding the inter-relationships of the parcels and the importance of their multiple features which are deserving of special merit for consideration of purchase; and

WHEREAS, the Kodiak Island Borough has completed a very careful and thorough process with the U.S. Fish and Wildlife Service, the Alaska Department of Fish and Game, the Kodiak Regional Aquaculture Association, the Alaska State Parks system, and other agencies to identify the parcels which have multiple special merit value for inclusion in the restoration program.

NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE KODIAK ISLAND BOROUGH that the Exxon Valdez Oil Spill Trustee Council is urged to give careful and thoughtful consideration to the list of parcels which have been selected as a result of a great deal of research by the multiple agencies and are recommended for acquisition to the Trustee Council by the Kodiak Island Borough on the basis of the multiple special merit value for resources and services injured by the Exxon Valdez oil spill.

NOW, THEREFORE, BE IT FURTHER RESOLVED BY THE ASSEMBLY OF THE KODIAK ISLAND BOROUGH that the outstanding wilderness, subsistence, commercial fisheries resource, critical habitat, recreational value, and access to larger parcel acquisitions concerns have been included in this recommendation and should be carefully considered by the Trustee Council in making a decision to acquire these parcels.

NOW, THEREFORE, BE IT FURTHER RESOLVED BY THE ASSEMBLY OF THE KODIAK ISLAND BOROUGH that the parcels which should be acquired in the Kodiak Island Borough in the following order of priority are:

PARCEL	LOCATION
KAP 145	Termination Point
KAP 150	Karluk Weir Site
KAP 130	Uyak Bay
KAP 226	Karluk Lagoon
KAP 220	Ayakulik River
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5 Acres (parcel# unknown)	Pauls Bay Weir Site
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5 Acres (parcel# unknown)	Malina Weir Site
5 Acres (parcel# unknown)	Upper Station Weir Site

5 Acres (parcel# unknown)	Akalura Weir Site
15 Acres (parcel# unknown)	Dog Salmon Flats Weir Site
5 Acres (parcel# unknown)	Red River Weir Site
5 Acres (parcel# unknown)	Waterfall Weir Site
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5 Acres (parcel# unknown)	Horse Marine Weir Site
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KAP 140	Uganik Bay
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KAP 106	Brown's Lagoon
KAP 139	Uganik Bay
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KAP 252	Deadman Bay
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KAP 137	Kiliuda Bay
KAP 105	Three Saints Bay
KAP 100	Kiliuda Bay


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KAP 125	Shelikof Strait
KAP 138	Kiliuda Bay
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KAP 134	Three Saints Bay
KAP 135	Kiliuda Bay
KAP 136	Kiliuda Bay
KAP 144	Three Saints Bay
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KAP 93	Sitkalidak Strait
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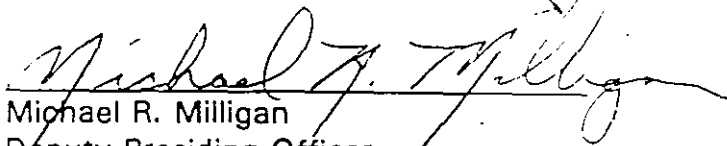
KAP 128

Kaguyak Bay


ADOPTED BY THE ASSEMBLY OF THE KODIAK ISLAND BOROUGH
THIS FOURTH DAY OF MAY, 1995.

KODIAK ISLAND BOROUGH


Jerome M. Selby, Borough Mayor


Michael R. Milligan
Deputy Presiding Officer
for Mary A. Monroe, Presiding Officer

ATTEST:


Donna F. Smith, CMC, Borough Clerk

KODIAK REGIONAL AQUACULTURE ASSOCIATION

BOX 3407 KODIAK, ALASKA 99615

(907) 456-6555



May 26, 1995

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

Dear Council Members:

Kodiak Regional Aquaculture Association offers the following comments on Fiscal Year 1996 EVOS Restoration Proposals.

Our Association, representing 611 Kodiak commercial salmon fishermen, strongly recommends that the EVOS Trustee Council seriously weigh the importance of protecting several small parcels of habitat in the Kodiak Archipelago. These parcels would represent key acquisitions for long term protection of vital fishery resources in the Archipelago. Most significant of these parcels are:

- 1) Parcel KAP 150, Karluk, Five (5) Acres
- 2) Parcel KAP 220, Ayakulik River Mouth, Fifty-six (56) Acres

Parcel KAP 150 would insure that the Karluk fish weir, the State's oldest active fish weir dating back 73 years to 1922, would be protected for perpetuity and thus the stock status database of Kodiak's most important salmon system would remain intact. While Karluk has not been specifically identified as having been injured in 1989, it was over-escaped with sockeye that year and its dominate even-year pink run has been significantly depressed since 1990. This system's fishery resources are the primary source of subsistence fish for the villages of Karluk and Larsen Bay and provide significant levels of subsistence fish for the villages of Port Lions and Ouzinkie as Karluk-bound salmon migrate past those villages. This system's contribution to Kodiak's commercial sockeye fishery annually approaches 35-40% of the area's total sockeye harvest. Management of its large pink, sockeye and coho stocks directly impact more geography and more commercial fishermen than any other system on

May 26, 1995

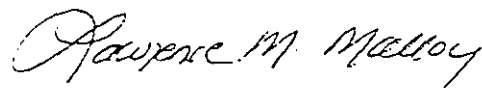
Kodiak. Its rapidly developing commercial and recreational sport fishery ranks this system as Kodiak's number one system for these user groups. The acquisition of parcel KAP 150 will yield continued monitoring and research on Karluk's fish stocks, which include all five salmon species and major steelhead and char runs.

Parcel KAP 220 is critical to continued operation of the Ayakulik weir, which is almost as old as Karluk's weir, dating back to 1929. Its importance for monitoring and research on Kodiak's second most important salmon system is second only to Karluk. Also, Ayakulik's system includes the Red Lake drainage whose sockeye stock was identified as being injured from severe over escapement in 1989. Although, Red Lake's sockeye are currently identified by the Trustee Council as a recovering resource, ADF&G's 1995 pre-season harvest projection for Red Lake sockeye is at a record low level. The acquisition of this parcel would insure that the status of this injured resource is adequately monitored. Our Association is not in agreement with the Trustee's evaluation that the Red Lake stock is recovering. The EVOS funded study on Red Lake's sockeye juvenile bio-mass status needs to be continued, not curtailed as is currently being proposed. This system was definitely impacted by the 1989 oil spill and was so identified early in the recovery process and from our perspective should be categorized as "not recovering".

Acquisition of these two parcels, and the continued monitoring of the Red Lake juvenile sockeye bio-mass are items of greatest priority to our Association's members. While there are other small parcels associated with fish weir sites we feel as strongly about, we feel compelled to request that the parcels KAP 150 and KAP 220 be given the highest of consideration for acquisition.

Thank you for the opportunity to offer our comments.

Cordially,



Lawrence M. Malloy,
Executive Director

SMALL PARCEL NOMINATION

KAP- 220

April 8, 1995

Alex Swiderski
Assistant Attorney General
Department of Law
1031 West 4th Avenue
Anchorage, Alaska 99501-1994

RECEIVED
APR 12 1995

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

Dear Alex:

This is in response to your recent letter regarding Small Parcels #KAP 220 and #KAP 226 on the Ayakulik and Karluk Rivers on Kodiak Island.

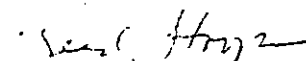
I had originally submitted a nomination package of fifty tracts on Kodiak Island for acquisition by the Oil Spill Trustee Council. Five of the tracts have subsequently been purchased directly by USFWS. Of the remaining forty five parcels, the only two to make your priority list were the Ayakulik and Karluk parcels.

I would agree that these are the two most valuable tracts on our list, but we were only willing to consider their sale if they were included with the remaining waterfront tracts in our package. If they are to be considered separately, we will not consider a sale on the basis of your determination of fair market value. There is little or no probability that such an appraisal would account for the unique value of these two properties, which are located on two of the premier sport fishing rivers in the world.

Therefore, please consider these tracts as withdrawn from our offer to sell. We may reconsider only in the event that you wish to negotiate for an entire package of properties.

We will continue to work directly with USFWS on the tracts that they continue to place a higher priority than the Trustee Council.

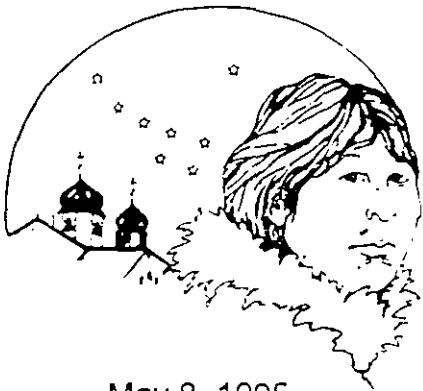
Sincerely,



Reed R. Stoops

cc. Jim Jansen, David Syre, Alec Brindle, Molly McCammon

KIP 220



Kodiak Island Borough

710 MILL BAY ROAD
KODIAK, ALASKA 99615-6398

May 8, 1995

RECEIVED
MAY 11 1995

Molly McCammon, Executive Director
Exxon Valdez Oil Spill Trustee Council
645 G Street, Suite 401
Anchorage, AK 99501

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

Dear Molly;

Per our recent discussion, enclosed is the Kodiak Island Borough Resolution No. 95-23 prioritizing small parcel acquisitions in the Kodiak region. As indicated in the resolution, this priority is the result of input from all of the local staff people of the state and federal and private resource agencies on Kodiak Island as well as public interest, especially in Termination Point.

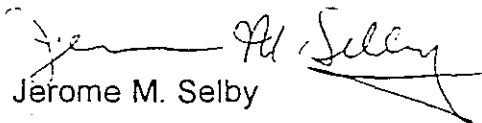
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If there are any questions, or if additional information is needed on any of the parcels, please let me know and we will obtain the information for you as quickly as possible.

I look forward to working with you and the Council on the acquisition of these parcels.

Sincerely,

OFFICE OF THE MAYOR


Jerome M. Selby

Enclosure

Introduced by: Mayor Selby
Requested by: Mayor Selby
Drafted: Mayor Selby
Introduced: 05/04/95
Adopted: 05/04/95

KODIAK ISLAND BOROUGH
RESOLUTION NO. 95-23

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TO ACQUIRE CERTAIN SMALL PARCELS
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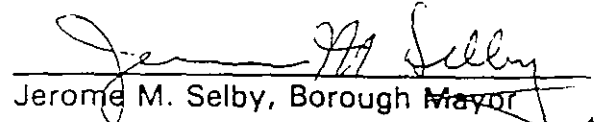
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KAP 263	Kiavak Bay

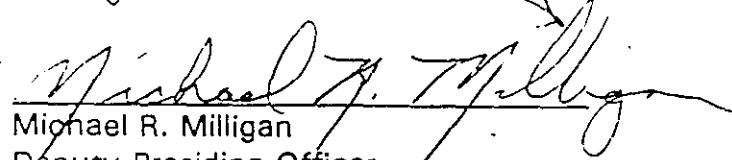
KAP 128

Kaguyak Bay

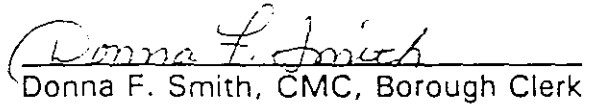
ADOPTED BY THE ASSEMBLY OF THE KODIAK ISLAND BOROUGH
THIS FOURTH DAY OF MAY, 1995.

KODIAK ISLAND BOROUGH


Jerome M. Selby, Borough Mayor


Michael R. Milligan
Deputy Presiding Officer
for Mary A. Monroe, Presiding Officer

ATTEST:


Donna F. Smith, CMC, Borough Clerk

KODIAK REGIONAL AQUACULTURE ASSOCIATION

C 3407 KODIAK, ALASKA 99615

(907) 436-6511



May 26, 1995

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Restoration Office
645 "G" Street
Anchorage, AK 99501

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Page 2 - Exxon Valdez Oil Spill Trustee Council

May 26, 1995

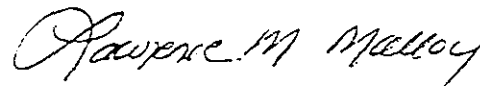
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Thank you for the opportunity to offer our comments.

Cordially,



Lawrence M. Malloy,
Executive Director

SMALL PARCEL NOMINATION

KAP-226



ALASKA DEPARTMENT OF FISH AND GAME

COMMERCIAL FISHERIES MANAGEMENT AND DEVELOPMENT DIVISION MEMORANDUM

TO: Mark Kuwada
Habitat Biologist
Kodiak

DATE: 6 October 1994

ALASKA DEPT. OF
FISH & GAME

FROM: Bruce Barrett *Bruce Barrett*
Regional Research Biologist
Kodiak

OCT 11 1994

REGION II
HABITAT AND RESTORATION
DIVISION

SUBJECT: Selected Karluk Properties

We have reviewed the list of 16 Karluk properties provided to Pete Probasco by your office yesterday.

It is our recommendation that the Department sponsor the first three listed parcels which are immediate to the Karluk River. By priority, they are:

1. USS362, Tracts A-D, Karluk River
2. USS 24 Karluk Spit
3. USS44 Karluk, West

The lands offer potential headquarters and operation sites for Karluk fisheries monitoring and development projects. In addition, the purchase of these lands would enhance public access and recreational opportunity for subsistence and recreational fishers. Further, public ownership would provide stronger habitat protection options than are typically available when land is privately owned.

The Karluk River is singly the most important salmon producing system in the Kodiak Island group. It supports runs of six salmon species which includes steelhead trout. The sockeye escapement for this system alone averages about three quarters of a million fish annually. Public ownership of lands at the mouth of the Karluk River system is in the public interest.

The files pertaining to the subject 16 proposed parcels are have been forwarded to Biologists Len Schwartz and Roger Smith for their review and comment.

Thank you for soliciting our input.

cc Probasco, Schwartz, Smith

COURT PLAZA BUILDING SUITE 100
240 MAIN STREET
P.O. BOX 21211
JUNEAU ALASKA 99802-1211

REED R. STOOPS

PHONE 481-4513
TELETYPE 481-4544

April 8, 1995

Alex Swiderski
Assistant Attorney General
Department of Law
1031 West 4th Avenue
Anchorage, Alaska 99501-1994

RECEIVED
APR 12 1995

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

Dear Alex:

This is in response to your recent letter regarding Small Parcels #KAP 220 and #KAP 226 on the Ayakulik and Karluk Rivers on Kodiak Island.

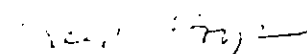
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Therefore, please consider these tracts as withdrawn from our offer to sell. We may reconsider only in the event that you wish to negotiate for an entire package of properties.

We will continue to work directly with USFWS on the tracts that they continue to place a higher priority than the Trustee Council.

Sincerely,



Reed R. Stoops

cc: Jim Jansen, David Syre, Alec Brindle, Molly McCammon

AMF JFD



Kodiak Island Borough

710 MILL BAY ROAD
KODIAK, ALASKA 99615-6398

May 8, 1995

RECEIVED
MAY 11 1995

Molly McCammon, Executive Director
Exxon Valdez Oil Spill Trustee Council
645 G Street, Suite 401
Anchorage, AK 99501

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

Dear Molly;

Per our recent discussion, enclosed is the Kodiak Island Borough Resolution No. 95-23 prioritizing small parcel acquisitions in the Kodiak region. As indicated in the resolution, this priority is the result of input from all of the local staff people of the state and federal and private resource agencies on Kodiak Island as well as public interest, especially in Termination Point.

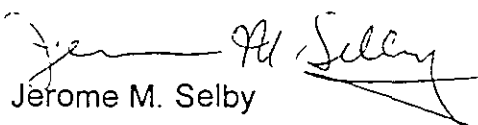
As is obvious from our list, all parties were disappointed that the importance of commercial fisheries apparently had little value in the EVOS staff rating system since the weir sites did not rate very high. It also appeared that proximity or access to large parcel acquisition was not considered in the evaluation process. Many of these parcels are critical to the large parcels that are being acquired. The highest priority parcels on our list tend to have multiple special merit values for resources and services injured by the Exxon Valdez oil spill. We are not sure the multiple factors were given enough consideration. We hope this can be corrected now.

If there are any questions, or if additional information is needed on any of the parcels, please let me know and we will obtain the information for you as quickly as possible.

I look forward to working with you and the Council on the acquisition of these parcels.

Sincerely,

OFFICE OF THE MAYOR


Jerome M. Selby

Enclosure

Introduced by: Mayor Selby
Requested by: Mayor Selby
Drafted: Mayor Selby
Introduced: 05/04/95
Adopted: 05/04/95

KODIAK ISLAND BOROUGH
RESOLUTION NO. 95-23

**A RESOLUTION URGING THE EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL
TO ACQUIRE CERTAIN SMALL PARCELS
WITHIN THE KODIAK ISLAND BOROUGH
AS PART OF THE SMALL PARCEL ACQUISITION PROGRAM**

WHEREAS, the Exxon Valdez Oil Spill Trustee Council has determined that acquisition of certain high value and special merit small parcels of land should be acquired as part of the overall restoration process resulting from the Exxon Valdez oil spill; and

WHEREAS, many more parcels have been nominated and identified for consideration than can possibly be bought with the available funds by the Trustee Council; and

WHEREAS, the Kodiak Island Borough has worked with the area's federal, state and local agencies that have an interest in restoration of the fish, marine mammal, bird, and wildlife species that were impacted by the oil spill, and in that process has been able to define and identify critical habitat areas of property which have special merit value for the injured resources or services; and

WHEREAS, many of the parcels that have been identified in this process of the Kodiak Island Borough working with the various agencies include outstanding wilderness areas, outstanding subsistence and recreational value areas, necessity for commercial fisheries habitat or management, outstanding critical habitat areas for the various species of birds and animals, and outstanding estuary areas for species protection for the future health of the ecosystem; and

WHEREAS, many of these outstanding parcels have the multiple feature of being critical access areas for the larger parcels which have been acquired by the Exxon Valdez Oil Spill Trustee Council through the large parcel acquisition process; and

WHEREAS, it is extremely difficult to identify the most important parcels meriting acquisition without having first hand knowledge of these areas, having lived in the Kodiak Island Borough area, and understanding the inter-relationships of the parcels and the importance of their multiple features which are deserving of special merit for consideration of purchase; and

WHEREAS, the Kodiak Island Borough has completed a very careful and thorough process with the U.S. Fish and Wildlife Service, the Alaska Department of Fish and Game, the Kodiak Regional Aquaculture Association, the Alaska State Parks system, and other agencies to identify the parcels which have multiple special merit value for inclusion in the restoration program.

NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE KODIAK ISLAND BOROUGH that the Exxon Valdez Oil Spill Trustee Council is urged to give careful and thoughtful consideration to the list of parcels which have been selected as a result of a great deal of research by the multiple agencies and are recommended for acquisition to the Trustee Council by the Kodiak Island Borough on the basis of the multiple special merit value for resources and services injured by the Exxon Valdez oil spill.

NOW, THEREFORE, BE IT FURTHER RESOLVED BY THE ASSEMBLY OF THE KODIAK ISLAND BOROUGH that the outstanding wilderness, subsistence, commercial fisheries resource, critical habitat, recreational value, and access to larger parcel acquisitions concerns have been included in this recommendation and should be carefully considered by the Trustee Council in making a decision to acquire these parcels.

NOW, THEREFORE, BE IT FURTHER RESOLVED BY THE ASSEMBLY OF THE KODIAK ISLAND BOROUGH that the parcels which should be acquired in the Kodiak Island Borough in the following order of priority are:

PARCEL	LOCATION
KAP 145	Termination Point
KAP 150	Karluk Weir Site
KAP 130	Uyak Bay
KAP 226	Karluk Lagoon
KAP 220	Ayakulik River
KAP 151	Ayakulik Weir Site
5 Acres (parcel# unknown)	Pauls Bay Weir Site
5 Acres (parcel# unknown)	Litnik (Afognak River) Weir Site
5 Acres (parcel# unknown)	Perenosa Weir Site
5 Acres (parcel# unknown)	Malina Weir Site
5 Acres (parcel# unknown)	Upper Station Weir Site

5 Acres (parcel# unknown)	Akalura Weir Site
15 Acres (parcel# unknown)	Dog Salmon Flats Weir Site
5 Acres (parcel# unknown)	Red River Weir Site
5 Acres (parcel# unknown)	Waterfall Weir Site
36 Acres (parcel# unknown)	Kitoi Bay Hatchery Weir Site
5 Acres (parcel# unknown)	Thorsheim Weir Site
5 Acres (parcel# unknown)	Horse Marine Weir Site
5 Acres (parcel# unknown)	Karluk Lake Weir Site
KAP 116	Sulua Bay
KAP 140	Uganik Bay
KAP 109	Sulua Bay
KAP 262	Halibut Bay
KAP 106	Brown's Lagoon
KAP 139	Uganik Bay
KAP 245	Gurney Bay
KAP 246	Bumble Bay
KAP 247	Halibut Bay
KAP 252	Deadman Bay
KAP 96	Sitkalidak Strait
KAP 101	Sitkalidak Strait
KAP 104	Kiliuda Bay
KAP 131	Kiliuda Bay
KAP 132	Sitkalidak Strait
KAP 133	Kiliuda Bay
KAP 137	Kiliuda Bay
KAP 105	Three Saints Bay
KAP 100	Kiliuda Bay

KAP 107	Shelikof Strait
KAP 125	Shelikof Strait
KAP 138	Kiliuda Bay
KAP 142	Three Saints Bay
KAP 143	Kiliuda Bay
KAP 115	Uyak Bay
KAP 98	Shelikof Strait
KAP 99	Kiliuda Bay
KAP 102	Sitkalidak Strait
KAP 103	Sitkalidak Strait
KAP 108	Uyak Bay
KAP 110	Kaiugnak Bay
KAP 114	Uyak Bay
KAP 123	Kaiugnak Bay
KAP 126	Three Saints Bay
KAP 134	Three Saints Bay
KAP 135	Kiliuda Bay
KAP 136	Kiliuda Bay
KAP 144	Three Saints Bay
KAP 91	Sitkalidak Strait
KAP 93	Sitkalidak Strait
KAP 127	Sitkalidak Strait
KAP 270	Three Saints Bay
KAP 271	Three Saints Bay
KAP 272	Three Saints Bay
KAP 244	Halibut Cove
KAP 263	Kiavak Bay

PARCEL KEN- 1001

**NO PUBLIC COMMENT RECEIVED ON
THIS PARCEL**

SMALL PARCEL NOMINATION

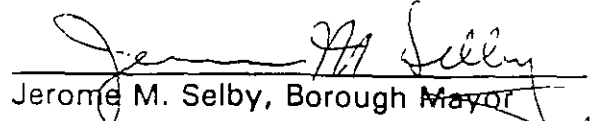
KEN - 1004

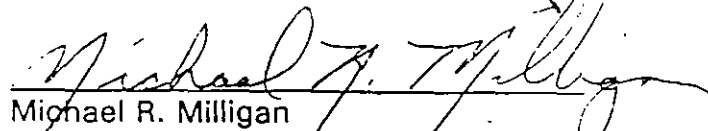
KAP 128

Kaguyak Bay

ADOPTED BY THE ASSEMBLY OF THE KODIAK ISLAND BOROUGH
THIS FOURTH DAY OF MAY, 1995.

KODIAK ISLAND BOROUGH


Jerome M. Selby, Borough Mayor


Michael R. Milligan
Deputy Presiding Officer
for Mary A. Monroe, Presiding Officer

ATTEST:


Donna F. Smith, CMC, Borough Clerk

MIKE NAVARRE

REPRESENTATIVE

DISTRICT 9



ALASKA STATE LEGISLATURE
HOUSE OF REPRESENTATIVES

DURING SESSION
STATE CAPITOL
JUNEAU, AK 99801-1182
(907) 465-3779

HOME ADDRESS
Box 169 — KENAI, AK 99611
(907) 262-7842

August 9, 1995

Ms. Molly McCammon, Executive Director
EVOS Trustee Council
645 G Street
Anchorage, AK 99501

RECEIVED
AUG 14 1995

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

Dear Ms. McCammon:

I am writing this letter in support of the Kenai Native Association's land swap/purchase plan, utilizing Exxon Valdez Oil Spill (EVOS) restoration funds. I have reviewed their request and I believe it is reasonable and provides many positive benefits to the State and the Association.

The benefits accruing to the State would be the acquisition of land which borders the Kenai River, which in turn would permit controlled recreational public access to one of the State's most valued resources. The acquisition would also offer additional protection of the salmon spawning grounds and habitat of the Kenai River.

The benefits to the Kenai Native Association would be a better and more usable land base with some additional cash reserves for economic development. KNA continues to search for economic opportunities for their group and this land swap/purchase would be a step in the right direction.

Again, I am supportive of this transaction and I believe it holds opportunities and benefits for both parties. I am willing to assist in whatever way is necessary to bring this transaction to a successful and beneficial conclusion. Please feel free to contact me at (907) 283-7223.

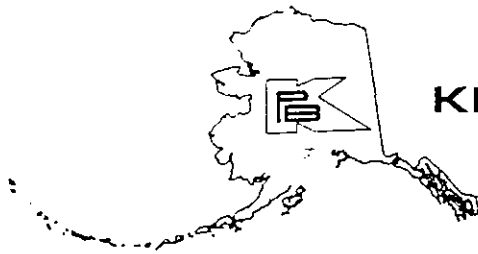
Sincerely,

A handwritten signature in cursive script that reads "Mike Navarre".

Mike Navarre
State Representative



recycled paper



KENAI PENINSULA BOROUGH

144 N. BINKLEY SOLDOTNA, ALASKA 99669-7599
BUSINESS (907) 262-4441 FAX (907) 262-1892

DON GILMAN
MAYOR

August 11, 1995

AUG 15 1995

Ms. Molly McCammon
Executive Director
Exxon Valdez Trustee Council
645 G Street, Suite 401
Anchorage, Alaska 99501-3451

Dear Ms. ^{Molly} McCammon:

RE: Kenai Natives Association, Inc. Small Parcel Acquisition

The Kenai Peninsula Borough has reviewed the proposed land exchange of three small parcels of land along the Kenai River from the Kenai Natives Association, Inc. and would urge the Exxon Valdez Trustees Council to support these exchanges.

The three parcels - Stephanka Tract (803 acres), Moose River patent tract (1,243 acres), and Moose River selected tract (753 acres) - will provide protection of invaluable salmon spawning grounds and lands important to the Kenai River Watershed.

Protection of the Kenai River fish habitat is important to Alaska. Acquisition of these three tracts will provide necessary protection to assist in providing the Kenai River salmon with the habitat needed.

Your support of the Kenai River in creating and achieving a balance is appreciated.

Sincerely yours,

Don Gilman
Mayor

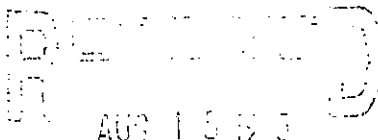
LMP/ria

cc: Diana L. Zirul, Kenai Natives Association, Inc.



KENAI PENINSULA BOROUGH

**ECONOMIC
DEVELOPMENT
DISTRICT, INC.**



EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

August 11, 1995

Ms. Molly McCammon, Executive Director
Exxon Valdez Oil Spill Trustee Council
645 G Street
Anchorage, Alaska 99501

RE: Kenai Natives Association, Inc.

Dear Ms. McCammon:

The Kenai Peninsula Borough Economic Development District, Inc. (EDD) finds this work of the Kenai Natives Association, Inc. consistent with our Overall Economic Development Program in taking prudent measures to make lands accessible to the general public, while recognizing the importance of salmon spawning grounds associated with the Kenai River.

The three parcels which qualify for EVOS funding, the Stephanka tract (803 acres), the Moose River patent tract (1,243 acres), and the Moose River select tract (753 acres) would provide protection of a major public resource.

I would urge the Exxon Valdez Trustees Council to support these exchanges.

Sincerely,

A handwritten signature in cursive script that reads "Stanley R. Steadman" with a small "apd" written below it.

Stanley R. Steadman
Executive Director

SRS/sb

cc: Diana L. Zirul, Kenai Natives Association

KEN-1004



KENAI PENINSULA BOROUGH

144 N BINKLEY SOLDOTNA, ALASKA 99669-7599
BUSINESS (907) 262-4441 FAX (907) 262-1892

DON GILMAN
MAYOR

August 11, 1995

Mr. George T. Frampton, Jr.
Assistant Secretary for Fish & Wildlife
U.S. Department of the Interior
1849 C Street, NW, MS 3156
Washington, D.C. 20240

Dear Mr. Frampton:

RE: Kenai Natives Association, Inc. Small Parcel Acquisition

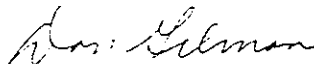
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Your support of the Kenai River in creating and achieving a balance is appreciated.

Sincerely yours,


Don Gilman
Mayor

LMP/ria

cc: Diana L. Zirul, Kenai Natives Association, Inc.

LANCE E. GIDCUMB
ATTORNEY AT LAW
2530 BRITTANY DRIVE
ANCHORAGE, ALASKA 99504
907/333-4911
FAX 907/333-8191

September 18, 1995

The Honorable Tony Knowles
Governor of Alaska
P.O. Box 110001
Juneau, Alaska 99811-0001

Re: Kenai Natives Association, Inc. EVOS Small Parcel Submissions

Dear Governor Knowles:

The Kenai Natives Association, Inc. (KNA) has submitted several of its land holdings for consideration by the Exxon Valdez Oil Spill Trustee Council for acquisition. These lands, depicted generally on the enclosed map, are known as the Stephanka Tract (803 acres), the Moose River Patented Tract (1243.24 acres), and the Moose River Select Tract (753 acres). We believe that all three tracts fall within the Kenai River Special Management Area, or adjacent to it, as described in the State's "Kenai River Comprehensive Management Plan."

KNA, designated an "urban" corporation under the Alaska Native Claims Settlement Act, has over 500 shareholders. When it selected its 23,040 acre entitlement under the Claims Act, approximately 19,000 acres fell within the Kenai National Wildlife Refuge. Those acres which lay within the Refuge came with restrictions on use and development. KNA has been working with the U.S. Fish and Wildlife Service for many years to work an exchange of interests that would be mutually acceptable to both parties. The three tracts set forth above are parts of this comprehensive exchange of interests that has finally been agreed upon. In order for the overall exchange to work, the three tracts will have to be acquired through purchase at fair market value. The Trustee Council must evaluate and determine if all three tracts in the Kenai River Watershed, together as a package, are worthy of acquisition.

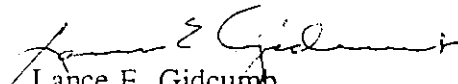
In reviewing the "Kenai River Comprehensive Management Plan," it would seem that the acquisition of these three tracts would be in the best interest of the State of Alaska in furthering this Plan. The stated goal of protecting and perpetuating the fishery and wildlife resources and habitat of the Kenai River Watershed would be supported. The stated goal of protecting and enhancing public use and enjoyment of the Kenai River Watershed would be furthered by the acquisitions. Formulating policies and specific guidelines for development activities on these lands, another stated goal, would be less burdensome. Finally, the burden of promoting public understanding and appreciation of the resource values of the Kenai River Watershed would be eased. It is our opinion that the best interests of the State of Alaska would be served by the acquisition of these three tracts by the Trustee Council, and that the support of the State of Alaska for these acquisitions would be consistent and in furtherance of

The Honorable Tony Knowles
September 18, 1995
Page 2

the goals stated in the "Kenai River Comprehensive Management Plan."

My client, the Kenai Natives Association, Inc., expresses its appreciation for your anticipated support of its small parcel submissions for acquisition by the Exxon Valdez Oil Spill Trustee Council.

Sincerely,


Lance E. Gidcum

enc.

cc: Diana L. Zirul, Kenai Natives Association, Inc.
Executive Director, EVOS Trustee Council
Deborah L. Williams, Spec. Asst. to the Secretary
Marilyn Heiman, Spec. Asst. to the Governor

THE CONSERVATION FUND

BRAD A. MEIKLEJOHN
ALASKA REPRESENTATIVE
1850 HILAND ROAD
EAGLE RIVER, ALASKA 99577
(907) 642-9060
FAX (907) 642-9077

Molly McCammon, Executive Director
Exxon Valdez Oil Spill Trustee Council
645 G. Street, Suite 401
Anchorage, AK 99501-3451

November 1, 1995

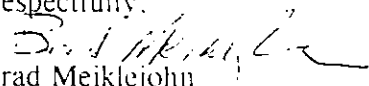
Dear Molly,

I am writing to endorse acquisition by the EVOS Trustee Council of lands owned by the Kenai Natives Association (KNA) in the Small Parcel Habitat Protection Process. These lands within the Kenai National Wildlife Refuge are exposed to the intense development pressures common on the Kenai Peninsula. On a recent overflight, it was obvious that, unless protected, the Stephanka Tract will be overwhelmed by the small-lot subdivisions which now crowd the banks of the Kenai River immediately downstream. The recent spate of flooding provided more reasons why additional human "improvements" are inappropriate along the Kenai.

In addition to the EVOS restoration values presented by these lands, the KNA properties are part of a negotiated 15.545 acre package. This package is widely supported by Alaska's congressional delegation, by conservationists, and by the Kenai Native community. This truly is a win-win-win proposition.

I encourage your acquisition of the KNA lands in the EVOS Small Parcel Process.

Respectfully,

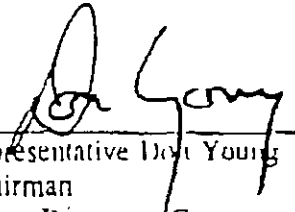

Brad Meiklejohn

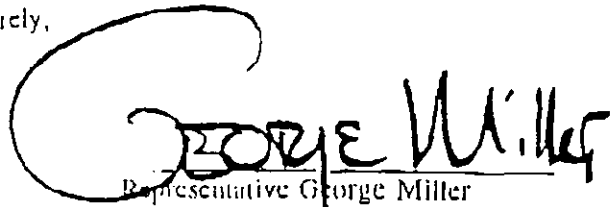
In order to implement the terms of the package, we strongly recommend that the Department secure the necessary funding for the acquisition component of the package as expeditiously as possible. We support the use of additional funds from the federal restitution settlement as well as the use of civil funds administered by the joint federal-state EVOS Trustee Council to implement the terms of the package.

-2-

On September 8, 1993, the U.S. Fish and Wildlife Service and KNA reached agreement on the exchange and acquisition package. Funding and completion of this agreement has been pending since that time. We also encourage you to consider the use of other funding sources, including LWCF, the North American Wetlands Conservation Fund as well as private funding sources.

Sincerely,


Representative Don Young
Chairman
House Resources Committee


Representative George Miller
Ranking Minority Member
House Resources Committee

cc: Honorable Daniel R. Glickman
Secretary, Department of Agriculture

Honorable James Baker
Administrator, National Oceanic and Atmospheric Administration

Molly McCannon
Executive Director, FVOS Trustee Council

PARCEL KEN-1005

**NO PUBLIC COMMENT RECEIVED ON
THIS PARCEL**

SMALL PARCEL NOMINATION

KEN-1006

STATE OF ALASKA

DEPARTMENT OF FISH AND GAME

OFFICE OF THE COMMISSIONER

TONY KNOWLES, GOVERNOR

P.O. BOX 25526
JUNEAU ALASKA 99802-5526
PHONE (907) 465-4100

May 31, 1995

Molly McCammon
Executive Director
Exxon Valdez Oil Spill Restoration Office
645 G Street, Suite 401
Anchorage, AK 99501

Dear Ms. McCammon:

The Alaska Department of Fish and Game requests that two parcels be given special merit consideration in Phase II of the Comprehensive Habitat Protection Small Parcel Evaluation and Ranking. KEN 1006 (Girves property Kenai River) and KEN 1009 (Cooper property Ninilchik River) have unique management values and provide important restoration benefits for injured species and services.

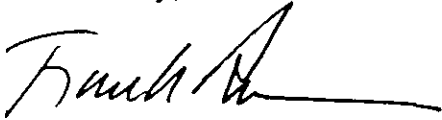
Girves Property: Located near mile 19 of the Kenai River, this 110-acre parcel is situated just outside the City of Soldotna across the river from two heavily used state recreation sites--Centennial Campground and Slikok Creek State Recreation Area. The parcel provides key habitat for injured and replacement species including chinook salmon, coho salmon, pink salmon, and Dolly Varden. High levels of trespass recreational use occur from sportfishermen who access the property by boat. Acquisition of the parcel would enhance recreation by providing additional public land for fishing and other recreational uses. At the same time, recreational amenities such as boardwalks and floating docks could be installed that would protect streambank vegetation for fish.

Cooper Property: This 30-acre parcel is located on the Ninilchik River, approximately two miles upstream of the mouth. The Ninilchik River flows through the middle of the parcel and most of the property is classified as riparian habitat. Protecting riparian habitat benefits salmon and other fish that use this drainage, including pink salmon and Dolly Varden, two species that

May 31, 1995

were injured in the Exxon Valdez oil spill. Recreational sport fishing, which currently occurs in trespass on the parcel, would be protected and could easily be enhanced by providing better access to the river.

Sincerely,

A handwritten signature in black ink, appearing to read "Frank Rue", with a long horizontal flourish extending to the right.

Frank Rue
Commissioner

cc: Ellen Fritts
Lance Trasky
Mark Kuwada

SMALL PARCEL NOMINATION

KEN-1009

STATE OF ALASKA

DEPARTMENT OF FISH AND GAME

OFFICE OF THE COMMISSIONER

TONY KNOWLES, GOVERNOR

P.O. BOX 25526
JUNEAU, ALASKA 99802-5526
PHONE: (907) 465-4100

May 31, 1995

Molly McCammon
Executive Director
Exxon Valdez Oil Spill Restoration Office
645 G Street, Suite 401
Anchorage, AK 99501

Dear Ms. McCammon:

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Sincerely,

A handwritten signature in black ink, appearing to read "Frank Rue", with a long horizontal line extending to the right.

Frank Rue
Commissioner

cc: Ellen Fritts
Lance Trasky
Mark Kuwada

SMALL PARCEL NOMINATION

PWS- 1010 (Jack Bay)

RECEIVED
APR 6 1992

David W. Crowley
1580 Alpine Vista Ct
Fairbanks, AK 99712
April 4, 1992

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

Ms. Molly McCammon
Exxon Valdez Oil Spill Trustee Council Restoration Office
645 "G" Street
Anchorage, AK 99501

Dear Ms. McCammon,

I understand that the University of Alaska has recently nominated for purchase the land encompassing Gregoreoff and Levshakoff Creeks of Jack Bay in Prince William Sound. I was consulted by an associate, Mr. Jon Miller, for information pertaining to use of the area by Harlequin ducks and would like to provide you with the same. I conducted research on Harlequins for the Alaska Department of Fish and Game in eastern Prince William Sound for 3 summers and wrote my master's thesis on the subject. I am not currently employed by ADFG and am writing as an informed advocate rather than an official.

We surveyed Jack Bay 2 - 3 times per summer from 1991 - 1993 and monitored Gregoreoff Creek (ASC# 221-50-11230) and Levshakoff (221-40-11212) for Harlequin activity using mist nets. We captured 3 breeding hens in 1991 and 1 non-breeding hen in 1992 on Gregoreoff, but did not detect breeding activity on Levshakoff. We observed 2 Harlequin broods near the mouth of Gregoreoff in 1991, none in 1992 and 1 in 1993. We also saw a single brood near the relatively turbid Naomoff River (ASC# 221-50-11231) at the SE end of Jack Bay in 1993. Vlasoff Creek, a heavily silted stream located NE across Jack Bay from Gregoreoff, had no observed Harlequin activity.

Although Levshakoff Creek itself was probably not of adequate size for nesting, the intertidal area near its outlet was quite important for foraging prior to breeding. The total numbers of Harlequin ducks counted in the entire Jack Bay during spring surveys were 28 in 1991 and 17 in 1992. Of those, 27 and 14 Harlequins (respectively), including 17 pairs were observed roosting and foraging in the intertidal estuary of Levshakoff Creek. The remaining 4 Harlequins counted in Jack Bay were near Gregoreoff Creek.

We located 2 Harlequin nests on Gregoreoff Creek in 1991, giving it the highest linear breeding hen density of the 23 streams that we trapped. One nest was located approximately 0.6 km upstream at an elevation of 50 m, the other was about 1.5 km upstream and 120 m elevation, both within 2 meters of the stream.

Although low numbers (5 - 7) of Harlequins were observed near both Gregoreoff and Levshakoff Creeks during July molting surveys (particularly on the emergent rocks in western Levshakoff Cove) neither area was consistently used by molting flocks. Molting habitat tended to be along more exposed coastline and less disturbed by boat traffic than what is available in the protected coves. We often saw recreational boats moored in or near the coves, particularly on weekends. I think that most Harlequins in the area molted from Rocky Point south toward Black Point, and along western Bligh, Busby and Reef Islands.

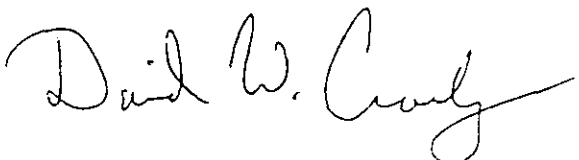
Harlequin ducks occur in Prince William Sound in a patchy distribution, reflecting their preference for shallow sloping intertidal areas that are strewn with boulders for roosting and rich in invertebrate prey. The coves into which Gregoreoff and Levshakoff Creeks flow is such a patch. They have extensive intertidal and estuarine areas, and because of their proximity to Valdez Arm, are possibly subject to nutrient deposition from tidal currents. The next closest concentration of breeding Harlequins is approximately 11 km to the west in Sawmill Bay. The next nearest flocks were about 10 km south on the offshore rocks of just north of Galena Bay.

From my experience in working in Harlequin habitat along streams and estuaries (i.e., creating disturbance) and in observing avoidance behavior of Harlequins towards people camping near intertidal habitat, I have no doubt that development of the area around Gregoreoff and Levshakoff Creeks will largely displace breeding Harlequins. This would not likely have a measurable effect on the Sound-wide population of Harlequin ducks. Because Harlequins exhibit low productivity and fidelity to breeding and molting areas, however, it probably would affect productivity in the region of Valdez Arm, as displaced ducks attempt to breed elsewhere. It has been documented in other species of philopatric sea duck that females attempting to nest in new locations are less productive than those nesting in sites from previous seasons. I believe that this area in Jack Bay should be acquired and managed for Harlequins both to maintain the local population and to potentially contribute to the restoration of Harlequin ducks in the oil spill area through colonization by subadults.

A management plan for Harlequin ducks in Jack Bay should include 2 objectives: protection of breeding habitat, and limiting disturbance by human activity along streams and estuaries during the breeding season. Stream-side buffers of about 50 meters should be maintained along the tributaries and main channels to protect structural characteristics of the vegetation; provide visual isolation and protect aquatic habitat from siltation. Camps set up by bear hunters, boaters and fisherman should be away from stream banks and estuaries (75 - 100 m) to minimize disturbance to foraging and brood-rearing habitat. Residential or commercial development and heavy recreational activity could not occur within the area, as they would cause both habitat degradation and disturbance. Limited recreational use of the area, such as hiking, kayaking and hunting would probably not disrupt the breeding and brood-rearing periods.

I hope this information is useful to you. Please feel free to call me at 457-8000 if you have any questions.

Sincerely,



David W. Crowley



P.O. Box 1353
Valdez, AK 99686
Phone: 907-835-4300
Fax: 907.835.5679

March 1, 1995

Martin Epstein
Statewide Office of Land Management
University of Alaska
Butrovich Building, Suite 211
910 Yukon Drive
Fairbanks, AK 99775

RECEIVED
OFFICE OF LAND MANAGEMENT

DIST.

LOG #

MAR 7 1995

Reference: Nominating University lands at Jack Bay for purchase by the Oil Spill Trustee Council

Dear Mr. Epstein,

The Alaska Wilderness Recreation and Tourism Association (AWRTA) is requesting that the University of Alaska consider nominating a 900 acre parcel at Jack Bay for possible purchase by the Exxon Valdez Oil Spill Trustee Council. The land is adjacent to the Jack Bay State Marine Park, and the Division of State Parks is willing to be the agency sponsor so that the property can be considered for purchase by the Trustees under the small parcel acquisition process.

This property contains important wildlife habitat for species that were hurt by the spill. Several of our members have provided the Oil Spill Trustees with biological survey information of the area. We believe that the Oil Spill Trustees are interested in entering negotiations with the University to purchase this parcel at fair market value. The University must nominate this parcel for consideration however, before the Oil Spill Trustees can enter into negotiations.

The University has so far declined to nominate this 900 acre parcel. Presumably this is because your office believes that the land is suitable for future development and greater profit. While the University's Jack Bay property may initially appear to hold promise for development, a closer look at the characteristics of the property and its recent history indicate that it may hold little promise for more profitable future development. We believe that when these factors are considered, the University may find that selling this land to the Oil Spill trustees is its "highest and best use".

- 1) The physical characteristics of the property are not conducive to development or human habitation.

The State proposed to subdivide this land in the early 80's as part of a large proposed residential development on the south side of Jack Bay, but greatly reduced the scale of this project after initial field assessments showed the area to be poorly suited for habitation. Steep, rugged terrain, shallow, saturated soils, and limited access were among the reasons that the state eventually offered only twelve 20-acre

AWRTA, P.O. Box 1353, Valdez, AK 99686

p. 2

homesteads on the eastern portion of the original, much larger project area. These homesteads have not been very "successful," in the sense that a number of them were returned to the state at least once because of inaccessibility, scarcity of cabin sites, high cost of surveying, and remoteness. Although scenic, the area is impractical for even recreational cabins. Most of the terrain consists of steep slopes, ridges, and narrow stream valleys. As is typical for this region, the only flat, open areas are saturated muskeg bogs.

Other relevant physical considerations identified in DNR's preliminary assessment included the following. The potential for erosion of cleared areas is high, and localized soil instability is a concern. Geological hazards identified in the assessment included risk of avalanche due to heavy snowfall, deep winter snowpack, and steep slopes; high winds, [with attendant tree-throw and boat mooring risks]; and high earthquake and tsunami hazard.

Access to the property from the bay is problematic. To the comments made in the preliminary report we would add from our own experience that there are no protected mooring sites, and the least exposed sites occur inside the two inlets at the mouths of Gregoroff and Levshakoff Creeks. The intertidal zone in these inlets is quite broad with gently sloping muddy bottoms, and boats would have to be moored a minimum of several hundred feet offshore to avoid stranding at low tide. Also, as discussed below, these inlets and the streams that empty into them contain the most productive and sensitive wildlife habitat in the area, and it is likely that Army Corps of Engineers permits to construct docks or to make other near-shore modifications in these inlets would be difficult to obtain.

2) Stringent zoning and DEC regulations pose substantial obstacles to developing this remote site.

The University property is part of the area originally proposed for subdivision and subsequently rejected by DNR. About one-third of the parcel, including nearly all of the shoreline property, lies inside Valdez city limits, although it is 15 miles by water from the actual city. The Valdez Planning Department has reiterated that all development inside city limits must conform to building, fire, electrical, plumbing, and zoning codes. These restrictions would create considerable difficulty for a developer in this remote site; it would also be impossible for the city to provide many services here. For this reason, the city formally objected to DNR's plans to develop any of the land that fell within city boundaries. Also, the Valdez subdivision code states that no lot line shall cross a municipal boundary, which limits potential lot layout.

A preliminary site assessment failed to find soil conditions suitable for septic systems throughout the original DNR project area, including the University property. DEC will not permit outhouses or septic tanks here; human waste treatment must be self contained, as with incendiary or composting toilets (the latter is not feasible in a recreational cabin that freezes). Safe drinking water supply is likely to be a problem; the most probable water sources would be deep and costly wells in bedrock or rain water catchment. Surface water from streams would have to be treated because of the prevalence of wild mammals in the area.

3. The property contains and is adjacent to important wildlife habitat which may interfere with obtaining necessary permits.

Gregoreoff, Levshakoff, and the unnamed stream that lies between them are responsible for about 40% of the pink salmon that spawn in Jack Bay (a biannual average of 28,400 salmon, according to ADF&G records). The lower reaches of the streams, intertidal zone, and estuaries receive concentrated seasonal use by Bald Eagles, black bears, river otters, and harbor seals, as well as other species that rely on spawning salmon. Eagle nesting on the property is probable, given the abundance of young eagles near the streams during the summer.

Harlequin Ducks use the estuaries to forage and rear their broods. An ADF&G Harlequin Duck study found three females nesting along Gregoreoff Creek in 1991, an unusually large number for a stream of this size. Both estuaries are used for brood rearing and foraging, and the ducks are frequently concentrated while resting on intertidal rocks here. A severe decline in Harlequin Duck reproductive success coinciding with the Exxon Valdez oil spill has caused ADF&G and the US Fish and Wildlife Service to be particularly concerned about potential impacts to this duck's habitat. Due to more pervasive and long term declines, this species may be added to the "threatened" species list before long. Human activities have been documented to have detrimental effects on this shy species during the brood rearing stage.

In the early 80's ADF&G repeatedly objected to DNR's plans to subdivide land on the south side of Jack Bay because of the important wildlife habitat found there. Now, following extensive damage to certain species and their habitats resulting from the oil spill, regulatory agencies are even more critical of compromises to shore-line habitats. Alteration of the intertidal, beach, or riparian areas requires an Army Corps of Engineers wetland permit; Fish and Wildlife Service and ADF&G are likely to be critical of alterations to this sensitive habitat because of concentrated salmon, eagle, Harlequin Duck, and bear use of these small areas.

4. AWRTA's Interest in this land: AWRTA represents recreational users and tourism businesses. Jack Bay is important to a number of recreational users and tourism companies including recreational and commercial sport fishing, kayaking/camping, and tour boat operators. The mouth of Jack Bay is used extensively by sport fishermen and charter boat operators. A study by the Prince William Sound Aquaculture Association found that fishermen enjoyed the scenic and aesthetic qualities of their trips as much as catching fish. Loss of scenic quality could adversely affect the popularity of Valdez as a charter sport fishing destination or reduce the rates charter boat operators could charge. The Jack Bay State Marine Park attracts visitors. Addition of the University Land to the State Marine Park would provide room for expansion of a trails and tent camping system to accommodate increased recreational and tourism use. Some 40 percent of all visitors to Prince William Sound pass through the Valdez Narrows across the mouth of Jack Bay. The property includes 4 miles of shoreline and adjacent uplands that is highly visible from passing tow boats and sport fishing boats. Residential or commercial development or timber harvest here is likely to detract from the impressive vista.

AWRTA has an interest in maintaining the natural beauty of principal tourist attractions in the state, since the health of the tourism industry is directly affected by visitors' impressions. It should

AWRTA, P.O. Box 1353, Valdez, AK 99686

p. 4

come as no surprise that we would prefer to see this land become part of the Jack Bay State Marine Park than to be developed. However, we also believe that the University is likely to profit by reconsidering their option to make this land available for purchase by the Trustees. There are several considerations that are likely to limit the potential for revenue generation from this property. We offer the following information in the hope that it will encourage your office to investigate this property and your option to sell it.

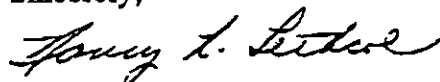
In addition to our own familiarity with Jack Bay, we have done a bit of research on the adjacent State homestead disposal area which was originally intended to include the land that has since been deeded to the University. Our information comes from the following sources, available in the Jack Bay Project files in the Anchorage DNR Public Lands Office: Jack Bay Subdivision GSC 497 Step 1 Evaluation Report (OceanTech); DNR Division of Land and Water Management proposed Jack Bay homestead/subdivision conveyance "Preliminary Decision," "Final Finding," and attached documents. We have also spoken with a number of ADF&G and USF&WS biologists about wildlife issues, in addition to reviewing comments made by ADF&G in the above documents.

In conclusion, while the property is relatively close to Valdez and attractive from a distance, realistic opportunities for development are probably rather limited by the physical features of the land itself, its location, and political concerns. If the land is nominated by the University, it seems likely that the Trustees will seriously consider purchasing it; as well as meriting conservation from a biological standpoint, it is also adjacent to the existing Jack Bay State Marine Park, and the general area receives considerable recreational use by the public.

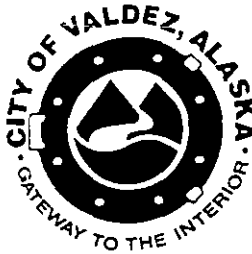
The University may very well find that selling this land to the Oil Spill Trustees is the best economic use for this land. You probably do not need to be reminded that this is likely to be the only opportunity the State has to make such an offer, and that the deadline for nominations is approaching quickly.

We hope that you find this information useful, and that you keep your options open by nominating this parcel to the Oil Spill Trustees.

Sincerely,



Nancy R. Lethcoe, President
Jim and Nancy Lethcoe, Alaskan Wilderness Sailing Safaris
Stan and Mary Helen Stephens, Stan Stephens' Charters
Kevin Hufford, Prince William Sound Express
David Lindeau, Dave's Marine
Jim Heston, Seaview Charters
Ed Davis, recreational user
Bill Copeland, Donna Lane, Raven Charters



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APR 4 1995

OFFICE OF THE MAYOR
March 28, 1995

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

Exxon Valdez Oil Spill Trustee Council
645 G Street, Suite 401
Anchorage, Alaska 99501

Dear Ms. McCammon:

The Valdez City Council recently took action to support the purchase of University of Alaska land in the Jack Bay area by the Exxon Valdez Oil Spill Trustee Council.

A portion of this University of Alaska property is located within the Valdez City limits. This property has very little developmental potential in that it will not support residential use, be it permanent or recreational in nature. The property has very little timber value.

The property has high scenic value. The property is located at the entrance of Jack Bay and is visible from the Valdez Narrows in which cruise ships travel. The State of Alaska already maintains a marine park in Jack Bay and the purchase of the University of Alaska property could be a fine addition to this State Marine Park.

The City of Valdez, through its City Council, has gone on record as supporting the purchase of this property by the Exxon Valdez Oil Spill Trustee Council. I hope that you will honor the City's request in negotiating with the University of Alaska Statewide Office of Land Management for the purchase of this property.

Sincerely,

John L. Harris, Mayor
City of Valdez

cc: Martin Epstein, Statewide Office of Land Management

#51Jackbay.328

28 March, 1995

Ms. Molly McCammon
Exxon Valdez Oil Spill Trustee Council Restoration Office
645 "G" Street
Anchorage, AK 99501

Dear Ms. McCammon:

I am writing to provide your office with some background information about a parcel of land in Jack Bay that has been nominated for the small parcel acquisition process by the University of Alaska. I own land in the nearby state homestead disposal and have an interest in the continued ecological health of the area. Although the University does not appear to have plans for this land at the present time, residential development or timber harvest is likely to be their preferred option at some time in the future.

The following comments are based on field notes and recollections from 5 visits I have made to the area since 1991, as well as information gleaned from various referenced sources. I should mention that I have a M.S. in biology with research experience in avian ecology; my interest in the local fauna is, therefore, more focused than in might otherwise be.

The University owns \pm 940 acres, with roughly 4.5 miles of shore line, between Tongue Point and the state homestead disposal area (see attached plat map). The shore line includes boulder-strewn and low cliffy areas, beaches with beachgrass, and fairly extensive intertidal mudflats with mussel beds. Three streams with substantial pink salmon runs terminate on the property. Large, dense seagrass beds occur in the estuary at the mouth of Gregoreoff (and, as I recall, also Levshakoff) Creek. Upland habitats include old growth spruce-hemlock forest on gentle to steep slopes with muskeg on terraces.

I have been repeatedly impressed by the diversity and abundance of wildlife occurring on and adjacent to the University land (relative to nearby areas in eastern Prince William Sound), due primarily to the presence of the three pink and chum salmon spawning streams, the broad intertidal zone, and the estuaries. Gregoreoff and Levshakoff Creeks are responsible for about 40% of the pink salmon that spawn in Jack Bay, according to long term ADF&G records (see below). The lower reaches of the streams, the intertidal zone, and the estuaries that occupy the inlets beyond the stream mouths are areas of concentrated seasonal use by a variety of species.

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EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

that depend on the influx of energy and nutrients during the spawning season.

I am concerned that residential development (or even substantial increases in the level of recreational use) of these inlets is likely to have a marked negative impact on use of these areas by wildlife. Because of the high biological importance of these localized areas, impacts caused by habitat alteration or human disturbance here could extend well beyond the small geographic area affected. I mention these considerations, which are no doubt much more familiar to your staff than to myself, to point out 1) the local or even regional significance and scarcity of these and similar "key" habitat areas, and 2) the importance of managing the estuaries (if they should end up as part of the nearby Jack Bay State Marine Park) to minimize disturbance.

Wildlife species listed as "Injured resources" in the small parcel nomination materials that I have observed on the University property or adjacent intertidal or estuarine areas include the following:

- 1) Pink Salmon. Long-term ADF&G records show an average biannual escapement of 28,400 salmon for Gregoreoff and Levshakoff Creeks combined (Wayne Donaldson, ADF&G, pers. comm.). The small stream that lies between them has a smaller run. A number of Chum salmon spawn in Gregoreoff Creek, as well.
- 2) Dolly Varden. Dolly Varden are present in Gregoreoff Creek. I have seen a school of about 20 spawning Dolly Varden several hundred yards upstream from the terminus, and small numbers occur above the short waterfall.
- 3) Bald Eagle. During the spawning season, eagles are often abundant near the streams. In mid July, 1992, I counted over 40 adult and immature eagles during a brief boat ride between Gregoreoff Creek and the State Marine Park, less than two miles away. In early July, 1994, Eva Saulitis and John Lyle counted 20 eagles in Gregoreoff Creek inlet. Although I have not observed nesting on the University property, it is not unlikely that eagles do nest here: there is ample suitable nesting habitat in the 4.5 miles of coastline, and recently fledged young of the year forage for salmon on Gregoreoff Creek in late summer.
- 4) Black Oystercatcher. I have observed pairs and (family?) groups of 3-4 oystercatchers foraging in mussel beds in the intertidal zone near Gregoreoff Creek, and along the rocky

shoreline between Gregoreoff and Levshakoff Creeks. They may nest on the nearby islands in Jack Bay State Marine Park.

5) Harlequin Duck. Fairly large numbers of Harlequins frequently forage in Gregoreoff Creek inlet and rest on intertidal rocks there. For example, in June of 1992 I repeatedly observed from 5 to more than 10 ducks here; and on 6 June, 1994, I saw 16 Harlequins loafing on these rocks. I have spoken with Sam Patton and Dave Crowley, who conducted an ADF&G Harlequin Duck study that included Gregoreoff and Levshakoff Creeks. In 1991, Gregoreoff Creek supported 3 breeding females; two nests were found, giving this stream the highest nesting density of all 23 streams included in the survey. No breeding activity was detected on Levshakoff Creek, but the estuary was identified as an important foraging and resting area. According to Dave, increased human or boat traffic in these small inlets is likely to displace this breeding population of Harlequin Ducks.

6) Harbor seal. Seals are often present in small numbers in Gregoreoff Creek inlet during the spawning season. Although I have never seen more than two seals at one time here, the frequency with which I see them suggests that this may be an important foraging area.

7) River Otter. Otters seem to be common in and near Gregoreoff Creek inlet. I have seen one or more otters on three or four occasions since 1991, and their sign is quite common on the shore.

"Injured services" provided by the University property include a variety of recreational uses. Sport fishermen, pleasure boaters, bear hunters, and kayakers use this area frequently.

During the early 1980's ADF&G repeatedly voiced their concerns about residential development of State land in Jack Bay (which included the land currently owned by the University) due to impacts on wildlife habitat and recreation. The following is an excerpt from a letter in DNR's Jack Bay Homestead Project files.

We object to this disposal because it is highly productive black bear and mountain goat habitat and supports considerable recreational hunting. The major streams are also significant pink and chum salmon spawning streams and contribute to one of the most important salt water sport fisheries in the Valdez area. Frequent herring spawning

also occurs along the intertidal beaches in the southwestern corner of the disposal area. The Chugach Regional Study recommended that the salmon streams, wildlife habitat and high public use areas be avoided [for development].

(Black bear density does seem to be quite high in the area, and I saw a female with five young at the mouth of Gregoreoff Creek in September 1994.)

Archeological Resources. Chugach Natives, Inc. filed an application for cemetery and historical site recognition for two locations on the University parcel: the tip of the small peninsula that projects northward between Gregoreoff and Levshakoff Creeks, and a larger area that encompasses all of Gregoreoff Creek inlet. This occurred in the early 1980's when the state was attempting to include this parcel in the Jack Bay homestead disposal. I am attaching a map from DNR files that depicts these areas (proposed land conveyance AS 38.05.035 (a) (14)).

I hope that you will find these comments useful. If you have any questions about this material, or if I can be of further assistance, please do not hesitate to contact me. Thank you for your efforts to mitigate oil spill damage in the Sound.

Sincerely,

Jon Miller

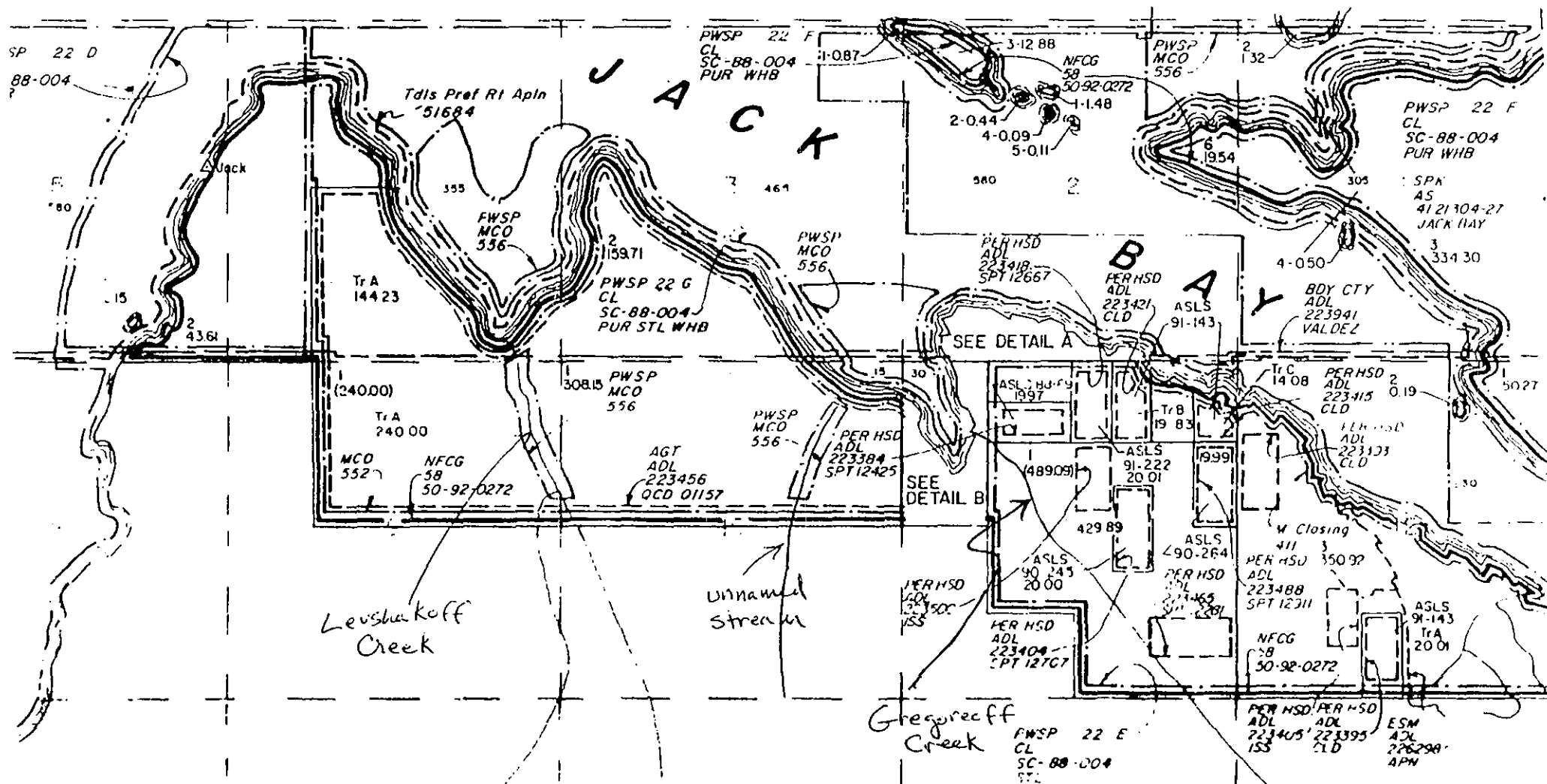
Jon Miller
2630 Home Run
Fairbanks, AK 99709
(907) 479-5629

PS. I have enclosed three photographs that illustrate upland and shoreline habitats.

¹ From a letter to Margaret Hayes, Southcentral District Manager, DNR Division of Land and Water Management, from ADF&G. October 26, 1983.

TOWNSHIP 10 S RANGE 8 W OF THE COPPER RIVER MER

Plat showing University property





P.O. Box 1353
Valdez, AK 99686
Phone: 907-835-4300
Fax: 907.835.5679

To: Molly McCammon, PAG Group
From: Nancy R. Lethcoe
Date: April 14, 1995

I am sorry I am not able to attend the April 20-21 meeting, but I must be in Fairbanks for a promotional show for our business. I look forward to joining you at the June 13-14 meeting — unless we receive so many bookings I am unable to get away.

I have concerns about three small parcels I wish to bring to your attention:

1. The University of Alaska has two land parcels adjacent to the Valdez Duck Flats. The Forest Service agreed to sponsor one parcel which is the site of its Valdez information center. The other, adjacent parcel, was not sponsored. I did not realize that this area was two separate parcels until quite recently and have been trying to identify why the Forest Service did not sponsor both parcels (please see attached letter to Phil Janik).

The US Fish and Wildlife Service lists the Valdez Duck Flats as an Area of National Significance, because Hudsonian Godwits nest here. The unsponsored parcel is a significant portion of the Valdez Duck Flats viewshed for the Information Center, but more importantly, the alder shrublands and saltmarsh extending out to the mudflats are important habitat for microtines, river otter, weasel, numerous nesting birds, and a rich mudflats flora and fauna. This is an important staging area for shorebirds during the spring and fall migrations. Bald eagles perch on the dead limbs of the cottonwoods while feeding in the area. The spruce forests (on inner point on southern boundary) are thought to be nesting sites for marbled murrelets which are seen in the Duck Flats area. Harbor seals and Steller Sea lions feed in the adjacent mudflats at high tide and haul out on the rocky islets. Some years, in the winter large flocks of common murres move into this area to feed. Sea otters feed in this area year round. The AT Transient Pod of Killer Whales and others have been spotted in Port Valdez and may be feeding on the animals that feed in the Duck Flats. Some of the area may be used as a nursery for out-migrating salmon fry and as a milling area for spawning salmon. I am told that some local residents gather eggs for subsistence use in this area.

According to Martin Epstein, the University of Alaska is a willing seller, although they also have someone who wants to purchase the land for an RV park. Construction of an RV park here would not only destroy this biologically rich parcel and adversely affect the adjacent mudflats, but it would also have a significant impact on the visual quality and wildlife viewing opportunities for local residents and other tourists. Currently, at least 200,000 visitors pass this area annually. The Forest Service estimates that 80,000-120,000 stop at their interpretive center. Local businesses conduct wildlife watching trips by kayak trips in the area. Valdez AWRTA members and local residents would like to see wildlife viewing and interpretive areas constructed — perhaps across the highway in conjunction with the City's Gazebo.

We are most concerned about the loss of habitat and opportunities to view wildlife dependent upon that habitat.

2. The second parcel is at Jack Bay. Please see my attached letter to Martin Epstein. This parcel is very important to local recreational users, AWRTA business members, and the cruise/tourboat industry. We strongly support purchasing and adding it to the Jack Bay Marine Park. We would hope to see the habitat protected, while perhaps adding some amenities to the area, such as trails, mooring buoys, and tent camping sites. The area is viewed by all tourboat and cruiseship passengers entering and leaving Port Valdez. Logging would impact the visual quality. The old growth forest provides nesting, shelter, and perch sites for numerous birds. We do not know if any marbled murrelets nest in the area, but river otter, weasel, and mink are known to occur. Offshore, sea otters, harbor seals, Steller sea lions and killer whales use the adjacent waters. The site also has intertidal zone values.

3. I have received a fax from Michael McBride of Kachemak Bay Wilderness Lodge describing the Fox Island Small Parcel. I would like to suggest that this site be reviewed for possible purchase and inclusion in the Kachemak Bay State Park.

Sincerely,



Nancy R. Lethcoe

SMALL PARCEL NOMINATION

KEN-1014



United States
Department of
Agriculture

Forest
Service

Alaska Region

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

File Code: 1590

Date: MAY 25 1995

Molly McCammon, Executive Director
Exxon Valdez Oil Spill Restoration Office
645 G Street, Suite 401
Anchorage, AK 99501

Dear MS. *Molly* McCammon:

RECEIVED
JUN 01 1995

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

We would like to request that the Grouse Lake parcel (KEN 1014) nominated by owner Dean Anderson during the secondary phase of the comprehensive Small Parcel Habitat Evaluation and Ranking Process be placed in the category of "Parcels Meriting Special Consideration".

This parcel was evaluated by the Habitat Work Group and received a score of 18 placing it just below the minimum score of 20 for a moderate restoration value ranking. This parcel borders Grouse Lake and Creek and is contiguous with the Chugach National Forest. It can be easily incorporated into existing management plans and will enhance public access to recreational opportunities as it is within about 5 miles of Seward. It also provides habitat for sockeye and pink salmon, and Dolly Varden char. Thus, we feel that this parcel has unique characteristics which will provide for the restoration of injured resources and associated services.

In reference to another parcel (PWS 1010) Jack Bay, we are also interested in requesting special merit status. We have coordinated a recommendation submitted by Alaska Department of Natural Resources to initiate special merit status dated May 22nd. The Forest Service is also interested in incorporating this parcel into National Forest Management for the restoration of injured resources and associated services.

We appreciate your consideration of these parcels and should you require additional information, please contact Dave Gibbons.

Sincerely,


PHIL JANIK
Regional Forester

Caring for the Land and Serving People



Printed on Recycled Paper
FS-6200-28b (12/93)



SMALL PARCEL NOMINATION

KEN- 1015 (Lowell Point)

Dear Molly McCammon,

I am a teacher and a parent at Homestead School in Eagle River. For the last 8 years I have taught a unit on tide pools. As a culminating finale, I invited the students of Homestead and their families to join me at Lowell point in the Spring at low tide. We have grown from 75 people the first year to more than 300 the last few years. Rangers from the Kenai Fjords and the State Parks have met us and helped us in our discoveries. The K.M. Rae building opens to show us movies and the fish tanks. It has been a wonderful experience, as well as educational.

I am asking that your board approve the purchase of Lowell point for the use of all. I've been to other states where there is no public access to beaches or access is limited. Please preserve this tide pool area. We haven't found another like it in 8 years.

Sincerely,



Roxann Kopischke
17424 Meadow Creek
Eagle River, Alaska
99577

5-2-95

Dear Mary McCammon:

I am a parent and a teacher at Homestead Elementary School. For many years our family and our school have enjoyed learning about Alaska's tide pools and being responsible observers of nature.

I would like to stress my concern that the Lowell point area be purchased for everyone's use and not just a select few. I believe having a recreation area for all use will increase the education of Alaskan's and visitors of the wonderful wildlife we have and need to protect.

Please consider our wishes and our state's need for places like Lowell point. If they are all bought up commercially or by private owners where else can we go to explore and learn about the wildlife in our tide pools?

Sincerely,



Gayle Boyer

18001 Baranoff

Eagle River, AK 99577

907-694-2121

THE REIDS

19005 Chichagof Loop
Eagle River, AK 99577

RECEIVED
MAY 9 1995

May 6, 1995

Molly McCammon
Executive Director, Exxon Valdez Oil Spill Trustee Council
645 G Street
Anchorage, AK 99501

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

Dear Ms. McCammon:

I have two children who are students at Homestead Elementary School in Eagle River. The school has sponsored family field trips to Seward once a year during a low tide for the last 8 years. Participation in this activity has grown to 300 people last year and at least that number are expected to take advantage of this opportunity again this year.

Access to the tidal area has been provided by James McCracken. However, we have learned that Mr. McCracken is selling his property. It is our understanding that the Exxon Valdez Oil Spill Trustee Council is considering the purchase of Mr. McCracken's property to allow public access to the tidal area at Lowell Point. If this purchase is not made by the Council the land will most likely become inaccessible to the public for scientific and educational studies.

I consider this acquisition to be an excellent opportunity for the State of Alaska and especially for the school children who benefit greatly from the hands-on learning experience of easy access to the tide pools.

Even if the Alaska Division of Parks and Outdoor Recreation does not have the funding to fully administer the site at this time, we would like you to take into consideration the fact that this is a good opportunity to acquire the land base for future generations. Additional benefits will be gained by the fact that this parcel is easily accessible by the residents of Alaska and our visitors, unlike other acquisitions by the Trustee Council (for example the remote locations of Kodiak Island and Prince William Sound).

Sincerely,

Jane Reid

Jane Reid

OFFICE

Dear Molly McCammon,

My name is Zachary Hill. I am a six grade student at Homestead Elementary. For the past 8 years our school has had a Seward "SEA WEEK" on Mr. McCracken's property. Now Mr. McCracken is selling his property! If the state does not buy this property and turn it into an outdoor recreation center, our school will no longer be able to experience the tide pools and beauty of Seward every one has enjoyed. Mr. McCracken is selling his property for \$495,000. It would mean a lot to the students, parents, and P.T.A. if you would purchase these 20 acres. Thank you for your time.

RECEIVED

MAY 9 1993

EXXON VALDEZ OIL FIELD
TRUSTEE BOARD

Sincerely,
Zachary Hill

Zachary Hill
10120 CHANDLER ST.
EAGLE RIVER, AK 99577

COMPLETE

PHONE COMMENT LOG

Name	Affiliation	Phone	Address
HELENA CHALIFOUR	- PUBLIC	- 694-5021	19040 1 ST ST. EAGLE RIVER ALASKA 99577

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

Date of call: MAY 9, 1995 Comment taker: KERI HILE

Subject of comments: LOWELL POINT, SEWARD

Comments: Please acquire Lowell Point.
Seward Pt. Work would
not be the same without it.

COMPLETE

PHONE COMMENT LOG

Name	Affiliation	Phone	Address
JANET WEIR	PUBLIC	696-4844	1711 MEADOW CREEK D EAGLE RIVER, AK 99577

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

Date of call: MAY 9, 1995 Comment taker: KERI HILE

Subject of comments: LOWELL PT, SEWARD ACQUISITION

Comments:

LOWELL POINT IS A WONDERFUL PARCEL OF LAND. FOR THE PAST TWO YEARS (AS LONG AS THEY'VE BEEN UP HERE) THEY HAVE BEEN TAKING THEIR FAMILY THERE. THERE AREN'T TOO MANY PLACES WITHIN DRIVING DISTANCE OF ANCHORAGE WITH BEACHES FOR THE PUBLIC. IT'S A GREAT PLACE TO TAKE CHILDREN TO SHOW THEM SEALIFE.

IT'S A REALLY NEAT PLACE & ENTIRELY WORTHWHILE AS A LAND PURCHASE.

COMPLETE

11132 Placer Circle
Eagle River
Alaska, 99577

May 10, 1995

Molly McCammon
645 G Street
Anchorage, AK 99501

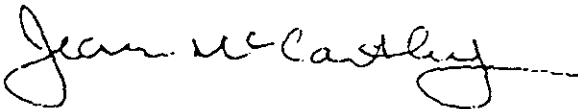
Dear Ms. McCammon,

As a parent of two children who attend Homestead Elementary School, I am writing to encourage you to consider the purchase of Mr. McCracken's land at Lowell Point in Seward.

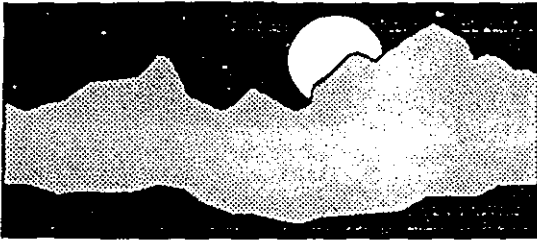
Over the past 8 years students, parents and teachers have gone to Lowell in May for "Sea Week". My family have attended on several occasions and have found it to be a very valuable experience as we learn about life in the tide pools. If the State does not purchase the land, which I understand the Alaska Division of Parks and Outdoor Recreation has agreed to manage, this unique experience will be lost to us.

I believe that obtaining this land will be very beneficial to the State and ask that it may be given serious consideration.

Sincerely,



Jean McCarthy



From the desk of....

Marc Swanson

PO Box 748

Seward, Alaska 99664

(907) 224-7349

RECEIVED

MAY 18 1995

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

Eric Myers
Director of Operations
Exxon Valdez Oil Spill Trustees Council
645 G Street
Anchorage, AK 99501

Dear Mr. Myers,

Thank you for sending me information regarding the small land acquisition information on the Lowell Point (Seward, AK) and Ellamar land holdings (Prince William Sound). I am very acquainted with both and would like to address each separately.

Lowell Point Land Acquisition

The land which is currently being considered for acquisition is multi-faceted. First, it represents an ecosystem which is unique to Seward. Despite being built on the edge of Resurrection Bay, Seward's waterfront is neither diverse nor especially captivating from a tidepool point of view. Typically Seward's beaches are loose, sharp edged cobble of shale. Because of the wave action and loose substrate, intertidal animals and 'grungies' are unable to develop a foothold.

In contrast, the land at Lowell Point offers two distinct (and unique to Seward area) tidal lands. First, a sand beach lies in front of the land being considered. Though free of tide pools, residents and visitors fish on this beach since king, silver, and pink salmon tend to school in this bite while waiting to go to the head of the bay. Secondly, a sheltered rock embankment and tidal area lies to the west of the Lowell Point land. Students and visitors often come to this area to observe the intertidal organisms. Access to this tidal area provides a wonderful educational opportunity to observe these tidal pools. As a teacher I especially appreciate access to this ecosystem for students to better understand the ocean which they live next to.

In addition to biological and educational considerations, Lowell Point has, in the past, provided recreational access beyond the 'end of the road.' First, kayakers use this strip of beach as a staging ground for trips into Kenai Fjords National Park. It's wide strip of beach and it's distance from motorized boat launches provide an ideal place for kayaks to gear up and launch into the semi-protected waters of the bay. Hikers also would benefit from this land acquisition. The trailhead to Caines Head Recreational Area (one of the finer hikes in the Kenai

Fjords National Park) begins near this point at the community sewage lagoon. The trailhead has always posed some challenges stemming from stench and access across public lands. With the acquisition of the Lowell Point property, access would be less of a problem and hikers would not be greeted by Seward sewage at the trail head.

Currently there has been an influx of building at Lowell Point. The only access to the lands described in this letter is now through the narrow strip of land which is being considered by the Trustees. This is the last opportunity to retain this eco-recreation system for residents and visitors to the area. Please, this is a valuable opportunity that will not be possible in the future.

I hope you will agree that acquisition of this property should warrant a high ranking. Thank you.

Ellamar Properties

I have mixed emotions regarding the acquisition of the Ellamar properties. I am a landholder in Ellamar. Frankly, I would personally benefit greatly from the Trustees acquiring the remaining available lots in the Ellamar Subdivision. My uneasiness with the acquisition stems from my personal involvement with the *Exxon Valdez* Oil Spill. My wife, Letty, and I were teachers in Tatitlek at the time of The Spill. We have seen how the Spill affected the Sound, its creatures, its people. We have seen how The Spill brought out the best in some folks....and the worst in many. Greed seemed at times to be the driving emotion amongst many people. Letty and I hoped to distance ourselves from this greed and not allow us to be caught up in self-preservation attitude which has been so prevalent since The Spill. Simply, we do not want to, in any way, benefit from the spilling of oil into the Sound.

It is ironic, then, that suddenly we stand to gain directly from the Spill settlement. It is not a situation that we are comfortable with, however certainly Ellamar is worthy of the objectives of the Trustees. It would make us proud to see Ellamar evolve from a place of mining and development exploitation to a place of historical and natural legacy for the public to enjoy for perpetuity.

The Scenery:

I trust you have been to Ellamar and realize it to be a place of awe. The view of the Sound, from Ellamar defines serenity, particularly on a calm summer evening as the sun sets below the western horizon. The land around Ellamar has many unique recreational opportunities. Since Ellamar sets beside a sheltered cove and is on a wide, meadowed bench, Ellamar provides the recreationist with a secure harbor with nearly endless hikes into the surrounding hillside.

One of my favorite treks follows the old wooden pipeline which supplied water from a diversion dike to the mining operations below. Continuing past the dike,

the hiker travels into thick woods which eventually breaks into meadows with small clear brooks emerging from mountain springs. I have seen few places that can compare with the serenity of these upper meadows of Ellamar

Wildlife

Wildlife such as bear, deer, goats as well as smaller mammals inhabit the surrounding area. Black bear are often seen throughout the summer. There are stories of a large brown bear being seen between Tatitlek and Ellamar but so far it seems more of legendary material.

The coves provide shelter and habitat for birds, both transient, residential, and migratory. The 3 coves are filled with gulls feeding on herring while shore birds and sea ducks feed in the sheltered waters. Though I know of no eagle nests per se, at times I have seen 20-30+ eagles in trees waiting to feed on fish in the creek.

The reef that extends southward from the northern cove is unique in formation, substrata, and sea life. The reef is rock with sand underneath. It provides a relative unique environment and is an ideal hide-out for octopus and some shellfish. Letty and I enjoy going out to this reef during low-spring tides to catch octopus. They make an awesome chowder. Since The Spill, the reef does not seem to be as productive. I have not caught nearly the number I once did. Whether this is a direct result of the Spill is not known.

The southern cove provides some type of unique habitat for silver salmon. Though silvers are not known to spawn in these waters, they still school up and cycle around in this small bay. Subsistence fishermen from the village often come here to catch the fish before they move on to their natal waters.

Cultural Aspects

Ellamar has a rich cultural history that reaches far back beyond the mining and cannery days. Certainly this history in itself should be considered when making the decision to acquire the land. In addition, indigenous people inhabited this land years before Western influence. There is evident from a possible village site with house pits 1/2 mile north of the subdivision. In addition, there are remnants of a historic burial/cemetery site on the peninsula which creates the southern cove to the peninsula. I've been told this is the cemetery for the mining operation though markers show the sign of Russian Orthodoxy.

My Concerns

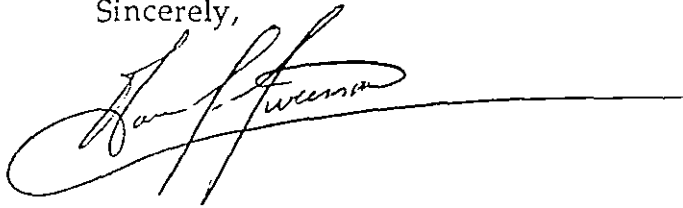
If the Trustees chose to continue the process towards land acquisition of Ellamar Subdivision I have some concerns.

First: I think that Ellamar presents unique recreational opportunities while offering a beautiful natural and cultural setting. Ellamar could be a marvelous place for a state park but only if effects to the natural setting and the existing cultural resources could be minimized.

Second: Knowing the developer and his original intentions of profit, I hope measures have been taken to keep additional parcels from being sold while the Trustee's negotiations are proceeding. If the Trustees are serious about acquiring Ellamar, I hope that it requires ALL remaining parcels be purchased. I am concerned that without such stipulations, the developer will attempt to sell the choice parcels which would negate any positive affects of the land acquisition.

I hope you agree that Ellamar is worthy of the Trustee's objectives for land acquisition. It would be a fitting legacy to the disastrous spill to have land, which was within sight of the grounded tanker, set aside for the enjoyment of future generations and to the protection of this valuable ecosystem. Should you have any questions regarding Ellamar that I may be able to address please feel free to contact me at my home phone number.

Sincerely,

A handwritten signature in cursive script, appearing to read "Dan F. Swann", followed by a long horizontal line extending to the right.

Betty and Paul Zaragoza
HC83 Box 1774
Eagle River, AK 99577

May 22, 1995

Ms. Molly McCammon
Executive Director
Exxon Valdez Oil Spill Trustee Council
645 G Street
Anchorage, AK 99501

Dear Ms. McCammon,

We urge you to purchase Lowell Point in Seward for a State Park.

For the past three years we have discovered the amazing sea life in the tidal pools of Lowell Point with our three young children. The accessibility of Lowell Point makes it unique in that all one needs is a car and the willingness to explore. Having access to Lowell Point is so important for the education of young Alaskans. It is so exciting to see their eyes light up as they discover the wonders of sea life in the tidal pools and under the rocks of Lowell Point.

We hope you will purchase Lowell Point for a State Park so this valuable resource will be available for future generations to explore.

Sincerely,

Paul D. Zaragoza Betty Zaragoza

Andrew J. Zaragoza
HC83 Box 1774
Eagle River, AK 99577

May 22, 1995

Ms. Molly McCammon
Executive Director
Exxon Valdez Oil Spill Trustee Council
645 G Street
Anchorage, AK 99501

Dear Ms. McCammon,

I am Andrew Zaragoza. I am almost nine years old and I am in second grade at Homestead Elementary.

I like Lowell Point because it has sea creatures that I've never seen before. It is fun to find the little eels and fish under the rocks. There is no other place in the world like Lowell Point.

Please, please buy the land and make it into a State Park. If you don't buy Lowell Point more houses will be built on the beach and we won't be able to go there next year with my school.

Thank you for thinking about buying Lowell Point.

Andrew

Evan S. Zaragoza
HC83 Box 1774
Eagle River, AK 99577

May 22, 1995

Ms. Molly McCammon
Executive Director
Exxon Valdez Oil Spill Trustee Council
645 G Street
Anchorage, AK 99501

Dear Ms. McCammon,

I am in kindergarten at Homestead Elementary. I am 6 1/2 years old.

Please buy Lowell Point and turn it into a State Park.

I like catching little crabs and sea stars with my school. This year I saw a purple sea star. I always put the little critters back after I look at them. I can't find the sea animals in the ocean where I live in Eagle River. That's why we go to Lowell Point.

Please buy Lowell Point so I can go back next year. Thank you.

Evan

Jacqueline K. Zaragoza
HC83 Box 1774
Eagle River, AK 99577

May 22, 1995

Ms. Molly McCammon
Executive Director
Exxon Valdez Oil Spill Trustee Council
645 G Street
Anchorage, AK 99501

Dear Ms. McCammon,

I am three years old and I go to Lowell Point with my family.

At Lowell Point I find sea stars. I like to find crabs. I like my family and I like to go to Seward.

I want to find sea stars when I'm bigger. Please buy Lowell Point so I can go there with my family again. Thank you.

Jacqueline



Focus on Your World. Enter the UNEP International Photographic Competition on the Environment 1994-1995. Your photographs will show the world the beauty of our planet and the danger that it faces. Call 1-800-670-4321 for an entry form.

Please help AK State
parks purchase
Lowell Pt Beach site. I have
used the beach recreationally
for 17 yrs - educationally for
4 years when I have had
thousands of AK children in
"intertidal discovery". We have
so few accessible beaches -
pls consider this purchase!

Silversword Madelyn Walker Box 112
Amateur Division, David Olsen, U.S.A., Honorary Member, Seward
UNEP International Photographic Competition on the Environment 1994-1995

RECEIVED

MAY 23 1995

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

Exxon Valdez Trustee Council
645 G Street
Anchorage, AK 99501



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I would like the State Parks to purchase lands at Lowell Point Beach to give the public access to the water & Tonsina Point Trail. I use that area & would like to continue to do so. Thanks,
Sandy Stolle

"Untouched"
Amateur Division: David Arndt, Canada, Honorary Member.
UNEP International Photographic Competition on the Environment 1994-1995

Sandy Stolle
Box 2363
Seward AK
99664

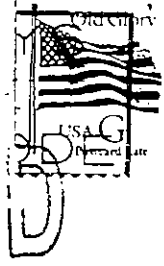
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MAY 26 1995

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

Exxon Valdez Trustee Council
645 G Street
Anchorage, AK 99501

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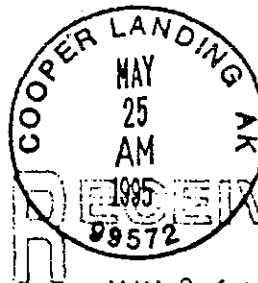
May 24th

Hello,

I would like to see the Trustee consider funding the purchase of the 20 acre tideland/upland parcel on Lowell Beach in Seward for inclusion in the Alaska State Park System. This is an important access site and will be an ideal use of Trustee monies.

David Rhoads
Box 796
Cooper Landing AK 99572 907 595-1314

"Silversword"
Amateur Division: David Olsen, U.S.A., Honorary Member.
UNEP International Photographic Competition on the Environment 1994-1995



MAY 26 1995

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

Exxon Valdez Trustee Council
645 G Street
Anchorage, AK 99501

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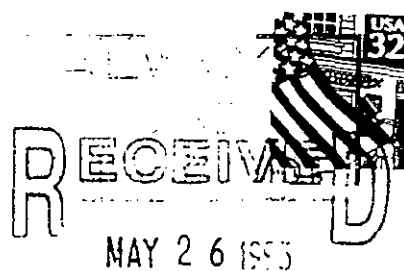
Focus on Your World. Enter the UNEP International Photographic Competition on the Environment 1994-1995.
Your photographs will show the world the beauty of our planet and the danger that it faces. Call 1-800-670-4321 for an entry form.

Dear EVOS Council,

Several weeks ago I spoke at a meeting here in Seward when your reps. were here.

As an educator in Seward I use the Lowell Pt Beach access a lot. Please help preserve it by setting aside money.

Thank you
Amateur Division: Dieter Arndt, Canada, Honorary Mention.
UNEP International Photographic Competition on the Environment 1994-1995



EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

Exxon Valdez Trustee Council
645 G Street
Anchorage, AK 99501

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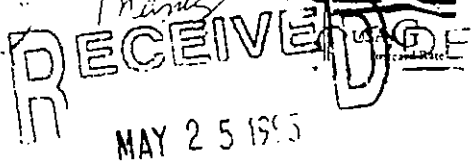
Teacher 4.14 2 (65)

Focus on Your World. Enter the UNEP International Photographic Competition on the Environment 1994-1995.
Your photographs will show the world the beauty of our planet and the danger that it faces. Call 1-800-670-4321 for an entry form.

I am concerned that Lowell point beach outside of Seward is going to be all privately owned and the public will no longer be able to enjoy it. We use this beach now for pleasure education and to hike out to Tonsina point. This is a Seward treasure that should be open to the public. Please consider buying this tide lands for future

Amateur Division: Dieter Arndt, Canada, Honorary Mention.
UNEP International Photographic Competition on the Environment 1994-1995

commitment
of every body
Thanks



EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL
645 G Street
Anchorage, AK 99501

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Focus on Your World. Enter the UNEP International Photographic Competition on the Environment 1994-1995. Your photographs will show the world the beauty of our planet and the danger that it faces. Call 1-800-670-4321 for an entry form.

I believe Lowell Point Beach in Seward needs to be preserved for public use. The purchase of the property took high priority by a citizens review committee for the recreation dollars through the Alaska State Parks. For some reason it did not get funded. Many people (families) use this area as the owner plans to develop the area if not purchased by the Parks, we will all lose access to this wonderful beach. Also this is needed for parking for the Cairnes Head trail head.

Amateur Division David Olson, U.S.A., Honorary Mention, UNEP International Photographic Competition on the Environment 1994-1995

RECEIVED

JUN 06 1995

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

Exxon Valdez Trustee Council
645 G Street
Anchorage, AK 99501

Michael Olson
Seward,
Organized by UNEP (United Nations Environment Programme)
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I am in favor of having a area set aside for the access of Lowell Point Beach - it is an important area which should be set aside for the enjoyment of the people

Amateur Division David Olson, U.S.A., Honorary Mention, UNEP International Photographic Competition on the Environment 1994-1995



RECEIVED
JUN 27 1995

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

Exxon Valdez Trustee Council
645 G Street
Anchorage, AK 99501

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Focus on Your World. Enter the UNEP International Photographic Competition on the Environment 1994-1995. Your photographs will show the world the beauty of our planet and the danger that it faces. Call 1-800-670-4321 for an entry form.

5-15-95

Dear Council,

I am writing in SUPPORT of funding for Resurrection Bay Beachfront at Lowell Point, 1 mile south of Seward. Access to The beach There is increasingly difficult, yet expected. Please help secure it.

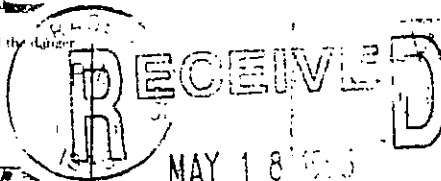
Thankyou. Carol Griswold
PO Box 1342

"Untouched"

Amateur Division, Dieter Arndt, Canada, Honorary Mention.

UNEP International Photographic Competition on the Environment 1994-1995

Seward AK 99664



EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

Exxon Valdez Trustee Council
645 G Street
Anchorage, AK 99501

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Focus on Your World. Enter the UNEP International Photographic Competition on the Environment 1994-1995. Your photographs will show the world the beauty of our planet and the danger that it faces. Call 1-800-670-4321 for an entry form.

EVOS -

Lowell Point Beach should be purchased w/ EVOS funds for management as a State park. This is an important place and the only accessible ^{true} beach near Seward.

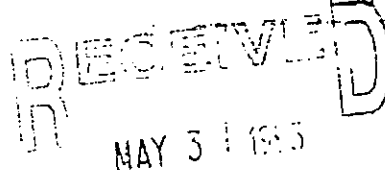
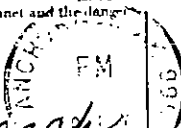
Sincerely,

"Untouched"

Amateur Division, Dieter Arndt, Canada, Honorary Mention.

UNEP International Photographic Competition on the Environment 1994-1995

Suzanne Little Box 3957 Soldotna



EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL
Exxon Valdez Trustee Council
645 G Street
Anchorage, AK 99501

Organized by UNEP United Nations Environment Programme
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Dear Exxon Valdez Oil Spill Trustees Council;

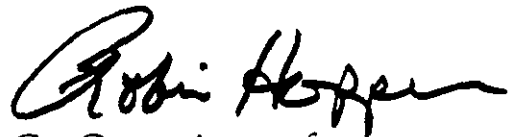
If a picture is worth a thousand words, then the attached page says everything you need to know about WHY Lowell Point needs to be purchased and turned into public lands.

For the past eight years, students, parents and teachers from Homestead Elementary school in Eagle River have traveled to Seward, and explored the tide pools on Lowell Point as a culmination of our marine unit. Lowell Point is a unique and special area, and we have been very fortunate to be able to use it, but if the state doesn't purchase the parcel, it is almost certain that this pristine spot will be privatized and made inaccessible to us.

Please take a moment to look at the faces in these pictures - faces filled with wonderment and joy - families discovering the wonderful treasures of our Alaskan oceans and shorelines. It would be a terrible and sad shame to deny our children the heritage and opportunity to explore Lowell Point. Isn't that the whole point of the money allocated in the Oil Spill civil settlement?

On behalf of hundreds of Homestead students, parents and teachers, PLEASE purchase Lowell Point, and turn it into public access lands. Thank you for your consideration.

Robin Hopper



Co-Organizer of
Homestead School's
Annual "Sea Week"

RECEIVED
JUN 02 1995
EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL



Please purchase
 Lowell Point! ☺



Fire Lake Elementary School
P.O. Box 772569
Eagle River, Alaska 99577
May 31, 1995

JUN 05 1995
EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

Exxon Valdez Trustee Council
645 G Street
Anchorage, Alaska 99501

Gentlemen:

I am writing to you to ask that you dedicate funds to buy the land on the beach at Lowell Point in Seward. The fifth grade teachers at Fire Lake Elementary School in Eagle River have developed a marine camp for our students. We have used this area for the last six years (including this year) and the students have had an excellent experience. This marine camp has opened our students eyes to the marine environment as no other experience could. They have been able to find isopods, chitons, octopus, huge ribbon worms, hermit crab, sand fleas, and many other tidal pool creatures.

This beach and the follow-up studies provided by the Seward area has enriched the lives of approximately 550 students. It would be a tremendous loss if our students would not be able to experience this environment. I would urge you to purchase this area and dedicate it to use as a state park for the enjoyment of future students so they may be able to learn and appreciate the marine environment.

Sincerely,

Paula Johnson

Mrs. Paula Johnson, Teacher
Fire Lake Elementary School

Johnson
20246 M - Kinky View
PRINCIPAL AK 99567

RECEIVED
JUN 12 1995

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

842 W. 13th Ave.
ANCH., AK 99501
JUNE 6, 1995

E.V.O.S.
645 G. STREET
ANCH., AK 99501

Dear Sirs or Madam,

I don't mean to bother you but I need to ask a favor that you would please buy Lowell Point so I could go there for sixth grade camp next year with my class. I know it wouldn't mean alot to you but it would mean alot to me and alot of other people. make your community happy.

sincerely,
Holly

RECEIVED
JUN 10 1995
ANCHORAGE, AK

2053 Arlington Dr.
Anchorage, AK 99517
June 6, 1995

Dear E.V.O.S.,

I think we should have the 6th grade camp because it would be fun for the 6th graders. The 6th graders said it was fun!

Your friend,

Kimberly Holliday

RECEIVED
JUN 12 1995

EXXON VALDEZ OIL SPILL
TRUSTEE BOARD

6435 Carlos Court
Anchorage, Ak 99504
June 6, 1995

Dear E.V.O.S.,
My name is Matt Bergt. Please buy the beach so we can go to the
6th grade camp.
I really want to go to it next year.

Sincerely,
Matt Bergt

RECEIVED
JUN 12 1995

EXHIBIT VALUATION
TRUSTEE

2231 Belmont
Anch., AK 99517
June 6, 1995

Dear E.V.O.S.,

Please buy Lowell Point and make it a center for classes to go camping. I know you may not want to spend the money on the land but if you don't think of it as economical but as educationale. We people in fifth grade were very excited about going to the camping trip but now the landlord has threatened if we come once again to the point that he will sue, but he is willing to sell the point to anyone willing to pay the money and so far knowone has come.

Please deeply consider our problem. Thanks again for your time!

Sincerely,
Jackie
Baik

RECEIVED
JUN 12 1995

EXXON VALUET ON GRILL
TRUSTEE 100101

1350 W.27TH Ave.#6
Anchorage,AK 99503
June 6, 1995

Dear Sir,

Please stop the construction and the pollution because it will kill all the life under the sea. I don't want all the animals to die because the animals are very beautiful. If we don't save the beach then there wouldn't be a beach to go to and then there would be more pollutions at other beaches, oceans, or lake. So please save the lake.

SINCERELY,
Sandy Phanthasong

3701 W. 42nd Ave
Anchorage, AK 99517
June 6, 1995

RECEIVED
JUN 11 1995

E.V.O.S.
645 G. St.
Anchorage, AK 99501

EX-100 A 1 3 00 1 1
TEL 12 11 11 1

Dear Sirs or Madam

Please buy Seward Camp so that us 5th graders can go to 6th grade camp next year. Our class would really appreciate it if you would buy camp because we all really want to go there next year!

Let me introduce myself. My name is Caitlin McCutcheon. I love the outdoors and the wildlife. I have 1 dog and I used to have a hamster and a rabbit.

Sincerely,
Caitlin McCutcheon

Caitlin
7/7/95 McCutcheon

RECEIVED
JUN 12 1995

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

1128 W. 11th
Anchorage, AK 99501
June 6 1995

E.V.O.S.,
645 G St.
Anchorage, AK 99501

Dear E.V.O.S.,

I think that you should really think about getting your hands on that really great spot.

If you do not get that great spot then I will not have a place to go when we go to when we go on a field trip.

I do not want them to get it at all.

Sincerely,
Jennifer Scollan.

RECEIVED
JUN 12 1995

1534 "K" Street
Anchorage AK, 99503
June 6, 1995

EXXON VALDEZ OIL CRU.
TRUSTEE COUNCIL

E.V.O.S.
645 G STREET
ANCHORAGE AK, 99501

DEAR E.V.O.S.,

IT BOTHERS ME THAT THE 6TH GRADERS WONT BE ABLE TO GO
LOWELL POINT, LIKE WE GOT TO THIS YEAR. THIS TRIP WAS VERY FU
AND EDUCATING. IT WOULD BE TERRIBLE, IF THIS LAND BECAME PRI
PROPERTY.

Sincerely,
Amanda Saylor

RECEIVED
JUN 12 1995

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

1407 Inlet Place
Anchorage, Alaska 99501
June 6, 1995

E.V.O.S.
645 G. Street
Anchorage, Alaska 99501

Dear Sir or Maam,

My name is Jessica Holst and I go to Inlet View Elementary School. I am 11 years old. I'm in Mr. Brewer's class.

We want to go to 6th grade camp really badly. We are asking that you please don't tare down or change anything there. We were wondering if you could think about kid's point of view and think about how you would feel if you were a kid and you couldn't go to camp. I bet you would feel devistated. I know I would.

Please please use some of the money from the oil spil for that land so we can go to camp next year. Thank you for your time and concern.

Sincerely,
Jessica Holst

June 12, 1995

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

RECEIVED
JUN 16 1995

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

RE: Lowell Point Beach Access

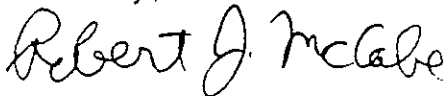
Trustees:

Please do what ever you can to provide funds to ensure access to Resurrection Bay from Lowell Point. I have used this beach to fish, picnic, and launch kayaks since 1970. This beach front is unique in that it allows the public access to a great wilderness area. The private property owners in that area, with the exception of Penny Hardy and family, have traditionally been very aggressive in keeping people off the beaches.

The Lowell Point beach area is easily accessible from Seward and unique in its beauty and recreational value. Please give it high priority when you select land to be safeguarded for future Alaskans.

Thank you.

Sincerely,



Robert J. McCabe
Box 1324
Seward, Alaska 99664

RECEIVED
JUN 12 1983

EXXON VALLEY OIL CORP.
TRUSTEE COUNCIL

MAGGIE MCKAY
629 Ost
ANCHORAGE ALASKA
99501

E.V.O.S.
645 Gst
ANCHORAGE AK,
99501

E.V.O.S.,

COULD YOU PLEASE BUY THE LOWELL POINT IN SEWARD? THE PEO
THAT OWN THE LAND ALMOST SAID THAT THEY WOULDN'T LET US
KNOW THEY ARE PUTING THE LAND UP FOR SALE. AND WE WOULD
YOU TO BUY THE LAND SO THAT THE FIFTH GRADERS CAN GO NEXT

YOUR FRIEND,
MAGGIE MCKAY

RECEIVED
JUN 12 1995

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

Shawn Snow
1033 E ST.
Anchorage AK
99551

Dear Trustees.

I wish you wouldn't close
Lowell point because I had
a very fun time finding creatures
there I ~~have~~ never seen before.
If you close it other kids
will never have a chance to
do what I did.

Sincerely,
Shawn

RECEIVED
JUN 12 1998

EX-100-11-111
100-11-111

2000 Atwood Dr.
Anchorage, AK 99501
June, 6, 1998

E.V.O.S.
645 G St.
Anchorage, Ak, 99501

Dear E.V.O.S.,

My name is Lionel Yarmon. I am 11 years old and in 5th grade. I like sports and reading.

I heard that a guy wanted to shut down the beach. I really don't want you to so I can enjoy Seward. Please buy it.

Lionel

Yarmon

RECEIVED
JUN 12 1993

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

JOHN N. STELLAR Dear Sir or Madam:
I am a sixth grade student who doesn't want you to build houses on
that land. I went there to go for 5th grade camp. I liked
tidepooling and looking at all the different stuff. If you build
on the land no more people will be able to have the chance to
have a great time there. I thank you for letting us use your land
to do stuff on but it would be nice to let more people go use it
too. I hope that this letter will change your mind.

Thank you,

BRIE SOUTHALL

RECEIVED
JUN 12 1995

EXXON VALDEZ OIL CRILL
TRUSTEE COUNCIL

2801 Gilliam Cir
Anchorage AK 99517
June/6/1995

E.V.O.S.
445 G Street
Anchorage, AK 99501

Dear E.V.O.S.

Please buy the beach at Seward so I can go to camp
there when I get in sixth grade.

Sincerely,
Casey Ketchum

RECEIVED
JUN 12 1981

EXXON VALLEY OIL CO.
TRUSTEE 10 101

1212 "G" Street
Anchorage, AK
99501

E.V.O.S.,
645 "G" Street
Anchorage, AK
99501

Dear E.V.O.S.,

Please by the beach. If you don't what's the point in having
the 5th graders go to the camp next year I really want to go.

My name is Robyn Fields. I'm really excited about going to
camp next year. I may be 11 years old, but going to the beach
sounds like fun. So please buy the beach so us 5th graders have
something to look up to next year.

Sincerely your's,

Robyn Fields

RECEIVED
JUN 12 1991

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

Dear Trustee,

Please do not close the beach it is a very educational place. There are many animals that are interesting. I learned alot from Lowell point and I think other children could too. So if you believe in helping out education let us use the beach.

Sincerely,
C. Hollings

all over
2007 M

RECEIVED
JUN 12 1995

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

Dear Trustees,

The beach was so much fun.

I am a sixth grader. Lowell
Point should be open for other
6th graders that go to Seward. I
learned things when I was having
having a good time. Please keep
Lowell Point open.

Yours, Jenny Milk

Keli
Inlet View
Anchorage AK

RECEIVED
JUN 12 1995

EXXON VALDEZ OIL CRUI.
TRUSTEE COUNCIL

Dear Trustees,

I am a 6th grader at Inlet View. A couple days ago we went on our end of year seaward trip. On that trip we went to Lowell point.

Lowell point is an Inter Tidal Zone. Inter Tidal Zones are very important to many creatures. If you build houses there you will kill many creatures.

Also if you build houses there lot of kids won't be able to see the things we saw and know the things we know now because of that trip.

Please don't Build houses on that site.

Sincerely,
Keli

RECEIVED
JUN 12 1993

EXXON VALDEZ OIL SPILL
TRUSTEE OFFICE

Dear Trustees,

I am a 6th grader at Inlet View
Elementary School. I took a trip to
Seward with my class. I would greatly
appreciate if you kept the beach at
Lowell Point open. I had a great time
tidepooling there and I would love it
if it stayed open.

-Heather Ottum ☺

Robin Boza
In 40 - New School
Archon - 12 - 12

RECEIVED
JUN 12 1961

EXYON WHITE OIL CRILL
TRAFFIC 12 1961

Dear Trustees,

It would greatly
appreciate it if you could
keep Lowell Point Open.

I was a sixth grader
at In 40 - New School when
we went on our 6th
grade field trip we went
to Lowell point, to tidehead,
it was very fun & interesting.

Sincerely,

Robin A. Boza

LOWELL LINDEN
ANCHORAGE, ALASKA

RECEIVED
JUN 12 1993

DEAR TRUSTEES,

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

I WOULD REALLY APPRECIATE
IT IF YOU WOULD KEEP LOWELL POINT
OPEN!!! IT'S REALLY PATHETIC THAT
YOU WOULD EVEN THINK ABOUT CLOSING
DOWN LOWELL POINT. THE CHILDREN
ARE THE FUTURE,

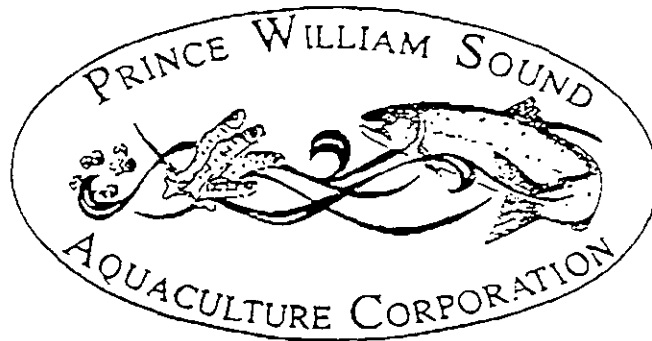
SINCERELY,

BECKY LINFORD

CLASS OF 2001

SMALL PARCEL NOMINATION

PWS- 1027 (Fleming Spit)



October 27, 1993

Ed Zeine
Cordova Sporting Club
P. O. Box 34
Cordova, AK 99574

Dear Ed:

The Prince William Sound Aquaculture Corporation (PWSAC) heartily endorses your plan for the development of Fleming Spit, at Cordova, as a recreation area. This site is ideally suited for a roadside fishery with foot and bicycle access to downtown Cordova. The site is the best choice for a local camp ground, as it not only offers fishing opportunity but views of the ocean, islands, mountains, forests, and attendant wildlife resources.

PWSAC presently transports a total of 200,000 king and coho salmon smolts from the Noerenberg Hatchery to Fleming Spit each year. We hold those fish in net pens in a pond behind the Spit for the purpose of imprinting those fish to return to the release site - and the resulting fishery.

Our smolt release program would benefit from a deepening of the pond to better accommodate our net pens. Material removed from the pond could be effectively used as fill on adjacent lands. The pond would also be improved as a terminal fishing location.

I anticipate that PWSAC will continue its release of smolts at Fleming Spit as long as we are in business. The project has my strong personal support, and particularly so because of your progressive proposal for development of the site. At last - a people-friendly project at Cordova.

Thank you for providing me with the opportunity to comment on this proposal. I wish you success in all aspects of this development.

Best regards,

John McMullen
President

United States
Department of
Agriculture

Forest
Service

Cordova Ranger
District

P.O. Box 280
Cordova, AK
99574

Reply to: 1560

Date: Oct. 30, 1993

Cordova Sporting Club
Attn: Dave O'Brien
P.O. Box 34
Cordova, Ak. 99574

Dear Dave,

The Cordova Ranger District is strongly supportive of your effort to complete recreation improvements at the Fleming spit area. Although there is no National Forest in the immediate vicinity of the project, we have recognized the value of the project to the Cordova community for several years.

In both 1992, and 1993, a community action team comprised of community representatives and myself proposed rural development projects at Fleming Spit to be funded under the Farm bill. However, the amount of money needed for the projects, and the amount of money that was potentially available differed significantly, hence the projects were not funded. This source of potential funding remains available in 1994, and could be a possible source of funding for a small portion of the overall project you have submitted for consideration. I would be happy to advocate the Fleming Spit project as a high priority for projects submitted for funding in 1994.

Past studies, such as the 1991 Overall Economic Development Plan for Cordova have consistently identified Fleming Spit as a needed, and worthwhile project. I feel it is an important opportunity in diversifying Cordova's economy, and providing much needed recreation facilities.

In summary, I feel the project is extremely worthwhile, long recognized as being needed by the community, appropriate for serious EVOS consideration, and I will do what I can to support the project.

Sincerely,



CAL BAKER
District Ranger

CORDOVA CITY COUNCIL

CORDOVA, ALASKA

RESOLUTION 93-74

A resolution of support for five recreation projects submitted to the Exxon Valdez Oil Spill (EVOS) Trustee Council's Prince William Sound Recreation Project by the City of Cordova and the Cordova Sporting Club.

WHEREAS, The EVOS Trustee Council has created the Prince William Sound Recreation Project for the purpose of assessing damage to recreation resources caused by the oil spill, and

WHEREAS, The Trustees have solicited proposals for recreation projects that might be eligible for funding with settlement funds, and

WHEREAS, The City of Cordova and the Cordova Sporting Club have submitted five proposals under this program, and

WHEREAS, the proposals are:

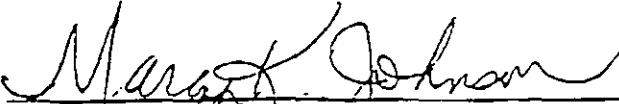
- Improvements to Fleming Spit Recreation Area
- Improvements to the "Morpac Hill" campground
- Improvements to the Odiak Camper Park
- Ski Hill Recreation Area
- Establish Historical Marine Park

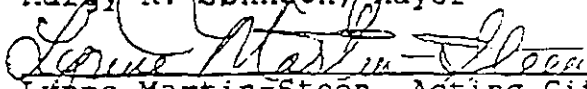
NOW THEREFORE BE IT RESOLVED, that the Cordova City Council finds that these projects meet the criteria for funding under this program, and

BE IT FURTHER RESOLVED, that the City Council finds that these projects would be very beneficial to the community and that they have broad based community support, and

BE IT FURTHER RESOLVED, that the Council strongly endorses these projects and requests that the EVOS Trustee Council give them serious consideration for funding.

PASSED AND APPROVED THIS 3rd DAY OF NOVEMBER, 1993


Margy K. Johnson, Mayor


Lynne Martin-Steén, Acting City Clerk



CORDOVA
TRAP AND GUN CLUB

P.O. BOX 1497
CORDOVA, AK 99574

NOVEMBER 5, 1993

DEAR CORDOVA SPORTING CLUB:

OUTDOOR ACTIVITIES ARE A VERY BIG PART OF LIFE IN CORDOVA. AMONG THESE ACTIVITIES ARE HUNTING, TRAPPING, FISHING, HIKING, SHOOTING, BIRD WATCHING AND JUST SIGHT-SEEING. THE CORDOVA TRAP AND GUN CLUB CONTRIBUTES TO THE COMMUNITY ACTIVITIES BY HOLDING ORGANIZED SHOOTING ACTIVITIES, AS WELL AS OFFERING THE USE OF THE FIRING RANGE TO BOTH MEMBERS AND NON-MEMBERS.

THE LAST FEW YEARS, OUR CLUB HAS SEEN INCREASED INTEREST IN SHOOTING AND SHOOTING RELATED ACTIVITIES. A LOT OF THE REASON FOR INCREASED ACTIVITY IS THAT THE FACILITY IS AVAILABLE AND IS EASY AND CONVENIENT TO USE.

WITH THE ECONOMIC CHANGES IN CORDOVA, THE COMMUNITY, NOW MORE THAN EVER, BECOMING CLOSER AND THERE IS AN INCREASING NEED FOR SOCIAL GATHERINGS. THE GUN CLUB OFFERS ONE AVENUE FOR SUCH GATHERINGS, BUT THIS ACTIVITY IS NOT FOR EVERYONE.

THE CORDOVA TRAP & GUN CLUB STRONGLY SUPPORTS THE FLEMING SPIT RECREATION AREA ENHANCEMENT PROPOSAL. THIS PROJECT WOULD OPEN UP ANOTHER AREA FOR THE COMMUNITY, FOR GATHERINGS AND TO ENJOY THE OUTDOORS. THE PROPOSAL WOULD INCREASE THE SIZE OF THE AREA TO BE USED, AS WELL AS MAKE IT MUCH MORE AVAILABLE, EASY AND CONVENIENT TO USE.

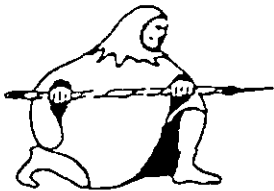
CURRENTLY THE AREA IS UNAVAILABLE MUCH OF THE TIME AND IS NOT EASY OR CONVENIENT TO USE DUE TO THE RESTRICTED FISHABLE AREAS, LACK OF PARKING AND ACCESS TO THE AREA AND THE LACK OF OTHER FACILITIES, SUCH AS RESTROOMS, ETC...

IN TALKING TO SEVERAL OUT-OF-STATE/CITY FISHERMAN WHO HAVE FISHED THE FLEMING SPIT AREA, ALMOST ALL WOULD LIKE TO SEE SOME KIND OF CAMPING FACILITY. THEIR DESIRES RANGE FROM A CAMPGROUND TO AN R/V PARK.

THE PROPOSED FLEMING SPIT PROJECT WOULD FILL A GAP THAT EXISTS IN OUR COMMUNITY IN TERMS OF OFFERING THE LOCAL CITIZENS MORE OPPORTUNITY TO ENJOY CORDOVA, AS WELL AS MAKING THE STAY IN CORDOVA, BY TOURIST GROUPS, MORE ENJOYABLE. EVEN THE HIKER, BIRDBATCHER, HUNTER AND SIGHTSEER, COULD ENJOY AND BENEFIT FROM THIS FACILITY.

SINCERELY,

EDWARD B. WEIBL
CORDOVA TRAP AND GUN CLUB
SECRETARY



The Eyak Corporation

P.O. Box 340 Cordova, Alaska 99574
(907) 424-7161 Fax (907) 424-5161

October 25, 1994

Alaska State Parks Marine Recreation Project
Selection Committee
P.O. Box 107001, Anchorage, AK 99510

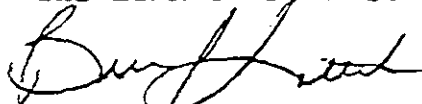
RE: Prince William Sound Education Center and Camp

The Eyak Corporation would like to encourage your approval for the funding requested by the City of Cordova for the above mentioned project. The community of Cordova lacks a local camping area that allows adults and children access to education about the 1989 EXXON Valdez oil spill and about natural history of the Prince William Sound.

For the past few years, local groups have tried to develop a natural history program for local children, but have lacked the facilities and a suitable camping area. This project will allow the local community to expand its efforts in creating an educational program that does not currently exist in this area. It is important that we support opportunities such as this, as a way of preparing our young people to better manage and to be able to maximize the benefits of Prince William Sound's natural resources.

Sincerely,

THE EYAK CORPORATION


Brian J. Lettich
General Manager



October 25, 1994

Marine Recreation Selection Committee
Division of Parks and Recreation
Department of Natural Resources
P.O. Box 107001
Anchorage, AK 99510-7001


Dear Marine Recreation Selection Committee:

The Alaska Cooperative Extension 4-H Program strongly supports the proposal of the City of Cordova to establish camping facilities for young people and families. Natural resources and environmental education would be the major component of the camping program. The camp would offer opportunities for youth from throughout the state to participate. Cordova has many environments to draw young people and adults with its marine fisheries, tidal zones, wet lands, forests, bird habitat, glaciers, rivers, lakes, and mountains. It probably offers a wider range of study than any other site in North America and includes marine environments affected by the Exxon Valdez oil spill.

For the past two years the Alaska 4-H Program has co-sponsored a statewide natural resource camp in Cordova. This camp has attracted considerable interest across the state. It would enhance such camps to have facilities available to house young people and also provide them with a wilderness experience. I understand there is a possibility of purchasing a wilderness site on Hawkins Island only 15 minutes by water from Cordova which would provide access to the whole island.

As the camping program develops in Cordova, the Alaska Cooperative Extension will continue to provide specialist assistance for various aspects of programming. Last season in addition to the involvement of our Cordova 4-H agent, Belle Mickelson we sent our forestry specialist, Tony Gasbarro to teach at the camp. We hope the Cordova proposal will receive your support.

Sincerely,


Dennis L. Crawford
State 4-H Program Leader

STATE OF ALASKA

DEPARTMENT OF FISH AND GAME

WALTER J. HICKEL, GOVERNOR

P.O. BOX 663
CORDOVA, ALASKA 99571-0663
PHONE: (907) 424-3212
FAX: (907) 424-3235

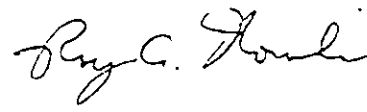
October 26, 1994

Alaska State Parks
Marine Recreation
Selection Committee
P.O. Box 107001
Anchorage AK 99510

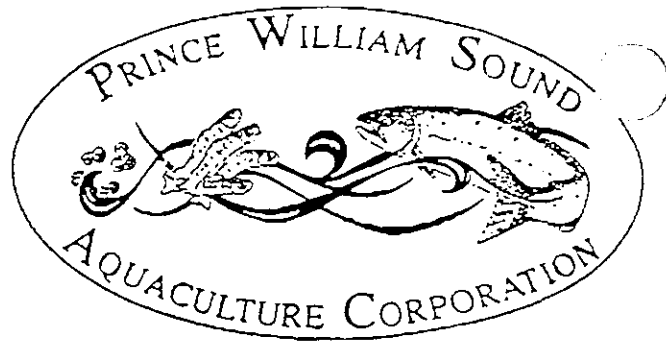
Dear Sirs:

We would like to express our support for the project entitled "Prince William Sound Education Center and Camp" and encourage you to fund the proposal being submitted by the City of Cordova. This project will (a) improve land that is currently being used as an unauthorized dump and tent camp, (b) provide badly needed year-around outdoor and indoor recreation facilities for the youth of Cordova, (c) provide opportunities for interaction between scientific or resource management professionals and youth in the community (mentor program), (d) provide platforms for training in outdoor safety and survival training. Because of the limited facilities currently available in Cordova and the unpredictable weather, we have outdoor activities after school and on weekends that are limited to favorable weather. With a facility that includes a building, we can provide consistent after school and summer programs that do not depend on weather. We strongly encourage you to give this proposal serious consideration and appreciate the chance to comment. Thanks for your time and efforts.

Sincerely,

Wayne Donaldson,
Area Management BiologistJohn Wilcock,
Area Research BiologistRoy Nowlin,
Area Game Biologist

cc: Jeff Hawley, City of Cordova Recreation Coordinator



October 26, 1994

Alaska State Parks Marine Recreation
Selection Committee
PO Box 107001
Anchorage, Alaska 99510

Dear Selection Committee,

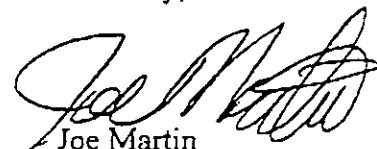
PWSAC is pleased to support the City of Cordova's proposal for a Prince William Sound Education Center and Camp. We are always pleased to see an education program where students learn about fisheries.

Flemming Spit where the Education Center will be based is also the site of our king and silver salmon fry release site that supports local sport fishing. We would be glad to work with the Education Center staff to develop a program on salmon life history and other fisheries topics. We also have an aquarium at our office where students and campers can see fry most of the year.

We would be glad to help design an education program for any campers or students who would like to visit PWSAC's hatcheries as part of the Education Center's remote camping program.

We look forward to cooperating with State Parks, the City, and residents of the Prince William Sound area.

Sincerely,


Joe Martin
Vice President



Cordova District Fishermen United

P.O. Box 939

Cordova, Alaska 99574

(907) 424-3447 FAX (907) 424-3430

October 27, 1994

Marine Recreation Selection Committee
Alaska State Parks
P.O. Box 107001
Anchorage, AK 99510

Reference: Prince William Sound Education Center and Camp

Dear Selection Committee:

I am pleased to provide this letter of unconditional support for the Prince William Sound (PWS) Education Center and Camp on behalf of the nearly 300 commercial fishers who comprise Cordova District Fishermen United.

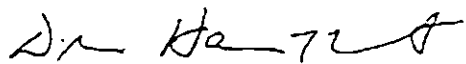
There have been numerous local initiatives over the past several years to bring a broader base of recreational and educational opportunities to Cordova's youth. These include the Bidarki Recreation Center's annual day camp, the PWS Science Center's oil spill curriculum, the PWS Community College's Discovery Room Program, the Cordova Public Schools' fisheries program, the Alaska Cooperative Extension Service's 4-H program and others.

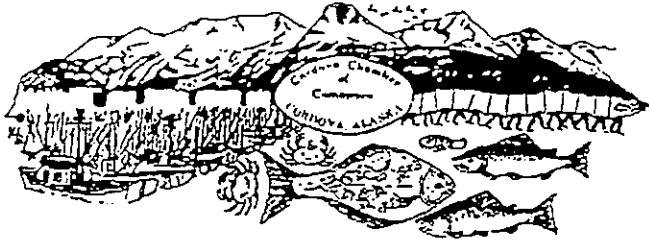
The PWS Education Center and Camp project literally brings
all these important local initiatives together under one roof.

CDFU is especially supportive of local initiatives such as the PWS Education Center and Camp that promote fisheries education and oil spill prevention and response. We welcome the opportunity to work together with the Native villages in our vicinity, the Alaska Department of Fish & Game, and the PWS Aquaculture Corporation in the development of camp plans. We also welcome the opportunity to work with the City of Cordova, the PWS Science Center, the University of Alaska's Cooperative Extension Service and Marine Advisory Program, and the US Forest Service in this project.

If you have any questions or need additional information, please do not hesitate to contact me at the number above. Thank you for your consideration.

Sincerely,
CORDOVA DISTRICT FISHERMEN UNITED


Dorne Hawxhurst, Executive Director



Cordova Chamber of Commerce

First Street P.O. Box 99

Cordova, Alaska 99574

(907) 424-7260 Fax (907) 424-7259

October 27, 1994

Alaska State Parks Marine
Recreation Project
ATTENTION: Selection Committee
PO Box 107001
Anchorage, Alaska 99510

RE: ENDORSEMENT OF THE PROPOSED PRINCE WILLIAM SOUND
EDUCATION CENTER AND CAMP

The Cordova Chamber of Commerce Board of Directors would like to express their support for the funding and establishment of the Prince William Sound Education Center and Camp at Fleming Spit.

The development of the tourism industry to the Cordova economy will continue to grow with the establishment of a program that encompasses a wide range of potential users' needs and interests. The proposed educational center and camp will provide residents, and visitors the opportunity to learn of the many educational and recreational activities within the Prince William Sound, Cordova, and Fleming Spit environments.

Thank you for your time and consideration.

Sincerely,

Brian Lettich /KR

Brian Lettich,
President

~~Cordova Sporting Club~~

P.O. Box 34
Cordova, Alaska 99574

October 27, 1994

Ms. Veronica Gilbert
Alaska Department of Natural Resources
645 G Street, Room 401
Anchorage, Alaska 99501-7005

Dear Ms. Gilbert,

The members of the Cordova Sporting Club and myself would like to extend our heartfelt thanks for the work you have done to promote, enhance, and clarify our proposal to the EVOS Trustees Council re: Fleming Spit Recreation Area.

George Keeney has informed us that you have gone out of your way to provide much needed technical, legal, and professional expertise to help our proposal pass muster both with your department and with the Council.

Without people like yourself the dreams and aspirations of many people fall by the wayside or get tangled in the red tape that has so confused the means by which they are realized. We want you to know that your efforts are appreciated by us and by all the people of Cordova.

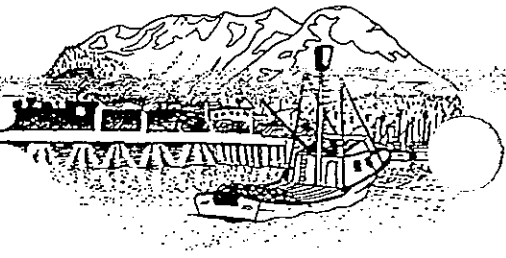
Again, I submit a humble "thank you".

Sincerely,



David A. O'Brien
President

CITY OF CORDOVA



November 28, 1994

Jim Ayers
EVOS Trustee Council
645 G Street
Anchorage, Alaska 99501

DEC 01 1994

RE: FLEMING SPIT RECREATIONAL FACILITY

Dear Jim:

The subject of maintenance for the proposed bathroom facility came up in the recent teleconference. As discussed before the City Council, the City will ultimately be responsible for maintenance if and when the facility is awarded a grant and constructed.

Based upon the grant application and the discussion held before City Council, pending a grant agreement approved by the City, I can advise you that the proposed recreational facility will become the responsibility of the City for purposes of proceeding with the grant application process.

Should the grant be awarded and accepted by the City, the recreational facility will fall under the Parks and Recreation Department for administration and O&M budget purposes. If you have any questions please feel free to contact me.

Sincerely,

A handwritten signature in black ink, which appears to read "W. S. Janke". The signature is fluid and cursive, written over the printed name of the signatory.

Scott Janke
City Manager

MT. ECCLES ELEMENTARY SCHOOL

P.O. BOX 140, 200 ADAMS STREET

CORDOVA, ALASKA 99574-0140

PHONE: (907) 424-3236; FAX: (907) 424-3271; E-Mail: vnjbb@acad2.alaska.edu

October 28, 1994

State Marine Parks & Recreation Selection Committee
P.O. Box 107001
Anchorage, Alaska 99501

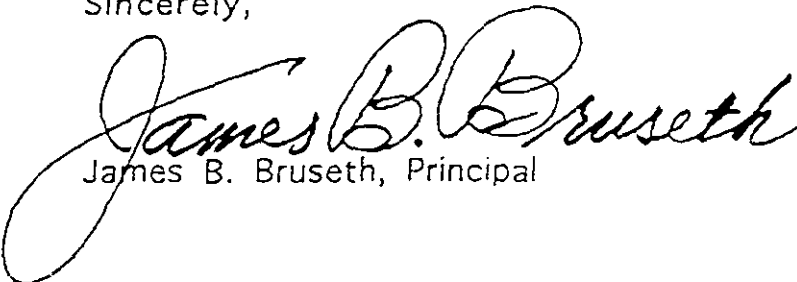
RE: Prince William Sound Education Center and Camp.

Dear Committee Members:

I encourage you to give the City of Cordova's application for developing the Prince William Sound Education Center and Camp your full consideration and approval. Cordova's historical and natural setting provides a wealth of educational opportunity. This facility will provide scientists and naturalists working and visiting in the area an opportunity to mentor groups or individuals year round. This facility will enhance our school curriculum by expanding the classroom to include the natural environment.

The elementary school has been involved in a partnership with the Prince William Sound Science Center, U. S. Forest Service, and Prince William Sound Community College-Cordova Campus. This partnership has expanded the science curriculum in the elementary school through the Discovery Room at the P.W.S.C.C.-Cordova Campus. This proposed project would enable our youth the opportunity to work along side experts and learn scientific procedures in a field setting.

Sincerely,



James B. Bruseth, Principal

October 28, 1994

Alaska State Parks
Marine Recreation
Selection Committee
PO Box 107001
Anchorage, Alaska

Dear Sirs:

As the City Planner I would like to express the support the Prince William Sound Education Center and Camp project is receiving.

Through the town meetings and the visioning of the town growth the need for the facility described by this project is desperately needed. The city has been devastated by the oil spill and the events following the spill. Our town needs to be drawn together in one focus. This project will do just that.

We will have a chance to heal the wounds by the education of the youth in our community and the state with these camps. We will have Educators give lectures on the ecosystem of the Prince William Sound. We have a vast amount of educators here in Cordova. The US Forest Service, Alaska Fish and Game, the Science Center, and the University of Alaska Community College have the educators we need. British Petroleum and Arco have both expressed the need for the education. They have both stated they would provide lecturers and information for the program.

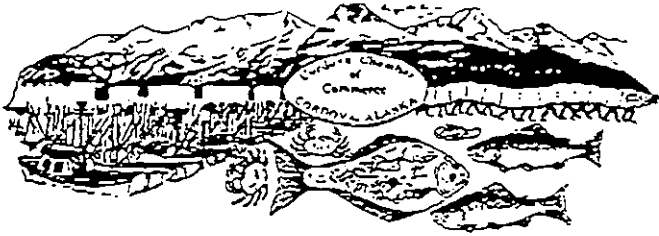
With the display area in the front of the building the general public will have a small museum to see the displayed of the marine life, forest system and the oil spill era. With these displays the clean-up and mother nature her self will be displayed. We hope to promote the growth of the Sounds ecosystem.

The Cordova Parks and Recreation Commission along with the Planning Commission have passed resolutions to support the project. The City Council will have the project resolution on the November 2 meeting. We will send this resolution to you at that time.

I would like to say that this is a project that is supported by all of Cordova. I highly support any part of this project. I hope that you will fund this education project. Not just for the Cordovans but for everyone!

Sincerely,

George R Keeney
City Planner/Public Works Director
City of Cordova



Cordova Chamber of Commerce

First Street P.O. Box 99

Cordova, Alaska 99574

(907) 424-7260

November 3, 1994

EVOS Trustees Council
Recreation Restoration Project

Dear Council Members:

The Cordova Chamber of Commerce strongly supports the project proposal for the Cordova Flemming Spit area as submitted by the Cordova Sporting Club. The project falls within the guidelines as established by the council and appears to rate highly in the evaluation criteria as provided by the EVOS Trustees. It offers a good opportunity for potential economic recovery.

The Cordova Sport Club's proposal demonstrates that this project would benefit a wide range of users. Residents as well as visitors would have a much more suitable area for outdoor recreation than is currently available. The completion of this project would provide temporary jobs in an ailing community and support the growth of the visitor industry in Cordova. The Chamber recognizes the importance of economic diversification and encourages the establishment of infrastructure to support our community's future needs.

We recommend that the Trustees consider and approve this proposal.

Sincerely,

Dennis Rose, President
Cordova Chamber of Commerce

Cordova Sporting Club

P.O. Box 2056
Cordova, Alaska 99574

RECEIVED
NOV 25 1994
EXXON VALDEZ OIL SP
TRUSTEE COUNCIL

November 21, 1994

To Whom It May Concern,

The Cordova Sporting Club, at it's October 1993 monthly meeting did vote unanimously to lend whatever support necessary to maintain the Fleming Spit area as a recreational fishing area. This would include maintenance of future enhancements and structures should they come to be. We would use volunteer labor from our members or financial assistance if necessary.

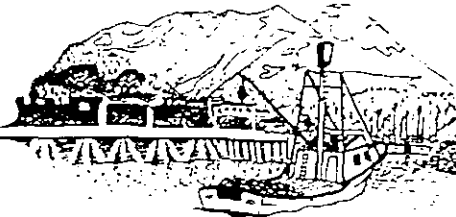
This aid would be available should the City of Cordova be unable to provide such maintenance.

Sincerely,



David A. O'Brien
President

CITY OF CORDOVA



December 30, 1994

RECEIVED
JAN 03

Molly McComb
EVOS Trustee Council
645 G Street
Anchorage, AK 99501

EXHIBIT - 101.07
TRUSTEE COUNCIL

RE: FLEMING SPIT RECREATIONAL FACILITY

Dear Molly,

On behalf of the City of Cordova, I would like to express support for the Fleming Spit Recreational Facility project. Upon completion it will be a great asset to the City and it's residents.

If there is anything I can do to assist in acquiring this project, please do not hesitate to telephone

Sincerely,

Scott Janke by J. Beckham

Scott Janke
City Manager

Copper River/Prince William Sound Advisory Committee

P.O. Box 1558 • Cordova, Alaska 99574

February 2, 1995

RECEIVED
FEB 6 1995

Molly McCammon, Executive Director
Exxon Valdez Oil Spill Trustee Council
645 G Street
Anchorage, Alaska 99501

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

Dear Ms McCammon:

The Copper River/Prince William Sound Fish and Game Advisory Committee has supported the Flemming Spit terminal fishery project since its very beginning. In the ensuing years we have initiated and successfully convinced the Alaska Board of Fisheries to adopt regulatory changes which would enhance the sportfishing experience at Flemming Spit. What is needed now however, are facility improvements which enhance the health, safety and accessibility of recreationists at the Spit. We encourage the EVOS Trustee Council to support proposals which address this pressing need.

The Flemming Spit fishery is enjoyed by residents and visitors alike. More importantly however, intensively utilized terminal fisheries such as the Spit allow managers to direct fishing pressure away from the small, fragile wild-stock systems of Prince William Sound and the Copper River Delta. This is an important consideration as we adapt to the rapid increase in visitation and the associated increases in sportfishing pressure which followed the oil spill.

We believe the Flemming Spit proposal is consistent with established restoration goals and similar to other projects underwritten by the Trustee Council. We urge Council members to support this important project.

Sincerely,



George Covell
Chairman, CR/PWS Advisory Committee

April 12, 1995

Dr. Joe Sullivan
Resource Program Manager
Habitat and Restoration Division
Alaska Department of Fish and Game
333 Raspberry Rd.
Anchorage, Alaska 99518-1599

Re: Proposed Spawning Channel--Project Port Dick Creek, Lower Cook
Inlet. Project I.D. Number--95139

Dear Dr. Sullivan:

I fully support the Port Dick spawning project that Nick has proposed. It
is way past time to fund fish related restoration in Lower Cook Inlet.

I continue to be amazed that no such activity has been funded by the
Trustee council in this area. I have been a fisherman in these waters for
years and have experienced the repercussions of the spill through its
negative impact on all runs in this area. The outer coast of the Peninsula
was especially hit by the spill so Nick's project is a good one to begin
with.

Lets get this project funded and implemented so we can move on to the
next one. It is time.

Sincerely,

John White
Box 1332
Homer, AK 99603

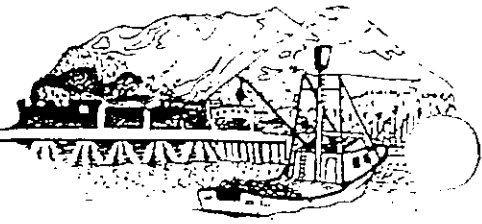
235-4191

RECEIVED

APR 17 1995

STATE OF ALASKA
FISH & GAME
HABITAT & RESTORATION

CITY OF CORDOVA



Date: May 10, 1995

RECEIVED
MAY 12 1995

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

To: Molly McCammon, Executive Director

From: Lynda Plant, City Clerk *LP*

Re: Cordova City Council Resolution 5-95-35

Please find enclosed the above referenced Resolution supporting the Fleming Spit Recreation Area Project #95080 which was approve at a special council meeting held May 8, 1995.

Enclosures

CITY OF CORDOVA, ALASKA

RESOLUTION 5-95-35

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORDOVA, ALASKA
IN SUPPORT OF THE EVOS TRUSTEE COUNCIL FLEMING SPIT PROJECT #95080

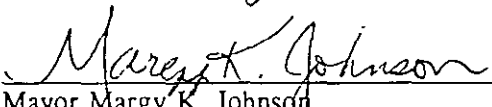
WHEREAS, The Cordova Sporting Club presented to the EVOS Trustee Council a proposal to restore and enhance sport fishing opportunities in the Fleming Spit Area which were lost or reduced because of the spill; and

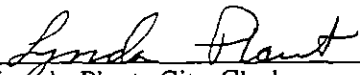
WHEREAS, The proposed project has been endorsed by the Cordova Planning and Zoning Commission and the City Council as a worthy project which will restore and improve the fisheries in the Fleming Spit area;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Cordova, Alaska, hereby supports the EVOS Trustee Council Fleming Spit Project #95080 (attached);

AND BE IT FURTHER RESOLVED that the City Council of the City of Cordova, Alaska, will enter into an agreement as described in the Project Implementation.

PASSED AND APPROVED THIS 8 DAY May, 1995.


Mayor Margy K. Johnson


Lynda Plant, City Clerk

Encls: Fleming Spit Recreation Area Project #95080
Cordova City Council Resolution 93-74
Planning & Zoning Commission Resolution #93-07

Cordova Sporting Club

P.O. Box 2056

Cordova, Alaska 99574

(907) 424-3246 FAX (907) 424-3245

May 23, 1995

Exxon Valdez Oil Spill Trustees Council
Restoration Office
645 G Street, Suite 401
Anchorage, Alaska 99501-3451
Re: Fleming Spit Project

RECEIVED
MAY 26 1995

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

Dear Trustees,


We have been informed that you plan to meet here in June. We welcome you, hope you enjoy your stay, and hope that you can make some time to view our beautiful surroundings. We especially invite all of you to visit the Fleming Spit area. This year's smolt will be arriving on the First of June and placed in the net pens. We could arrange for you to view or participate in feeding them. Word is that there are already king salmon being caught at the Spit. We could arrange some borrowed tackle and could lead you to a license vendor if any of you are interested. High tide is the best time to fish. The high tides are at 4:36pm on Thursday, June 1, and 5:15pm on Friday, June 2, if you wish to arrange your agenda to take advantage of this opportunity. Those will be the best times to view people utilizing the resource, and some will be benefiting from the fruits of our labors.

Every year at this time anglers flock to the spit to try their luck. During this time the members of the Sporting Club get to witness the enjoyment that these people receive. We hear it in the screams of delight on a hookup, or the frantic cries of help from a young angler who has hooked too much for him or her to handle. We see it while viewing someone netting the fish of a stranger, or someone lending a lure to someone who just lost their last one. We laugh at the inventive ways that different people have of dispatching their fish. We marvel when small children find the most interesting stuff under a rock while mom is yelling for someone to please get the net. Our hearts break along with the line when the fish wins. We applaud when a young angler proudly tries to lift his or her first catch. We smile because we know we had a big part in bringing all of this about.

We ask that you help us continue this legacy. The improvements that we are asking you to help us build will benefit not only the people, but all of the surrounding area. A deeper pond will protect its natural inhabitants from predators. The fishing boardwalk will protect the people from the environment and the environment from the people. An alternate place to fish will draw people away from the runs of wild stocks that are threatened by increased pressure every year.

I will be available at the above numbers to answer any further questions or to fulfill any further requests that you may have. We do not envy you your tasks. Please contact me with your concerns so I can forward them to the rest of the club and provide you with answers or information. Thank you.

Sincerely,


David A. O'Brien, President

PHONE COMMENT LOG

Name	Affiliation	Phone	Address
Chris Anderson	Resident	424-5505 (msg)	P.O. Box 892 CORDOVA, AK 99574

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

Date of call: 5-23-95 Comment taker: KERI HILE

Subject of comments: Flemming Spit, Cordova.

Comments:

Opposed to T.C.'s plans for the Cove area. He's a resident who feels that he and all other residents have regarded living there as a blessing. He fears that all residents will be evicted. The community sauna and all the little cabins will be torn down. Campers will no longer be able to camp on spit. The only other Cordova camping option is right next to a landfill where there is no view; city charges \$10 per night. Present spit campers wouldn't be able to afford that fee. Lots of visitors and leaseholders would lose out. The acquisition would ruin the homes and way of life for many people. It would be really sad.

May 28-1995

To whom it may concern

I am 100% in favor of the
Fleming spit project. The boardwalk
is very much needed.

John Buckle

Box 144
Cordova, Alaska 99574
May 28, 1995

EVOS Trustees Council;

Please be informed that I support the Fleming Spit Project as outlined by the Cordova Sporting Club in their recent newsletter. This area has great potential and is sorely in need of development. Even steps down the bank in several places would be a big help. Older people find the rocks & rolling gravel dangerous and an impediment to utilizing the fishing opportunities which exist there.

This project is long overdue and has my full support. Great plan.

Sincerely,
Leora B. Buckle

June 1, 1995

EVOS Trustee Council
645 G Street Suite 401
Anchorage, Alaska

Re: Fleming Spit Recreational Area

Dear Sirs:


I have been an avid sports fisherman for years. The project that is proposed in Cordova has been on the books for years. The community is and has supported the project with resolutions, letters, and public comments.

I support this project in its entirety. The use of the area for the sportsman/women would both help the community economically and socially. The fact that the boardwalks will be ADA accessible is great. The elderly in our community has the right to get out and fish and enjoy the facility here in Cordova. Those handicapped will be able to catch Kings, and Silvers from the boardwalk.

I have seen a few people fall on the rocks. I have assisted some who have been injured while with the ambulance crews. I have seen some folks not being able to large rocky area.

I truly enjoy the fishing here in Cordova. The project would make fishing for my five (5) children a lot more pleasurable. I think the Trustee Council would get a needed feather in their hat.

Sincerely,


George R Keeney
PO Box 151
Cordova, Alaska 99574

RECEIVED
JUL 10 1995

7-6-95

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

To: Ms. Molly McCammon
Exxon Valdez Oil Spill Trustees Council

My name is Kris S. Anderson. I work in construction and commercial fish. I have been a continuous resident of Alaska since 1982, Cordova since 1990 and have lived at the Shelter Cove / Fleming Spit area for the past 4 years. I am also a registered voter.

I would like to voice my opposing concern if the City of Cordova is awarded their grant application to buy the land surrounding Shelter Cove and express my opinion of all the good Shelter Cove has done for people in the past and present.

A good number of Cordova residents have lived at the Cove when they first came to town or at some time, since it is an inexpensive place to live, which is a big help to people starting out in a new town. There are about a dozen people that live at the Cove year around. Most of us have lease agreements with the land owner: ex-judge now Anchorage attorney Richard B. Collin.

local fisherman Kurt Sauer Sr. and the Sea Alaska Corporation. Also quite a few people camp out at the Cove every summer. It is much nicer than the one city camper park which is built on the old city landfill right next to the present day landfill, which does not look or smell the nicest. There is a community sauna at the Cove which alot of people from town and the Cove use and enjoy on a regular basis which I believe would be torn down if the City is given the grant monies.

My number one concern is that myself, my neighbors and the people who camp out will be evicted from our homes if the City is awarded their grant application.

The reason I believe people will be evicted is because that is what the City tried to do the fall of 1984 to the people who live on Sea Alaska Corporations property. They put eviction notices on peoples cabins and tents which prompted those people to contact the Sea Alaska Corporation and work out a lease agreement with them.

Personally I do not see how the City would make the Cove a better place than it already is. The sport fisherman catch

their fish, the campers have a nice place to camp and the people who like living at the Cove have a home. I believe the only thing the City sees when it looks ~~at~~ at the Cove are Tourism dollar signs. I see my time spent at the Cove as a gift and I am truly grateful. I hope other people are given the same opportunity as me in the future. Please leave Shelter Cove the way it is. Thank you for your time and consideration.

Respectfully,

Kris S. Anderson

P.S: I would appreciate any information you could send me on the status of this particular grant application and confirmation that you received my letter. Thanks

KRIS S. ANDERSON
P.O. BOX 892
CORDOVA, AK. 99574

SHUYAK

1.1

Restoration Benefits Report

Shuyak Island

REGION

Shuyak Island is directly north of Afognak Island in the Kodiak Island archipelago.

PROPOSED ACQUISITION DESCRIPTION

Shuyak Island, lying at the northern tip of Kodiak Island, has a crenulated, rocky coastline and low rolling terrain. It is thickly forested with Sitka spruce below which grows a dense understory of Sitka alder, willow, devil's club, blueberries, ferns, mosses and lichens. Blue joint and beach rye grasses fringe the upper beach zone. Numerous lakes and streams surrounded by bogs and meadows dot the interior of the island. The Shuyak Island parcel occupies the center of Shuyak Island and represents over half of the island's acreage. The parcel is bordered by the Shuyak Island State Park on the northwest and the proposed Alexander Baranov State Game Refuge on the east. Several small private parcels exist along Shuyak Strait on the south and Perevalnie Passage on the north. The area provides good deer and river otter habitat and supports a population of brown bears. Its shorelands support a rich diversity of wildlife habitat including seabird colonies, bald eagle nests, and harbor seal haulouts. Pink, coho and chum salmon are found in streams and Steller sea lions, sea otters, porpoises and whales inhabit nearshore waters. There are large populations of ducks along the coast. The area is popular for its outstanding hunting, wildlife viewing, fishing, and sea kayaking opportunities. The island supports several lodges and guiding operations.

26,565 acres are being appraised. All of the acreage is included in one parcel which is proposed for acquisition. If this acquisition is approved by the Trustee Council, the parcel will be managed as part of the Shuyak Island State Park which will provide protection for the entire island.

Title to the subsurface estate is held by the State of Alaska.

RESTORATION BENEFITS

The parcel includes important habitat for several species of fish and wildlife for which significant injury resulting from the spill has been documented. A rocky shoreline heavy with kelp beds, pockets of eelgrass and rich community of invertebrates supports feeding harlequin ducks, black oystercatchers, marbled murrelets, and pigeon guillemots. Black oystercatchers and pigeon guillemots nest and harlequin ducks molt along the shoreline. The mature spruce forests on the parcel provide probable nesting habitat for marbled murrelets. Restoration of these injured species will benefit from acquisition of this important habitat through protection from activities and disturbances which may adversely affect their

recovery. There is also high potential recovery benefits for river otters and concentrations of sea otters which feed and breed along the shoreline. Harbor seal, an injured species with seriously reduced population levels, have the potential to benefit from parcel acquisition through protection of haulout areas and control of potential disturbances. Recovery for Pacific herring, an injured species documented to spawn along the coastline, will benefit as will pink salmon populations, documented in six streams, and Dolly Varden, documented in eight streams. These resources would be protected from activity which may adversely affect water quality and habitat.

The area has high scenic value and supports high value wilderness-based recreation including hunting, fishing, sea kayaking and camping. The area also possesses high cultural resource values, with fifteen documented historical archaeological sites.

Protection of the habitat in the spill area to levels above and beyond that provided by existing law and regulation will have a beneficial effect on recovery of injured resources and lost or diminished services provided by these resources. The draft Shuyak Island State Park management plan specifically recommends these lands for inclusion in the park. The Division of Parks and Outdoor Recreation, Alaska Department of Natural Resources, will manage the park from offices in Kodiak and will maintain seasonal rangers and cabins on the island. Protection of fish and wildlife habitat and fish and wildlife populations will be the highest management priority. Public use of the lands will include sport, personal use, and subsistence hunting, fishing, trapping and recreational uses, consistent with public safety and permitted under law or regulations of the Board of Fisheries and Board of Game. The Alaska Department of Fish and Game will manage the fish, wildlife, and aquatic plant resources from offices in Kodiak and will maintain biologists to monitor the commercial, sport, and subsistence resources and habitats on the island. There will be no commercial timber harvest on these lands nor any other commercial use of these lands, except any limited commercial use that may be consistent with state and federal laws and the goals of restoration.

The acquisition and designation of this parcel as state park land with highest management priority on the protection of fish and wildlife habitat and populations will allow an expeditious recovery of injured resources and services by precluding additional impacts to habitat and disturbance to injured fish and wildlife populations. No species-specific restoration efforts are proposed at this time for this parcel.

TERMS AND CONDITIONS

The acquisition price will be determined at the time the appraisal is completed. The source of revenue will be the civil trust funds.

RECOMMENDATION

**RESOLUTION OF THE
EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL**

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

1. Under the Municipal Entitlement Act, the Kodiak Island Borough (hereinafter "KIB") has the right to receive title to certain land from the State of Alaska (hereinafter "State");

2. In 1980 and 1981 the KIB filed certain appeals with the Superior Court in Anchorage for the purpose of determining the KIB's rights under the Municipal Entitlement Act. The appeals were resolved and settled by the KIB and the State in the Agreement of Settlement and Consent Decree in case numbers 3AN-80-3070 Civ, 3AN-80-6710 Civ, and 3AN-81-1385 Civ, consolidated, approved by the court on August 12, 1981, which Agreement was subsequently amended by the Amendment to Settlement Agreement dated January 3, 1985 (hereinafter collectively referred to as the "Settlement Agreement");

3. Pursuant to the Settlement Agreement the KIB has received title to certain land on Shuyak Island and has an absolute right to receive patent from the State to other land on Shuyak Island, consisting in total of approximately 25,665 acres, more or less, (hereinafter all of the KIB's land and interest in land on Shuyak Island including adjacent rocks and islets are referred to as the "Land");

4. The KIB is desirous of selling the Land to the State;

5. The Land includes important habitat for several species of fish and wildlife for which significant injury resulting from the spill has been documented. A rocky shoreline heavy with kelp beds, pockets of eelgrass and rich communities of invertebrates supports feeding harlequin ducks, black oystercatchers, marbled murrelets, and pigeon guillemots. Black oystercatchers and pigeon guillemots nest and harlequin ducks molt along the shoreline. The mature spruce forests on the parcel provide probable nesting habitat for marbled murrelets. Restoration of these injured species will benefit from acquisition of this important habitat through protection from activities and disturbances which may adversely affect their recovery. There is also a high likelihood of restoration benefits for river otters and concentrations of sea otters which feed and breed along the shoreline. Harbor seals, an injured species with seriously reduced population levels, are likely to benefit from parcel acquisition through protection of haulout areas and control of potential disturbances. Pacific herring, an injured species documented to spawn along the coastline, will benefit as will pink salmon populations, documented in six streams, and Dolly Varden, documented in eight streams on the parcel, through protection from activity which may adversely affect water quality and habitat. The area has high scenic value and supports high value wilderness-based recreation including hunting, fishing, sea-kayaking and camping. The area also possesses high cultural resource values, with fifteen documented historical/archaeological sites;

6. The Land is adjacent to the Shuyak Island State Park to the west and the Aleksandr Baranov State Game Refuge to the east. Protection of the Land will ensure protection of the entire Shuyak Island ecosystem;

7. Existing laws and regulations, including but not limited to the Alaska Forest Practices Act, the 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, biologists, 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;

8. There has been widespread public support for the acquisition of the Lands; and

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

10. It is ordinarily the State of Alaska's practice to pay fair market value for the land interests it acquires. However, due to the unique circumstances of the limited

availability of settlement funds to complete acquisitions of land interests for purposes of promoting recovery of natural resources injured by the EXXON VALDEZ Oil Spill ("EVOS") and the need to acquire it promptly to prevent any potential degradation of the habitat, we believe it is appropriate in this case to pay more than fair market value for these particular interests.

11. This negotiated offer represents the lowest price at which this Land can be acquired because of the installment payment schedule provided for in the Exxon settlement agreement and the resulting limited availability of funds. This offer therefore reflects a value that provides the KIB a benefit of selling the Land by means of installment payments and yet provides for current protection under the Trustee Council's habitat protection program.

12. This offer is a reasonable price given the significant natural resource and service values protected; the scope and pervasiveness of the EVOS environmental disaster and the need for protection of ecosystems; and the relationship of the price in excess of market value to other large-scale acquisitions in Alaska and the rest of the United States, and earlier actions taken pursuant to the habitat protection program.

13. The Kodiak Island Borough Assembly has enacted an ordinance to establish a Facilities Fund in which the proceeds from the sale of these Lands are to be deposited. Disbursements from the fund are limited to the construction, maintenance and debt service for public facilities. As part of this ordinance, funding was authorized by the Assembly for the Kodiak Fishery Industrial Technology Center.

THEREFORE, we resolve to provide the funds for the State of Alaska to offer to purchase and, if the offer is accepted, to purchase all the Seller's rights and interests on Shuyak Island consisting of approximately 25,665 acres, more or less, in accordance with the AGREEMENT FOR SALE AND PURCHASE OF INTERESTS IN LANDS ON SHUYAK ISLAND (attached as Exhibit A and hereafter referred to as the "Purchase Agreement") and pursuant to the following conditions:

(a) the purchase price for the Land shall be the final approved appraised fair market value of the interests in the Land plus twenty percent (20%) of the final approved appraised fair market value, except that the price may not exceed \$42,000,000 ("Purchase Price");

(b) receipt by the United States District Court for the District of Alaska ("District Court") of the settlement payments due from Exxon Corporation, et al;

(c) disbursement of these funds by the District Court;

(d) a satisfactory title search is completed and the KIB is able to convey fee simple title by warranty deed to the surface estate of that portion of the Land to which it has received title or to which it is entitled to receive title;

(e) no timber harvesting or road development will be initiated on the Lands;

Title to the Land conveyed to the State shall be subject to the following conditions:

(f) there shall be no commercial timber harvest on the Land nor any other commercial use of the Land excepting such limited commercial use as may be

consistent with State law and the goals of restoration to its prespill condition of any natural resource injured, lost, or destroyed as a result of the EVOS and the services provided by that resource or replacement or substitution for the injured, lost or destroyed resources and affected services as described in the Memorandum of Agreement and Consent Decree between the United States and the State of Alaska entered August 28, 1991;

(g) public use of the Land shall include sport and subsistence hunting, fishing, trapping, and recreational uses insofar as consistent with public safety and permitted under law or under a regulation of the Board of Fisheries or Board of Game;

(h) a conservation easement in the United States authorizing it to enforce in a court of competent jurisdiction, the restoration and conservation purposes for which this acquisition is made as set forth in this Resolution and in any implementing purchase agreements;

(i) The Alaska Department of Law shall develop language to implement the intentions of the foregoing subparagraph (h), in form and substance that is satisfactory to the U.S. Department of Justice.

By unanimous consent and upon execution of the purchase agreements and written notice from the State of Alaska and Executive Director of the Trustee Council that the terms and conditions set forth herein and in the purchase agreements have been satisfied, we request the Alaska Department of Law and the Assistant

Attorney General of the Environment and Natural Resources Division of the U.S. Department of Justice to petition the District Court as follows:

(1) for withdrawal of the sum of twenty percent (20%) of the Purchase Price from the District Court Registry account established as a result of the Governments' settlement to be paid at the time of closing:

(2) for withdrawals of the sum of five percent (5%) of the Purchase Price to be paid by October 1, 1996;

(3) for withdrawal of the sum of fifteen percent (15%) of the Purchase Price to be paid by October 1, 1997;

(4) for withdrawal of the sum of fifteen percent (15%) of the Purchase Price to be paid by October 1, 1998;

(5) for withdrawal of the sum of fifteen percent (15%) of the Purchase Price to be paid by October 1, 1999;

(6) for withdrawal of the sum of fifteen percent (15%) of the Purchase Price to be paid by October 1, 2000;

(7) for withdrawal of the sum of fifteen percent (15%) of the Purchase Price to be paid by October 1, 2001;

These amounts represent the only amounts due under this resolution to the KIB by the State of Alaska from the joint funds in the District Court Registry and no additional amounts or interest are herein authorized to be paid to the KIB from such joint funds.

Dated this 2nd day of December, 1994 at Anchorage, Alaska.



PHIL JANIK
Regional Forester
Alaska Region
USDA Forest Service



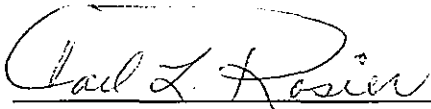
BRUCE M. BOTELHO/CRAIG TILLERY
Attorney General/Trustee Representative
State of Alaska



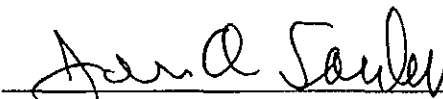
GEORGE T. FRAMPTON, Jr.
Assistant Secretary for
Fish and Wildlife and Parks
U.S. Department of the Interior



STEVEN PENNOYER
Director, Alaska Region
National Marine Fisheries Service



CARL L. ROSIER
Commissioner
Alaska Department of
Fish and Game



JOHN A. SANDOR
Commissioner
Alaska Department of
Environmental Conservation

PUBLIC COMMENTS

1-1-1

\$28 million in spill funds buys more Kodiak land

WASHINGTON — The Interior Department announced Wednesday that it is acquiring from Alaska Natives an additional 59,600 acres of wild lands they own inside the Kodiak National Wildlife Refuge.

The \$26 million deal with Native-owned Koniag Inc. is being financed with money paid by Exxon Corp. to settle criminal and civil charges arising from the March 1989 Exxon Valdez oil spill that badly oiled portions of Kodiak Island.

The purchase is the third this year from Natives. The acquisitions, costing about \$88.5 million from the Exxon settlement, add 208,000 acres of unspoiled fish and wildlife habitat to the refuge as part of the continuing effort to remedy the damage caused by the 11-million-gallon spill.

Federal and state trustees who oversee the \$900 million Exxon settlement fund are negotiating with Koniag to buy an additional 57,000 acres the Natives own inside the refuge.

Those lands are considered the crown jewel of the four-phase land acquisition because they include the Karluk and Sturgeon river areas that are key habitat for salmon production and brown bears. Also announced Wednesday was \$2 million that Koniag will be paid for a conservation easement protecting that property from any development while the oil-spill trustees and the Native corporation work to cement a purchase agreement.

The land deals were announced at a ceremony at the World Wildlife Fund attended by Interior Secretary Bruce Babbitt, Koniag president Frank Pagano, oil-spill trustees and environmental supporters of the purchase.

The ceremony could not be held at the Interior Department because the government shutdown closed the agency. Papers consummating the sale were signed before the shutdown began Tuesday.

George Frampton, the

Interior Department's assistant secretary for parks and refuges, said the land purchases were backed by the state, environmentalists and pro-hunting organizations, including the National Rifle Association.

"Obviously, Koniag and Kodiak Island residents benefit," Frampton said of the deal. "The land is still available for them to use and it unlocks the economic potential that might otherwise have been hard to do. The Fish and Wildlife Service benefits by being able to exercise more control over an entire ecosystem."

Oil-spill trustees recently have been criticized for paying more money for Native lands than they were appraised for. Frampton vigorously defended the purchase agreements, saying the value of the lands cannot be measured by ordinary appraisal practices.

"What we are buying really is not land — it is restoration value," Frampton said. "There is no way to capture that value in appraisals."

Appraisals are set based on fair market values, Frampton said. But there are few parcels of the size and location that the oil-spill trustees are dealing with and the lands have no commercially exploitable resources that can be cataloged to determine worth.

The total deal was \$28 million, which will be paid out over four years, according to the Interior Department.

"We think that considering the restoration benefits, we're getting a fair deal," Frampton said.

Pagano attended the ceremony but when called upon to speak, he said he had nothing to say.

"I have no comments to make as to the acquisition, one way or another, at this time," he told the gathering.

After the ceremony, Pagano was asked if he felt Koniag got a fair price for its lands.

"I have no feeling at all," he replied.

Anchorage Daily News Thursday, November 16, 1990

The price of pricelessness

By NATALIE PHILLIPS
Daily News reporter

Government officials charged with spending \$900 million in settlement money from the Exxon Valdez oil spill paid millions of dollars more for 152,000 acres of Kodiak Island land than their own appraisers said it was worth.

The Exxon Valdez Trustee Council defends the price, saying the land is prime habitat for a number of species injured by the 1989 oil spill. And the officials say that the landowners — Old Harbor Native Corp. and Akhiok-Kaguyak Inc. — wouldn't sell for less.

But government appraisers say the inflated value sets a dangerous precedent for future government purchases, since the trustees paid twice what the appraisers said it was worth. The appraisers also say the government got very little for the Exxon money.

Government
appraisers say
a land deal made
by the Exxon Valdez
Oil Spill
Trustee Council is
a classic boondoggle.
Defenders of the deal
maintain that
'public-interest value'
counts.

"There's just no way they could have bought this with taxpayers' money. It just wouldn't fly," said Carl Rasmussen, a senior federal appraiser from Colorado who reviewed the deal for the government. "You didn't get anything for the money. The land was already protected from development."

The land is prime brown bear habitat and sits within the Kodiak National Wildlife Refuge. It has long been coveted by environmental groups and the Interior Department.

In May, the Trustee Council paid \$60.5 million for it, or \$398 an acre.

Their appraisers told them the land was worth \$26.3 million at most, or roughly \$175 an acre. Appraisers for the Native corporation landowners valued the land at \$107 million, about \$700 an acre. "We shot high; they shot low. And we came in where we wanted," said Emil Christiansen, president of Old

Please see Page A-9, **WORTH**

Anchorage Daily News Sunday, Oct 22, 1995 Front Page.

WORTH: Critics see no gain in spill-council purchase

Anchorage Daily News
Sunday, October 22, 1995

Continued from Page A-1

Harbor Native Corp.

The Trustee Council says it simply got the best deal it could. Several government appraisers disagree.

"Word has spread, and this is recognized in the appraisal profession as another government boondoggle," Rasmussen said.

Initially, the Trustee Council refused to release appraisals done by government workers and landowners. Copies were obtained by the Anchorage Daily News through state and federal freedom-of-information laws.

The appraisals also show that the Trustee Council is now negotiating with other Native corporations on a half-dozen other multimillion-dollar deals and bumping up against the same problem: government appraisers come up with one value for a parcel of land and the landowner's appraiser comes back with a figure three to six times higher.

While it is not uncommon for a buyer to think land is worth less than what the seller thinks, the gulf between the Native corporations' and the government's appraisals was unusually large, according to Rasmussen.

At the center of the dispute is the question of how to evaluate remote, undeveloped land in places like Alaska, where the scenery and wildlife may be spectacular, but traditional business or residential opportunities nearly nil.

The government appraisers used standard methods of looking at what type of development — such as logging, subdividing or mining — would fetch the most money. They call it "highest best use." At the same time, they compare the land to similar parcels that have recently sold on the open market, but not to government purchases, which can be politically influenced and inflated.

The landowners' appraisers used a new invention which has yet to receive general acceptance. The technique is called "public-interest value" and attempts to add the worth of sweeping views and wildlife habitat to traditional economic valuations. The Native corporations also used other government land purchases as a way to boost the value of their lands.

It is "a very small minority that is very vocal that is pushing this public-interest concept," J.D. Eaton, assistant chief appraiser for the U.S. Department of Justice, said in a phone interview from Washington, D.C.

The Alaska land appraisals were debated at appraisers' meetings in Chicago, Reno and Atlanta and in articles in trade publications. The Appraisal Foundation, a self-regulation body, is reviewing the new technique.

"What's at stake is millions of dollars," said Jonathan Avery, a Boston-area appraiser with the Appraisal Institute, a trade association. "This could be precedent-setting. There is really no one paying these kind of numbers for land except the government. It raises the question of are they getting taken to the cleaners."

A special panel of government

appraisers spent a year analyzing the new technique and in April issued a five-page opinion condemning public-interest valuation.

Those who follow Trustee Council decisions say that if the council took that position, the Kodiak land deals wouldn't have happened.

"It basically comes down to a gut feeling between the buyers and the sellers," said Pam Brodie of the Sierra Club. And if the government isn't flexible there would be no way to value and then purchase remote, unique lands, she added.

'PRICELESS SETTING'

The Kodiak Island land deal was not the first for the Trustee Council. Nor was it the first time the trustees paid more than their appraisals.

When the state and federal governments got \$900 million for settling their lawsuits with Exxon in 1991, the court required that the money be used to restore the area hurt by the spill — from Cordova to the Alaska Peninsula. After lengthy public hearings to define restoration, the council decided to spend money on scientific studies, a new marine research center in Seward, and habitat for the 17 species injured by the spill.

They earmarked roughly \$300 million for land and started looking at sites on Kodiak Island, near Seward, and in Prince William Sound. So far, they have spent \$120 million for 200,000 acres, mostly on Kodiak Island.

The first deal, to buy a proposed logging site on Kachemak Bay near Homer, was cut two years ago, consummating a purchase in the works since the mid-1980s, long before the Exxon oil spill.

Back then, officials began negotiating with Seldovia Native Association over 23,800 acres it owned within Kachemak Bay State Park. The state appraised the land at \$12 million. The Seldovia Native Corp.'s appraiser, using public-interest valuation, said the land was worth \$26 million. Neither side would budge.

Years later, the Exxon settlement provided the pot of money for the deal. The park inholdings were bought in August 1993 for \$22 million, or \$925 an acre.

"That's a priceless setting," said Charlie Cole, a Fairbanks lawyer who was Alaska attorney general and a trustee when the decision was made. "I'm not sure appraisal techniques, in the orthodox sense, are capable of measuring that."

A few months later, the Trustee Council bought 41,500 acres on Afognak Island for \$38.7 million, or \$931 an acre. The land belonged to Seal Bay Timber Co., which is owned by Akhiok-Kaguyak Inc. and Old Harbor Native Corp. The Trustee Council and landowners negotiated openly during a council meeting. The deal was done before the appraisals were completed.

Those purchases set the pace for the deals that have followed.

"Knowing what was paid for Seal Bay/Tonki Cape and Kachemak Bay decidedly influenced what potential sellers are willing to accept for their holdings," wrote Old Harbor Native Corp.'s appraiser, Shorett and Riely of Seattle.

When Old Harbor Native Corp. and Akhiok-Kaguyak Inc. submitted their appraisals last summer for the Kodiak deal, they said their land was worth \$700 an acre.

They included with their appraisal a list of 37 land deals and the prices that were paid. The government was the buyer in most, but the parcels were relatively small in comparison with the land sought by the Trustee Council.

The government's appraisals, on the other hand, found the Native corporation's land was worth between \$128 and \$177 an acre. Government appraisers justified their findings by pointing out:

- The land's value is limited because the Alaska Native Claims Settlement Act restricts development on private land within the refuge.

- The most likely development would be hunting and fishing lodges, and the Alaska market is glutted right now with vacant and failed lodges.

The appraisers also questioned whether the government needed more land in Alaska. "Alaska has a disproportionate amount of land in protected/preserved status," they said.

It was the last comment that upset the Native corporations.

"It just about knocked our shoes off," said Christiansen of the Old Harbor Native Corp. "We said we might as well not talk. If we wanted to give the land away, that would have been a way to do it."

'THE MEGATRADE'

Kodiak lands figured into another controversial deal a decade ago in what became known as "The Megatrade." A handful of Native corporations had sought to swap Kodiak Refuge inholdings for government land with oil potential within the Arctic National Wildlife Refuge.

Government appraisers valued 891,000 acres of Native land then on the table at \$90 million. There is no available record of what the landowners' appraisers found.

Interior Department negotiators ignored their own appraisers and agreed to give the corporation \$539 million worth of ANWR land.

The deal collapsed when Congress decided not to open ANWR after the Exxon Valdez spill. At the same time, in criticism that would foreshadow the current dispute, the General Accounting Office said Congress should reject the deal because the Interior Department had offered nearly six times what the land was worth. The GAO, the investigative arm of Congress, also said that most of the land within the Kodiak refuge already was protected from major development.

Rasmussen said that when he was called last year to review the recent Kodiak land appraisals done for the Exxon Trustees, "it was like a *deja vu*."

Rasmussen found fault with the appraisals of both the government and the Native corporations. He said it was inappropriate for government appraisers to issue political opinions on whether Alaska has too much public land. But in the end, Rasmussen rejected the Native corporations' findings and said the government's appraisals were sound.

HOW THE DEAL WAS DONE

The Kodiak land deal was completed in negotiations. The appraisals were set aside and the negotiators talked about what the Trustee Council was willing to pay and what the landowners were willing to accept.

Jim Ayers, who was the executive director of the Trustee Council at the time, said that although he agrees that public-interest value techniques shouldn't be used in appraisals, he nevertheless thought the land was worth more than the government figures.

"I came to the conclusion that \$350 to \$400 (an acre) was the general range and I came to that based on discussions and reading the appraisal," said Ayers, who is now chief of staff for Gov. Tony Knowles. "I spent a lot of time looking at that land," he added. "I came to the conclusion that we could put several hundred thousands of acres of that land into protection and it was not unreasonable to pay that amount for the land."

"That's how simple it is," Ayers said. "I felt it would have been morally wrong to take it away from the Natives for \$100 an acre."

On Nov. 2, five days before the voters would choose a new governor who would have authority to change half the trustees, the panel voted to pay Akhiok-Kaguyak Inc. and Old Harbor Native Corp. up to \$60.5 million for their land. The deal gave the government clear title to about 106,000 acres. On the other 46,000 acres, the government acquired only conservation easements, which limits development but keeps ownership with the Native corporations.

"I think everyone would have preferred the first major protection (purchase) would have been in Prince William Sound," said Molly McCammon, the Trustee Council's executive director. "That is where the impact of the spill was felt the greatest. But as I said before, these deals are very complicated. The Kodiak deal had been in the works for 20 years."

In May, with all the paperwork in order, members of the Trustee Council, Interior Secretary Bruce Babbitt, and leaders from the Native corporations met in Washington, D.C., for a ceremony in which the check and deeds exchanged hands.

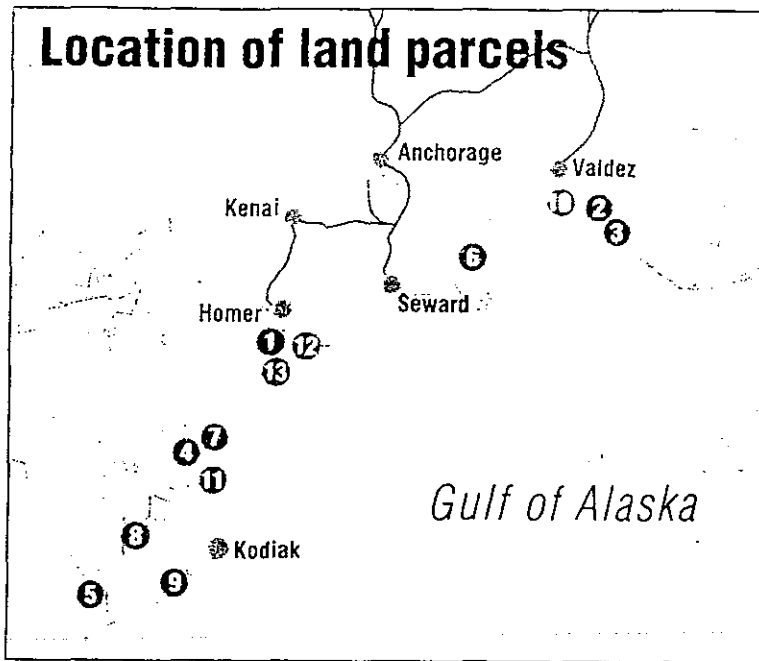
But the appraisers are still battling over whether the appraisals are legitimate.

A TITLE CHANGE

Mundy and Associates of Seattle, an appraisal firm, defends public-interest value techniques. Vicki Adams of the firm said the main difference between her philosophy and the government's is that she would consider preservation to be a "highest best use."

Rasmussen fears the completed deal will give the landowners' appraisers a measure of legitimacy. And he still holds that it is a dangerous practice.

"If you want (that land) in your name, that's all that happened," Rasmussen said. "It was a title change. You didn't get anything you didn't have before."



Source: Exxon Valdez Oil Spill Trustee Council

RON ENGSTROM Anchorage Daily News

Exxon Valdez Oil Spill Trustee Council land deals

Land Owner	Acreage	Terms	Government appraisal	Owner appraisal	(1) Government offer	(1) Sale price	Status
1 Seldovia Native Assoc.	23,890	Title	\$12 million	\$22.2 million	N/A	\$22 million	8/93 Completed
2 Eyak Corp.	28,052	N/A	(2)	N/A	> \$50 million	Pending	Negotiating
3 Eyak Corp. sub-parcel	2,052	Timber rights				\$3.4 million	1/95 Completed
4 Seal Bay Timber Co.	41,549	Title	N/A	N/A	N/A	\$38.7 million	11/93 Completed
5 Ahkiok-Kaguyak Inc.	119,885	Title/easements	\$22 million	\$88 million	> \$46 million	\$46 million	5/95 Completed
6 Chenega Corp.	74,554	Title/easements	(2)	N/A	> \$48 million	Pending	Negotiating
7 Kodiak Island Borough	25,665	Title	\$27 million	\$35.5 million	> \$42 million	Pending	Negotiating
8 Koniag Inc.	115,739	Title/easements	\$15 million	\$101 million	> \$51.7 million	Pending	Negotiating
9 Old Harbor Native Corp.	32,100	Title/easements and exchanges	\$4.2 million	\$19 million	> \$14.5 million	\$14.5 million	5/95 Completed
10 Tatitlek	56,785	N/A	Not completed	Not completed	> \$22 million	Pending	Negotiating
11 Afognak Joint Venture	48,723	N/A	Not completed	Not completed	> \$70 million	Pending	Negotiating
12 English Bay Corp.	49,300	N/A	(2)	N/A	None	Pending	Negotiating
13 Port Graham Corp.	46,170	N/A	\$5.3 million	N/A	None	Pending	Negotiating

(1) Includes 20 percent fee paid by trustee council to cover paying the seller in installments >= up to the amount shown

(2) Government refused to release documents

Source: Exxon Valdez Oil Spill Trustee Council

RON ENGSTROM Anchorage Daily News

A bit pricey

Kodiak land worthwhile, but expensive

In spending \$60 million for Native lands inside the Kodiak National Wildlife Refuge, the Exxon Valdez trustees helped conserve an important area, but did so at a mighty steep price.

It's doubtful the government would have paid such a premium if it had to extract the money from taxpayers or float a bond. But the record-breaking Exxon spill settlement gave the trustees plenty of spending money.

This expensive deal may set a costly precedent that could drive up the price of any future purchases of Alaska wilderness habitat. The trustees, a mix of state and federal officials, had good reasons for wanting to consolidate the refuge in public ownership. Buying the Native inholdings helps species damaged by the oil spill and ensures the refuge is protected from potentially harmful development. That's why acquiring the land had support from across the nation and in Alaska, including the Daily News.

Valuable as the new refuge lands are, though, the terms of the deal are disturbing. The trustees paid more than double what its appraisers thought the land would be worth if developed.

The price the government paid reinforces a controversial concept in appraising, known as "public interest valuation." It's a technique that justifies paying much higher prices than the property would command if bought for development, on the theory that the highest and best use of the land is preserving natural values under government ownership.

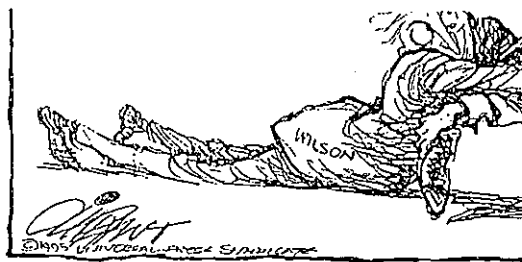
Such "public interest" considerations could perhaps justify paying a small premium, but when the price doubles or triples, the theory becomes an excuse for gouging.

If this had been an arm's length transaction, there'd be less cause for concern. But government acquisitions are always subject to political pressure. A seller can lobby the buyer's political bosses in hopes of exacting a higher price.

And in this case, the sellers launched a vigorous campaign to get national support for a buyout. They even hired a Washington D.C., lobbyist to spearhead the effort. Such campaigning away from the negotiating table is especially worrisome in a deal like this one, where there simply are no comparable private market transactions to help evaluate the price the government pays.

The premium paid for the Kodiak lands is also questionable for another reason. Because the lands are already inside a wildlife refuge, certain development restrictions apply to the Native lands. It's true the feds have never written rules defining those limits. And it's true that whatever rules the feds might write could fall in a legal challenge. But in effect, much of what the government has bought is environmental protection that it has declined to seek through regulations and defend in court. Considered in that light, paying double the lands' development value is even more dubious.

It's doubtful the government would have paid such a premium if it had to extract the money from taxpayers or float a bond. But the record-breaking Exxon spill settlement gave the trustees plenty of spending money. This deal illustrates what can happen when the government goes shopping with a big bankroll and an obvious itch to buy.



Canada's strife is

WASHINGTON — Predictably, proponents of English-only laws are holding up Canada's latest close call with Quebec separatism as evidence of the dangers of multilingualism and multiculturalism.

Were it only that simple. The fires of separatism that gripped Quebec in the days leading up to Monday's election were fanned by much more than language pride. Other factors included a widespread sense of group victimization, a widespread sense of betrayed trust and the galvanizing charm of a smooth-talking, charismatic leader who carefully moderated his radical vision to appeal to moderates.

My, how familiar all that sounds to my African-American ears.

African Americans may not be united by a common language separate from that of the rest of English-speaking America, but the sovereignty sought by the Quebecois sounds painfully similar to the "black homeland" sought by Nation of Islam Minister Louis Farrakhan and other black separatists here. It is not a new idea. It simply sounds more appealing at some times than it does at others.

At first glance, the Quebecois would seem to have little to gripe about. With 7 million people, 82 percent of whom primarily speak French, today's Quebec has more than a fourth of Canada's population. Yet it has produced a fifth of Canada's prime ministers and in the past 27 years a Quebecer has been prime minister in all but three.



CLARENCE PAGE

The central govt takes extreme measures to assure bilingualism since the 1950s. The economy has emerged as an underdeveloped into an economic house.

Still, this is its independence vote years. In 1980, Quebec voted 60 percent to secede against a secession of the same question that came 55,000 votes of victory Monday. Why the loss?

Quebeckers, the holdout for French in this hemisphere tell you they want culture recognized distinct in an enduring that will not be washed away. French culture that in Louisiana until century ago.

Two years after vote, Quebec voted their provincial power back in constitutional changes that also became its coveted veto any amendment to the constitution.

A 1987 effort to

Bennett's attack on

WASHINGTON — Those Republicans, they'll stop at nothing to corral the votes of the righteous and uplifted. First it was Dan Quayle, attacking that nice Murphy Brown for deciding to be a single mother rather than marry the guy.

Then it was Bob Dole, berating Time Warner for its promotion of a particularly vicious strain of gangsta rap.

Now it's William Bennett, crusading against "trash talk."



DON KAUL

It is, in short, to

George & Ruby Page 11/3/95

11/3/95
Unchorage Daily News

Appraisal needs explanation

Your recent article (Oct. 22), "The price of pricelessness," regarding the appraisal process of the Exxon Valdez Oil Spill Trustee Council was incomplete, misleading and displayed a total lack of understanding of the Trustee Council's mission.



TALKING BACK TO THE NEWS

The council is responsible for restoring and protecting the resources and services injured by the 1989 oil spill. Scientists and the public have identified protecting habitat as a key method to aid injured fish and wildlife populations and the users who depend on them.

The council uses fair market value appraisals that conform to government standards as part of its process to identify fair value. But appraisals provide an opinion of *economic* value (i.e., timber, minerals, development), not *restoration* or biological value. For that reason, the council also evaluated the habitat values of lands in the spill area and identified those that could contribute to the recovery of resources and services if protected.

Under state and federal laws and guidelines, the council uses economic appraisals to help decide on a fair price for protecting large remote parcels. Appraisers frequently differ on market conditions, development costs and speculative economic opportunities. Appraisals are estimates of value based on assumptions and subject to different professional judgments and opinions.

To date the council has completed five major habitat protection transactions, each with enormous public support. Only the two Kodiak transactions substantially exceeded government appraised values. In both cases, the council decided the restoration and habitat values justified a negotiated price exceeding government appraisers' estimates of economic value.

The Kodiak lands provide some of the highest value fisheries habitat in the world, worth hundreds of millions of dollars to commercial and subsistence fishermen. The council decided an extra level of protection was warranted.

The council acted on the Kodiak acquisitions in open session and in response to overwhelming public support. They were reviewed and approved by the U.S. Department of Justice, the Department of the Interior and the Attorney General's office.

The Trustee Council will continue to use economic appraisals to help determine a fair price for habitat protection. But the council must also consider the best interests of the biological resources injured by the spill and the humans who depend on them. This forms the basis of the council's strong record of prudent actions, well supported by the public.

— Molly McCammon,
executive director, Exxon Valdez Oil
Spill Trustee Council

Daily News right the first time

Who could blame your readers for being confused? Your editorial (Nov. 3), "A bit pricey," flip-flops from your earlier positions as reflected in editorials on March 27 and March 29, 1994. These earlier editorials strongly supported acquisitions of land in the Kodiak National Wildlife Refuge funded by the Exxon Valdez Oil Spill Trustees Council — acquisitions reviewed and approved by the U.S. Department of Justice, the Department of the Interior and the attorney general's office, and which have enjoyed overwhelming public support voiced during an open public process.

Your recent editorial swerves from your earlier positions to attack this transaction and, in so doing, resorts to a

narrow view of land acquisition that would be appropriate to selecting a business property for a fast-food restaurant in a metropolitan area. As every Alaskan knows, the extraordinary value of our fish and wildlife resources cannot be so simply measured.

Your switchback editorial made no mention, for instance, of the economic value of the Kodiak salmon fisheries, worth more than \$100 million in 1988. Much of the salmon spawning and rearing habitat that supports this renewable resource is within watersheds now protected by the Trustee Council's action.

More important is the overall protection of one of America's richest natural ecosystems. Just as there is only one Old Faithful geyser and one Grand Canyon, there is only one Kodiak Island. These natural wonders are irreplaceable, and

their valuation is not the case of choosing among street corners for siting a filling station. These acquisitions will provide significant benefits to the people of America, not just by today's market prices, but in perpetuity. The public benefits are truly priceless.

We believe your earlier editorial position reflects better public policy. On March 29, 1994, the Daily News said, "Kodiak buyback: a good use for the oil spill settlement," and supported this "no-lose proposal." It said further that "using some of the oil spill settlement to protect this extraordinary habitat would be a fitting settlement of the state's worst environmental accident." You got it right the first time!

— David B. Allen, regional director
U.S. Fish and Wildlife Service

Anchorage Daily News
November 7, 1995
Metro Section

EVOS Trustee Council Encounters Government Agency Sticker Shock

ANCHORAGE (AP)—Government officials charged with spending \$900 million in settlement money from the Exxon Valdez oil spill paid millions of dollars more for 152,000 acres of Kodiak Island land than their own appraisers said it was worth.

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At the center of the dispute is the question of how to evaluate remote, undeveloped land in places like Alaska, where the scenery and wildlife may be spectacular, but traditional business or residential opportunities nearly nil.

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See EVOS... Page 23



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The Alaska State Department of Labor presents a free
Workplace Safety Seminar

on **Monday, November 6, 1995**

at Prince William Sound Community College

EVOS Trustee Land Purchase Price Was Several Times Appraised Value

Continued from Page 6

ment land purchases as a way to boost the value of their lands.

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"I came to the conclusion that \$350 to \$400 (an acre)

was the general range and I came to that based on discussions and reading the appraisal," said Ayers, who is now chief of staff for Gov. Tony Knowles.

"I came to the conclusion that we could put several hundred thousands of acres of that land into protection and it was not unreasonable to pay that amount for the land."

☆

TOO LATE TO CLASSIFY

Wood burning Forced air furnace-Hot water pre-heater, Earth stove brand, almost new condition. Works as primary or back-up with oil fired furnace. \$1,500.00 OBO Call 835-5289. (Exp 11/1)

Announcement

Senior Center Potluck and Halloween Party!! This Saturday October 28th starts at 6:00 p.m.. Prizes, fun, food, and friends!! See you there.

Room for Rent, \$400.00/mo., in town, No smokers, Off road parking. Call 835-2990. (Exp 11/1)

Bob's Jewelry, Now open for business, 12 noon to 5:00 p.m., Monday through Friday at needful things. Call 835-2994 or for appointment call 835-3629 during business hours.

Painting Classes-Instruction in Oils by Jerri, Starts Nov. 6th, Call 835-4687. (Exp 11/1)

Pastor To Be Installed

VALDEZ—The entire community is cordially invited to attend the installation service of our new pastor, Dr. Glen Little on Sunday, Oct. 29 at 4 p.m. at the First Baptist Church at Hazelet and Klutina.

"Harvest Fellowship" to follow immediately after the service in the Fellowship Hall.

Everyone is invited to attend.

Lady Bucs

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STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES NORTHERN REGION DESIGN AND CONSTRUCTION

INVITATION FOR BIDS

Sealed bids in single copy for furnishing all labor, materials, equipment and performing all work on Project no. STP/0850(20)/66546,

Trustee Council Responds to AP Story

Editor:

Your paper recently published an Associated Press story regarding the appraisal process of the *Exxon Valdez* Oil Spill Trustee Council. This article contained factual errors and displayed a lack of understanding of the Trustee Council's mission.

The Council has the responsibility to restore and protect the resources and services injured by the 1989 oil spill. Scientists and the public have identified purchasing land and/or conservation easements as a key method for aiding these injured fish and wildlife populations and the users that depend upon them. This was affirmed through a rigorous Environmental Impact Statement and review process.

The Council uses fair market value appraisals that conform to government standards as part of its process to identify fair value. But appraisals provide merely an opinion of strict economic value (i.e., timber, minerals, recreational development) and do not consider restoration or biological value. To help determine those values, the Council conducted a multi-year evaluation in the spill area and identified those lands that would contribute to the recovery of injured resources and services if protected.

As allowed by state and federal laws and guidelines, the Council uses economic appraisals as a tool to decide what is a fair, reasonable price for protecting large remote parcels. Appraisers have frequent differences of professional opinion on market conditions, development costs, and speculative economic opportunities. Appraisals are estimates of value based on many assumptions and subject to professional judgements and opinions.

To date, the Council has completed five major habitat protection transactions, each with enormous public support. These include a contribution (together with the Alaska Legislature) to purchase inholdings in Kachemak Bay State Park; the Seal Bay acquisition on Afognak Island which is now Afognak Island State Park; purchase of commercial timber rights along Orca Narrows near Cordova (Eyak Sub-parcel); and two purchases of land and protection easements on Kodiak Island from Old Harbor and Akhiok-Kaguyak, Inc.

The Eyak Sub-parcel was purchased for the government's appraised value. The Seal Bay acquisition was negotiated by the Council subject to completion of the appraisal, and in fact the final price of \$38.7 million was at less than the government's appraised value of \$52 million. The government's appraisal for Kachemak Bay State Park was about \$20 million; the landowner's was \$34 million. After arbitration, a final deal was struck at \$22 million for all rights.

The Council has so far chosen to substantially exceed government appraised values only in the two Kodiak transactions. In both cases, after great deliberation, the Council decided that the restoration and habitat values justified a negotiated price in excess of the government appraisals' estimates of economic value.

These lands provide some of the highest value fisheries habitat in the world, worth hundreds of millions of dollars to commercial and subsistence fishermen. Until the Trustee Council protected these lands, they were potentially vulnerable to development that could have seriously harmed important fish and wildlife resources.

The Council acted on the Kodiak acquisitions in open session, in an extensively noticed public meeting, and in response to overwhelming public support. The transactions were reviewed and approved by more attorneys than anyone cares to count, including those of the U.S. Department of Justice, the Department of the Interior, and the State Attorney General's office.

The Trustee Council will continue to use economic appraisals as part of the process to determine a fair price for habitat protection. But the Council must also consider, as required by its restoration charter and as supported by overwhelming public opinion, the best interests of the biological resources injured by the spill and the humans who depend upon them. The Trustees have a strong record of prudent actions, well supported by the public.

Sincerely,
Molly McCammon
Executive Director

Kodiak Daily Mirror

Ebell Bolger & Gentry
601 1st Ave.
Suite 300
Seattle, WA 98104-2224

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VOL. 55 NO. 208

MONDAY, OCTOBER 23, 1995

KODIAK, ALASKA

16 PAGES

50 CENTS

inside

5 Barry.

8 Blue and Gold game.

Feds say trustees paid too much for Kodiak land

ANCHORAGE (AP) — Government officials charged with spending \$900 million in settlement money from the Exxon Valdez oil spill paid millions of dollars more for 152,000 acres of Kodiak Island land than their own appraisers

said it was worth.

The Exxon Valdez Trustee Council defends the price, saying the land is prime habitat for a number of species injured by the 1989 oil spill. And the officials say that the landowners — Old Harbor Native Corp. and Akhiuk-

Kaguyak Inc. — wouldn't sell for less.

But government appraisers say the inflated value sets a dangerous precedent for future government purchases, since the trustees paid twice what the appraisers said it was worth. The appraisers also say the government got very little for the Exxon money.

"There's just no way they could have bought this with taxpayers' money. It just wouldn't fly," said Carl Rasmussen, a senior federal appraiser from Colorado who reviewed the deal for the government.

The land is prime brown bear habitat and sits within the Kodiak National Wildlife Refuge. It has long been coveted by environmental groups and the Interior Department.

In May, the Trustee Council paid \$60.5 million for it, or \$398 an acre.

Their appraisers told them the land was worth \$26.3 million at most, or roughly \$175 an acre. Appraisers for the Native corporation landowners valued the land at \$107 million, about \$700 an acre.

"We shot high; they shot low. And we came in where we wanted," said Emil Christiansen, president of Old Harbor Native Corp.

The Trustee Council says it simply got the best deal it could. Several government appraisers disagree.

"Word has spread, and this is recognized in the appraisal profession as another government boondoggle," Rasmussen said.

The appraisals also show that the Trustee Council is now negotiating with other Native corporations on a half-dozen other multimillion-dollar deals and bumping up against the same problem: government appraisers come up with one value for a parcel of land and the landowner's appraiser comes back with a figure three to six times higher.

At the center of the dispute is the question of how to evaluate remote, undeveloped land in places like Alaska, where the scenery and wildlife may be spectacular, but traditional business or residential opportunities nearly nil.

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"I came to the conclusion that we could put several hundred thousands of acres of that land into protection and it was not unreasonable to pay that amount for the land."

Oscar Dyson honored

The National Fisheries Institute (NFI) announced yesterday it has named Kodiak fisherman Oscar Dyson "Person of the Year."

Dyson shares the award with seven other fishermen and women from around the U. S.

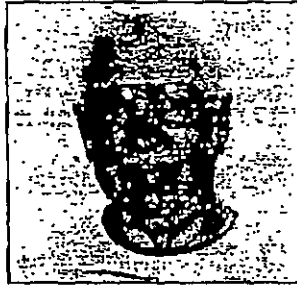
NFI is a trade association representing approximately 1,000 companies involved in all aspects of fishing and seafood.

The NFI selection committee cited Dyson's 50-year career in the fishing and seafood industries.

Dyson is owner of the F/V Peggy Jo and was a founder of All Alaskan Seafoods.

He has fished the waters of the Bering Sea and the North Pacific for crab, salmon, halibut, shrimp, herring, pollock and cod.

In the political arena, Dyson has served as chairman of the Alaska Board of Fish and Game and was a State Department delegate to talks with the



Japanese and Russians about king crab stocks.

Dyson also served three terms on the North Pacific Fishery Management Council and was first chairman of the council's Observer Committee. That committee initiated the research program still used today to collect biologic and bycatch information.

"This year the NFI is fifty years old and I'm celebrating fifty years in the fishing industry," said Dyson.

"It was an honor to be recognized by the NFI."

By MARY LOU
THE JUNEAU EMPIRE

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Letters

Kodiak land agreements fair to all concerned

The recent Associated Press article which discussed the Exxon Valdez Oil Spill Trustee Council's habitat conservation projects with our two Kodiak Native corporations lacked accuracy and balance.

When all aspects of the Kodiak land agreements are properly weighed, they are fair to the government and our shareholders. They protect one of the world's richest wild salmon fisheries and provide world class outdoor recreation opportunities to present and future generations. The settlement trusts created by our corporations will keep EVOS settlement money working in Alaska forever. The habitat conservation package fulfills the Trustee Council's restoration intentions by protecting the fish and wildlife species and other resources injured by the oil spill.

We hope all three of the habitat agreements we've participated in - Seal Bay, Akhiok-Kaguyak, and Old Harbor - will be replicated for future use of the Exxon Valdez

settlement. There are other lands throughout the oil spill region worthy of conservation and the public is correct that protection of fish and wildlife habitat through land acquisition provides the most meaningful legacy from the worst environmental accident in U.S. history.

Success inevitably attracts critics in public affairs and the AP story read like a one-sided diatribe by the most ardent critics of habitat conservation in the Exxon Valdez process. The federal realty personnel's views showcased by the article's reliance on realty specialist Carl Rasmussen provides a glimpse of what advocates of land acquisition have been up against in the oil spill restoration arena.

The article fails to provide a fair and balanced evaluation of the legitimate professional issues regarding the proper method of valuing wildlife habitat lands. Rather, the article is founded on the views of Mr. Rasmussen, which have been rejected in both the Reagan and Clinton Administrations. Thankfully, on all major points, the state and federal oil spill trustees also overruled the judgment

of Mr. Rasmussen, who with his allies, have done their best to sabotage habitat acquisition.

The Trustee Council wisely recognized that negotiations with land owners are essential to the success of habitat protection and handcuffing the process to the narrow view of land value advocated by some would be a serious mistake. The Trustees' acquisition of the Kodiak lands have been widely supported as accomplishments of remarkable benefit to the public by diverse groups such as the NRA, Safari Club, Boone & Crockett, Conservation Fund, and Congressional Sportman's Caucus to name a few.

We are proud to have participated in these fine results from the Exxon Valdez process and we urge a more balanced view of the public benefit derived from these EVOS habitat conservation agreements.

Ralph Eluska
President, Akhiok-Kaguyak, Inc.

Emil Christiansen, Sr.
President, Old Harbor Native Corporation

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Exhibit brings back spill

By CATHY BROWN
The Juneau Empire

Capt. Joseph Hazelwood's voice echoes in the Alaska State Museum, bringing visitors more than six years back to the spring when oil coated hundreds of miles of Alaska shoreline, and sea birds and otters struggled and died under tarred wings and oiled fur.

"It was like a war," recalled Greg Chaney, "only the enemy wasn't another army, it was the oil that was floating around Prince William Sound."

Chaney worked on the Exxon Valdez oil spill, and he and his family were among about 80 solemn-faced visitors to the exhibit "Darkened Waters: Profile of an Oil Spill," which opened Thursday night at the museum.

The exhibit, which originated at the Homer Society of Natural History's Pratt Museum, brings to Juneau the sights, sounds and even the smell of the 1989 spill, which dumped nearly 11 million gallons of oil in Prince William Sound.

Visitors can lift a lid on an oil barrel for a whiff of crude; they can touch cleanup garb and an otter pelt; they can view photographs and documents and bumper stickers and political cartoons.

On one side of the room, a push-button activates a recording of Exxon Valdez Capt. Hazelwood's initial, gravelly-voiced report that the tanker had "fetched up, hard aground," off Bligh Reef. On the other side of the room the voice of an Alaska Native subsistence user mourns "instead of gathering life, we're gathering death."

Bob LeResche, who was oil spill coordinator for the state, was one of the visitors to the exhibit. He said he had been curious whether it would be a "diatribe" against the oil industry or a "warm, fuzzy assurance that everything's fine."

It was neither, he said, and he was impressed. "It looks like it's designed to be educational, and it's legitimately educational. It really doesn't seem to be excessively biased either way."

"What I like about it is it sort of captures the feeling for people that weren't there," he said. "You can smell a drum of oil."

"I don't think people realize what else comes with our dependence on oil," said Wendy Campbell, a seasonal Alaska worker from New York state, who watched spill coverage from a distance six years ago.

"It's amazing," said her friend Aaron Prussian. "This would be great if something like this could travel."

In fact, the exhibit has traveled. Mark Daughette, curator of exhibits at the museum, said "Darkened Waters" has been shown in Florida, Virginia, Pennsylvania, California, Louisiana, Massachusetts and Washington. After closing in Juneau Dec. 2, it will travel to Anchorage and Fairbanks.

11/16/95
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PENINSULA CLARION

SeaLife Center looks to city for bonds to build center all at once

By Eric Fry

LOG Staff

The Alaska SeaLife Center plans to ask the city to sell \$12 million in bonds so that the entire marine research and visitor facility can be built in one stage.

The bonds would be "non-recourse," meaning they would not be backed by the city's credit, city officials said. "It will not

impact the taxpayer under any circumstance," City Manager Ron Garzini told the City Council in a workshop Sept. 25.

Project backers expect that a bank, perhaps in combination with the state development authority, would buy the bonds. The bonds would be paid off with donations the center hopes to raise over the next few years or with the facility's revenues from visitors.

The advantage to the center is that city-

issued bonds are tax-exempt. Bondholders would not have to pay taxes on the interest they earn. That makes it desirable for a bank to buy the bonds, and it makes it likely that the bank would offer low interest rates.

The center's alternative to borrowing money would be to build the project in phases as it raises funds, which is more expensive than constructing it in one project.

"There's a fairly considerable efficiency

loss that relates to cost if you have to phase a complex project like this," Darryl Schaefermeyer told the council. He's director of the Seward Association for the Advancement of Marine Science, which will operate the city-owned center.

"I see this as a real advantage to the city, to assist the SeaLife Center in putting this in

See Bonds, page 14

Page 14

The Seward Phoenix LOG

Thursday, October 5, 1995

Bonds ...

From page 1

one package," said Don Grimes, a Houston, Texas-based financial consultant to the city. Having one contractor for the whole building would "eliminate a lot of the uncertainties."

Moreover, the entire facility needs to be up and running from the beginning, Schaefermeyer said, to generate operating income.

That's because the project can spend its \$25 million from the Exxon Valdez oil spill settlement only on the research portion of the center. The borrowed money would go toward the visitor portion, and visitor admission fees and sales are expected to keep the center running.

If the bonds were paid off in 20 years, the interest could be nearly \$9 million. But Grimes said the goal would be to pay them off in just three years, starting in 2000, two years after the center is sched-

uled to open. In that case, the interest might be as little as \$2.7 million.

The plan is for the center to draw from the loan in stages to pay the contractor. That way the center can earn interest on the rest of the loan.

Meanwhile, the center would be collecting donations from corporations, foundations and wealthy individuals. By the time the center had to start paying off the loan, it would have perhaps \$8 million to offer, and the debt would be canceled by 2002.

That's the best-case scenario.

It assumes a lot of donations and a lot of visitors — about 300,000 a year paying an average of \$9 for admission and spending an average of \$5 in the gift shop.

It also assumes that 40,000 square feet of research space would be rented out at \$1.14 a month. And it assumes about \$400,000 a year in membership fees from families and corporations.

The center is projected to need about \$4.5 million a year just to run

it, not counting the debt and required reserves.

What if the center can't pay back the loan? The building and its contents would be the security, Grimes said.

But another entity already has first lien on the center. Seward has an agreement with the state Department of Fish and Game that if the city can't operate the center profitably, the state agency could buy the facility for \$1 and lease the land for \$1 a year.

"Fish and Game has the first option to acquire the facility and operate it as a marine research center," said Kim Sundberg, the agency's point man on the project, in an interview. "We intend to maintain that position."

He said there may be a way to work out a security arrangement in which the bank would have the first option to operate the visitor portion if it had to foreclose on the loan.

The center's promoters have talked to five banks in Anchorage and to the Alaska Industrial

Development and Export Authority, Grimes said. "The meetings with the banks and AIDEA have gone very well," he told the council.

"We may be involved in the financing," said John Delano, AIDEA's deputy director of credit, in an interview. "But we would require a bank to finance 20 percent, and we could look at taking the other 80 percent."

If the city doesn't issue bonds, AIDEA could look at financing it from its own assets, he said, which are about \$400 million.

The center's promoters want to offer the construction bid in December and pick a contractor in January. It can't do that until all its funding is in place.

At the moment the center is caught in a Catch 22. Until there's a letter of credit for the loan, the state Legislative Budget and Audit Committee won't free-up \$25 million in oil spill funds that would pass through the Department of Fish and Game to the city.

But a bank isn't likely to loan

taxes. And the borough assembly will consider a resolution to reduce property taxes on damaged property.

money until it knows the \$25 million is assured. "We're inhibited in getting our bridge financing until we have the \$25 million in hand," said Maureen Sims, spokeswoman for the project.

"I'm a stickler to make sure it's done right," said Rep. Terry Martin of Anchorage, the committee chairman. "It looks like they're a little weak right now in securing the total financing."

The legislative committee is scheduled to consider the topic on Oct. 12. The City Council agenda for its Oct. 9 meeting includes a resolution to approve the bonds.

Flood ...

From page 1

in it.

Officials have given them the run-around about dredging, Lois Munson said. "It's real stressful

Creek, said he needs a solution before winter, because the creek freezes from the bottom, which pushes water over the banks.

PUBLIC NOTICE UNITED STATES DEPARTMENT OF THE INTERIOR BUREAU OF LAND MANAGEMENT ALASKA

Notice for Publication
AA-6664-C, AA-6664-D, AA-6664-A2
Alaska Native Claims Selection

In accordance with Departmental regulation 43 CFR 265.07(d), notice is hereby given that a decision to issue conveyance under the provisions of Sec. 14(a) of the Native Claims Settlement Act of December 18, 1971, 43 U.S.C. 1601, 1613(a), will be issued to the English Bay Corporation for approximately 16,305.62 acres. The lands involved are in the vicinity of the Kenai Fjords, Alaska.

Seward Meridian, Alaska U.S. Survey
No. 4779,

T.5 S., R.3 W., T.5 S., R.4 W., T.7 S.,
R.7 W., T.7 S., R.8 W.

A notice of the decision was published in the FEDERAL REGISTER on SEPTEMBER

Exhibit gives visitors a feel of '89 oil spill

Smells, sights, sounds re-created

By CATHY BROWN
The Juneau Empire

JUNEAU — Capt. Joseph Hazelwood's voice echoes in the Alaska State Museum, taking visitors back six years to the year when oil coated hundreds of miles of Alaska shoreline, and sea birds and otters struggled and died under tarred wings and oiled fur.

"It was like a war," recalled Greg Chaney, "only the enemy wasn't another army, it was the oil that was floating around Prince William Sound."

Chaney worked on the Exxon Valdez oil spill, and he and his family were among about 80 solemn-faced visitors to the exhibit "Darkened Waters: Profile of an Oil Spill," which opened Thursday night at the museum.



Please see Page B-3, MUSEUM

MUSEUM: Juneau display re-creates smells, sights, sounds of Exxon Valdez spill

Continued from Page B-1

The exhibit, which originated at the Homer Society of Natural History's Pratt Museum, brings to Juneau the sights, sounds and even the smell of the 1989 spill, which dumped nearly 11 million gallons of oil into Prince William Sound.

Visitors can lift a lid on an oil barrel for a whiff of crude; they can touch cleanup garb and an otter pelt; they can view photographs and documents and bumper stickers and political cartoons.

On one side of the room, a push-button activates a recording of Exxon Valdez Capt. Hazelwood's gravelly voiced initial report that the tanker had "fetched up, hard aground" off Bligh Reef. On the other side of the room the voice of an

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"What I like about it is it sort of captures the feeling for people that weren't there," he said. "You can smell a drum of oil."

Rachel Baker, a former Illinois resident

who moved to Juneau six months ago, said the exhibit was extremely helpful for her. "I knew it was bad; this really puts it in perspective," she said.

"I don't think people realize what else comes with our dependence on oil," said Wendy Campbell, a seasonal Alaska worker from New York state who watched spill coverage from a distance six years ago.

"It's amazing," said her friend Aaron Prussian. "This would be great if something like this could travel."

In fact, the exhibit has traveled. Mark Daughhetee, curator of exhibits at the museum, said "Darkened Waters" has been shown in Florida, Virginia, Pennsylvania, California, Louisiana, Massachusetts and Washington. After closing in

Juneau Dec. 2, it will travel to Anchorage and Fairbanks.

Some Juneau exhibit visitors, like 4-year-old Connor Chaney, weren't even born when the spill happened. "What happens in an oil spill?" Connor asked his mother.

His parents remembered clearly what happens. Greg Chaney, a geomorphologist who studied the prespill Prince William Sound coastline, was working at the state museum when the spill happened. He quit his job and immediately went to the Sound to work.

"I picked up a lot of those animals when they were dead," Chaney said. "That stays with you. Especially when you've seen it beforehand."

Anchorage Daily News
Sunday, November 5, 1995

Exhibit takes visitors back to oil spill

By CATHY BROWN

THE JUNEAU EMPIRE

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Please turn to Oil, Page 8.

8 JUNEAU EMPIRE, FRIDAY, NOVEMBER 3, 1995

Oil . . .

Continued from Page 1

1989 spill, which dumped nearly 11 million gallons of oil in Prince William Sound.

Visitors can lift a lid on an oil barrel for a whiff of crude; they can touch cleanup garb and an otter pelt; they can view photographs and documents and bumper stickers and political cartoons.

On one side of the room, a pushed button activates a recording of Exxon Valdez Capt. Hazelwood's initial, gravelly-voiced report that the tanker had "fetched up, hard aground," off Bligh Reef. On the other side of the room the voice of an Alaska Native subsistence user mourns "instead of gathering life, we're gathering death."

Bob LeResche, who was oil spill coordinator for the state, was one of the visitors to the exhibit. He said he had been curious whether it would be a "diatribe" against the oil industry or a "warm, fuzzy assurance that everything's fine."

It was neither, he said, and he was impressed. "It looks like it's designed to be educational, and it's legitimately educational. It really doesn't seem to be excessively biased either way."

"What I like about it is it sort of captures the feeling for people that weren't there," he said. "You can smell a drum of oil."

Rachel Baker, a former Illinoisan who just moved to Juneau six months ago, said the exhibit was "extremely helpful" for her. "I knew it was bad; this really puts it in perspective."

"I don't think people realize what else comes with our dependence on oil," said Wendy Campbell,

a seasonal Alaska worker from New York state, who watched spill coverage from a distance six years ago.

"It's amazing," her friend, Aaron Prussian said. "This would be great if something like this could travel."

In fact, the exhibit has traveled. Mark Daughhetee, curator of exhibits at the museum, said "Darkened Waters" has been shown in Florida, Virginia, Pennsylvania, California, Louisiana, Massachusetts and Washington. After closing in Juneau Dec. 2, it will travel to Anchorage and Fairbanks.

Some Juneau exhibit visitors, like 4-year-old Connor Chaney, weren't even born when the spill happened. "What happens in an oil spill?" Connor asked his mother.

His parents remembered clearly what happens. Greg Chaney, a geomorphologist, who studied the pre-spill Prince William Sound coastline, was actually working at the state museum when the spill happened. He quit his job and immediately went to the sound to work.

"He was gone for months," his wife, Bonnie, recalls.

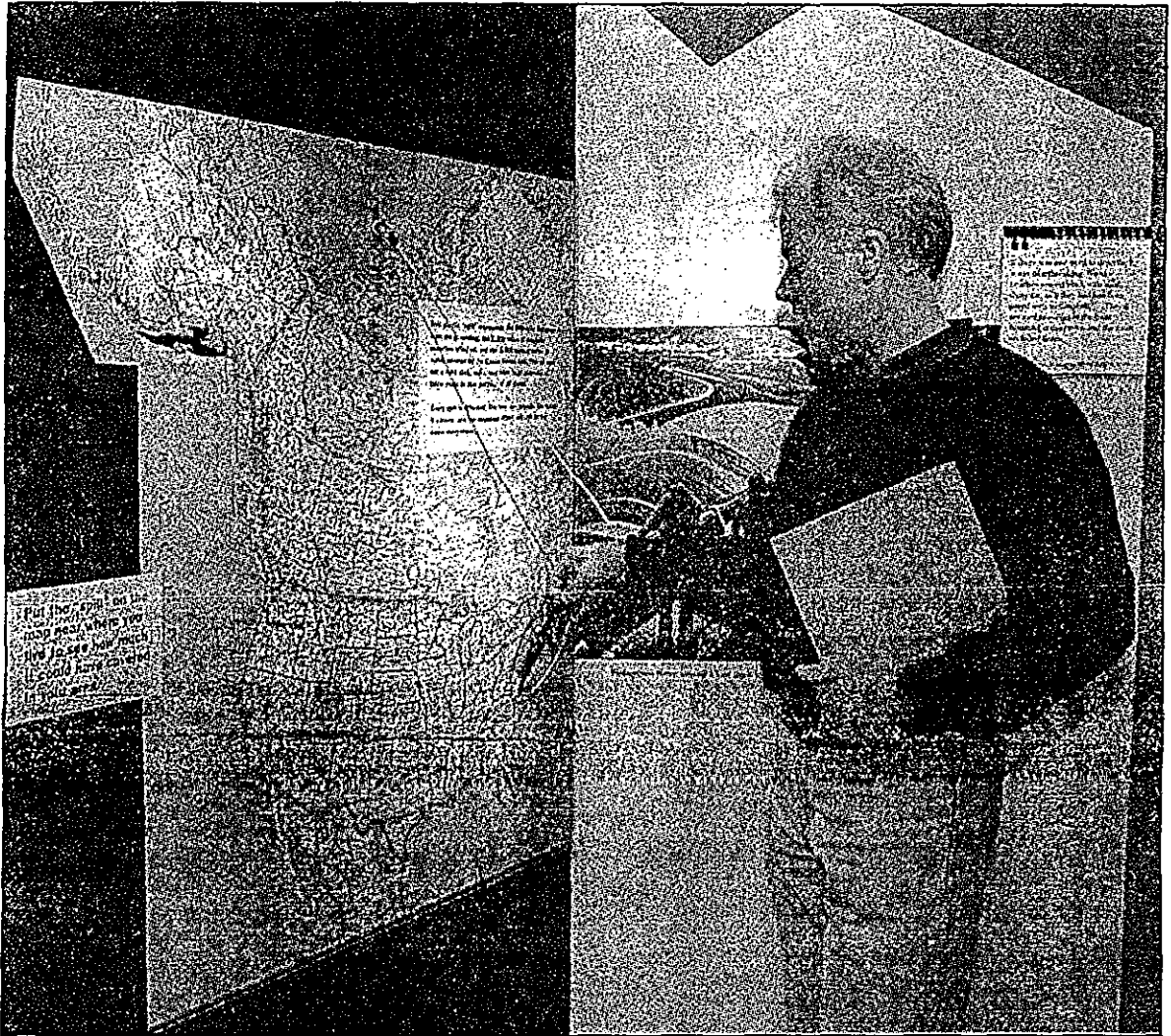
"I picked up a lot of those animals when they were dead," Chaney said. "That stays with you. Especially when you've seen it beforehand."

A museum exhibit can't completely capture what happened in 1989, he said. "It's like a war. It can't be contained. Everyone has their own perspective."

"It touches a lot of it, a lot of it," said former spill worker and Douglas resident Michael Dunlap. "But it just touches it."

Juneau Empire November 3, 1995

How big is an oil spill?



BRIAN WALLACE / JUNEAU EMPIRE

Alaska State Museum curator Mark Daughhetee moves a plastic model representing the size of the Exxon Valdez oil spill around the Eastern seaboard portion of a map of the United States. The display is intended to give viewers the opportunity to see the size of the spill in relationship to other landmarks they are familiar with in the country, such as their hometowns. The map is part of an exhibit titled "Darkened Waters: Profile of an Oil Spill," which opens at the museum Thursday, with a reception planned from 4:30 p.m. to 8 p.m. The exhibit remains at the museum through Dec. 2.

Juneau Empire
Nov 1, 1995
Front Page



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Tony Knowles, of using its convention for political patronage.

The endorsements of Stevens

shortly be our first language," said Nicholson, who was supported by a loud applause.

Knowles pursues Eyak deal

By Soren Wuerth

For Alaska Newspapers

ANCHORAGE — Gov. Tony Knowles said his staff is considering options to buy protection of the forested land owned by the Eyak Corp. near Cordova.

"I know we're pursuing (a land deal)," Knowles said shortly after giving a speech at the Alaska Federation of Natives convention.

Knowles said he had no time to elaborate.

Knowles directs the three state members on the six-person Exxon Valdez Oil Spill Trustee Council.

The joint federal and state panel oversees spending of a \$900 million settlement over the 1989 Exxon spill. Money from the settlement has been earmarked to purchase habitat threatened by logging.

But negotiations between the Eyak Corp. and the Trustee Council faltered last spring and the corporation continues to clearcut old-growth rainforest in eastern Prince William Sound.

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*Cordova Times
10/26/95*

& RECREATIONISTS

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t 34th Avenue, Suite 200
orage, AK 99503-4196
(907) 563-8866

ska Corporation Lands

S: USGS 1:63,360 QUADRANGLES
SEWARD A1-A5, B1-B5, C1-C5
BLYING SOUND D1-D5

Briefs ...

From page 8

and trail maintenance around Seward.

The swap has expanded to include all types of sporting goods — camping gear, ice skates, roller blades and outdoor clothing. There also will be retail dealers on hand at the swap, and the school ski rental program will be held at the same location.

In addition to accepting items for sale on consignment, the club also accepts donations of good used gear for sale at the swap or for the youth programs. For more information call Madelyn Walker at 224-3848. Volunteers are welcome.

SLAC to hold membership meeting

The Seward Life Action Council will hold its annual membership meeting at 5:30 p.m., Nov. 9, upstairs at the SLAC offices, 504 Adams Street. All interested community members are urged to attend. Tax deductible membership fees are \$10 for individuals or families and \$25 for businesses.

The agenda for the evening will begin with a welcome and opening remarks followed by introductions of SLAC staff. General membership duties will be addressed, and elections will be held with nominations from the floor. Four members will be elected to serve on the nine-member board. Public comments will follow. Refreshments will be served and everyone is invited to attend.

Wes-Gen Auxiliary news

The next Wes-Gen Auxiliary meeting will be at 12:15 p.m., Nov. 8, in the conference room at Seward General Hospital. All interested persons are invited to join the group.

Virginia Hawick, Seward Life Action Council violence counselor, will be the guest speaker.

This year's officers were elected at the September meeting. They are: Sanna LeVan, president and in charge

of Wesley bingo; Judy Martin, vice-president and chairwoman of publicity; Betty Benison, secretary; Lorraine McCauley, treasurer and Nell Watsjold, Wesley decorations chairwoman.

Anyone can join the service club. The purpose of the organization is to give service to both Wesley Rehabilitation and Care Center and to Seward General Hospital in whatever capacity is needed. For more information, call Judy Martin at 224-5604.

Senior center lunch menu

The lunch menu at the Senior Citizen's Center this week is:

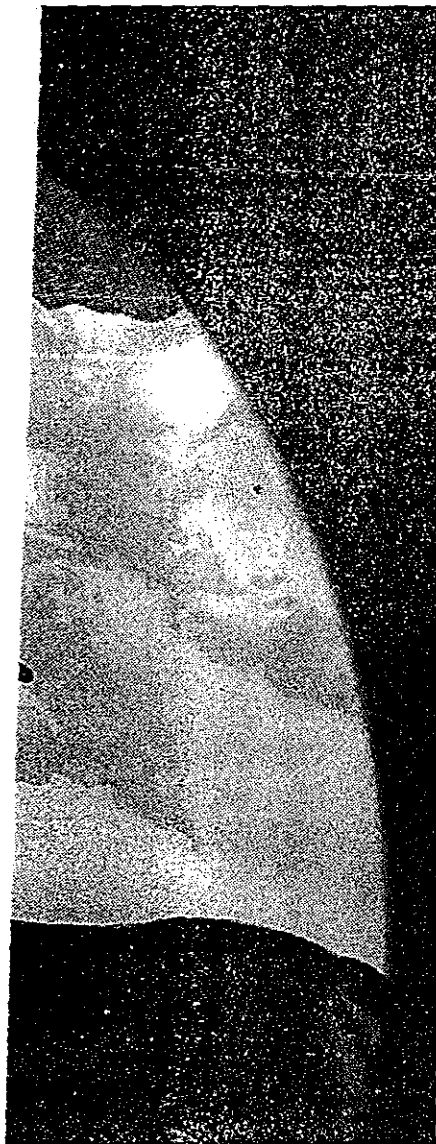
Friday — teriyaki chicken, rice pilaf and broccoli; Monday — Salisbury steak, vegetables and fruit; Tuesday — spaghetti with meat sauce, tossed salad and garlic bread; Wednesday — roast beef sandwich, navy bean soup and Jell-O; and Thursday — baked ham, yams, green beans, bread and milk.

Land trust to meet here

Barb Seaman, director of the Kachemak Heritage Land Trust of Homer, will speak at the Oct. 26 meeting of the newly formed Resurrection Bay Region of Kachemak Heritage Land Trust. The meeting will be at 7 p.m. at Resurrect Art Coffee House on Third Avenue and Church Street.

The land trust agreed in May to expand its service area to include Seward and the Kenai River.

A land trust protects specific scenic, wildlife, watershed, or recreation values of a property through a legal agreement with the landowner. This contract, called a conservation easement, applies to the land in perpetuity; that is, the protection travels with the deed to future owners. The land trust provides stewardship for the property by monitoring the provisions of the easement. The land owner's wishes to provide a legacy and protect a parcel from unwanted development are assured by the land trust.



Letters to the editor

Salmon eggs and mud don't mix

I feel a need to add to Brent Davis' much appreciated letter in the Oct. 5 issue of The Cordova Times.

Why have these ads been appearing in our paper this summer? Koncor and Chugach must feel the need to defend their clearcutting activities on Montague Island.

I wonder why? Could it be that their claim of "ensuring fish protection by properly maintaining roads to prevent erosion and sedimentation and by placing buffer strips along all fish streams" is all talk?

Timber companies in the state of Alaska are required by law to leave 66-foot buffer zones along all anadromous fish streams on private property. Koncor does not do that, out of the goodness of their heart. If they care so much about fish protection, why did they petition the Department of Natural Resources for an exemption of the buffer zone on certain streams last year?

The main reason salmon runs are diminished in Washington,

Oregon and Idaho is the loss of fish habitat. With the loss of habitat and fish stocks, the U.S. Forest Service has realized that 300-500 foot buffer zones are the bare minimum to maintain healthy stock in anadromous streams in the Pacific Northwest.

In response to the "We Alaskans" feature of Oct. 1, the article admits that the 34 mile timber road on Montague needs to be constantly rebuilt and graded because of heavy rains and constant use. Sixteen times a day, 50 tons of spruce and hemlock are driven over that road. Do they not realize one reason clearcutting and fish don't mix is because of runoff mud and sediment entering the salmon streams and clogging the spawning habitat? Salmon eggs and mud don't mix!

I wonder why Mike Williams, a paid Chugach Alaska Corp. consultant, is promoting the return of fish traps in Alaska? It sounds like his agenda goes not support maintaining healthy fish stocks or commercial fishing.

I support logging and a sustainable yield. I do not support clearcutting on Montague Island.

James Mykland

Cordova Times
10/19/95

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James Mykland

Cordova Times
10/19/95

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Juneau Empire
10-18-95

Local firm gets contract to audit oil spill council

By MARK SABBATINI

THE JUNEAU EMPIRE

A Juneau accounting firm has been selected to audit expenditures from the \$900 million Exxon Valdez Oil Spill Trustee Council during the next seven years, officials said today.

The estimated \$70 million in allocations made annually by the council will be reviewed by the eight-accountant firm of Elgee, Rehfeld & Funk, said George Elgee, a partner in the firm. He said the job is one of the largest ever handled by the company, which also audits the city-borough's budget, estimated at \$130 million this year.

Recommendations from city and school district officials helped the firm beat out about 10 other national and state firms, Elgee said.

"The people we had worked with said we were so much better than the big firms," he said.

The audits are to ensure

transaction records are accurate and expenditures are legal, not to critique the council's policy decisions.

Elgee said the work will be more challenging than many typical audits because the federal government, which uses different accounting methods among its agencies, is involved. The state uses the same method for all of its agencies.

"Once this first year is behind us, probably in the future it won't be as difficult," he said.

The audit needs to be completed by March, Elgee added.

"We're already starting the preliminaries," he said. "Probably we'll have a draft to the council in February."

The firm will be paid about \$48,600 a year for the audits, Elgee said. He said it was the second-lowest bid submitted, but the council's ranking system, gave a slight preference to local firms.

LOG Staff

Local businesswoman Margaret Branson has been named interim director of the Seward Chamber of Commerce. She agreed to stay up to March 31 or until a permanent director has been hired, said chamber president Mark Anderson.

Branson said her main task "is to get everything pulled together and in readiness for the new director."

The chamber is planning its budget for next year. "We need to have all our ducks in a line for the Fourth of July and the Silver Salmon Derby, which are our main events."

Branson, who holds an anthropology degree from the University of Denver, has owned Resurrection Bay Gallery since 1993.

She has had a varied career, including serving on the city planning commission from 1984 to 1989, in the state Legislature from 1979 to 1981 and on the borough Assembly from 1977 to 1978.

Branson published Seward Magazine in the late 1980s, adjudicated unemployment insurance claims for the state Labor Department in the mid-'80s, and was chairwoman of a capital site planning commission early in the same decade. Branson was also a longtime columnist for The Seward Phoenix LOG.

Get ready to vote

Voters aren't off the hook yet. There's still one three-year seat to be filled on the district school board. A runoff for Seat G between Joyce Fischer of Kasilof and Catherine DeLacee of Soldotna is scheduled for Oct. 24.

That's because none of the six candidates got at least 40 percent of the vote. The borough-wide final results showed Fischer with 1,918 votes, or 36.42 percent. DeLacee trailed with 1,382 votes, or 26.24 percent.

Concerned citizens can vote in Seward at city hall, in Moose Pass at the community hall, and in Bear Creek at the fire hall. All are open from 7 a.m. - 8 p.m.

Meanwhile, Deborah Germano of Homer was declared winner of Seat F in a squeaker. She beat incumbent Mike Tauriainen of

News briefs

Soldotna by 17 votes out of 5,520 that were cast borough-wide. Germano won in Seward, Homer and Fritz Creek. Tauriainen didn't ask for a recount, the borough clerk's office said.

Council likes Garzini's work

The City Council gave City Manager Ron Garzini a good evaluation recently, saying he is knowledgeable and experienced.

Each council member ranked Garzini on a scale of one to five in 28 categories, and some members offered brief written comments. Although the evaluation took place in a private session, the results are public information.

Overall, Councilman Jerry King gave Garzini the highest rating, at 4.5; followed by Darrell Deeter, 4.4; Pat O'Brien, 4.3; Mayor Dave Crane, 4.2; Hugh Darling, 4.1; Bruce Sieminski, 4.0; and Margaret Anderson, 3.0.

Garzini scored highest for taking the initiative to establish new programs and being effective in planning. His scores in all of the categories were between 3.9 and 4.6.

Deeter said in his comments that he loves the new strategic plan unveiled earlier this year. "I am impressed with Ron's ability to get people with diverging views to agree to a common good/goal. I am also pleased with his ability to communicate without being condescending. A very definite improvement over the last manager."

Garzini's overall score was 4.1. Last March, the council gave then City Manager Tyler Jones a score of 3.66.

Committee agrees to release funds to SeaLife Center

The state Legislative Budget and Audit Committee agreed last week to release \$25 million in Exxon Valdez oil spill funds to the Alaska SeaLife Center, as soon as the center gets all its financing in place and a state development authority says

the whole center is financially viable.

The committee has power over the funds, which were granted by the joint federal and state Exxon Valdez Oil Spill Trustee Council, because they pass through the state Department and Fish and Game to the city of Seward.

The funds will help build the SeaLife Center, which the city owns. The center's developers, the Seward Association for the Advancement of Marine Science, still need \$12 million in private funds to build the whole research and visitor center at one time. SAAMS hopes to borrow the money and pay it back from donations solicited over the next few years, and, if need be, from the center's revenues.

The committee's action tells banks and the Alaska Industrial Development and Export Authority that the \$25 million is available if bridge financing is in place, said project executive Leif Selkregg.

The project expects to see proposals from banks by the end of next week, he said. AIDEA is due to complete its financial review in about a month. If all goes well, the project could go out for bids for the main construction work by mid-December, Selkregg said.

"If we can be encouraged that the financial package will not be a burden on the state, that's what we need to hear," said committee chairman Rep. Terry Martin of Anchorage at last Thursday's teleconference meeting.

"I think without a doubt that money is going to be available," former Gov. Walter Hickel told the committee. "I find a lot of enthusiasm out there. We're still just getting started. We're only talking about 25 percent financing — it's doable."

Group recommends historic gateway

Seward should create a historic gateway transportation district near the downtown waterfront, a citizen group has recommended to the City Council.

It would include the Alaska SeaLife Center, the old steamship and ferry dock, the former railroad

See Briefs, page 19

The Seward Phoenix Log

10/19/95

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Anchorage Daily News Thursday, October 19, 1995

San Francisco seals digest toxins

SAN FRANCISCO — San Francisco Bay's harbor seals are eating a toxic seafood diet, which may have an adverse effect on their reproductive and immune systems and could presage a massive die-off of the species, a new study warns. The study by Moss Landing Marine Laboratories biologists, released Tuesday, disclosed that

the seals' blood contains extraordinarily high levels of PCBs as well as selenium and mercury. Its findings raise a concern that the Bay's seal population may be susceptible to a distemper epidemic similar to one that killed 20,000 seals in the North Sea in 1988, said Dianne Kopec, a co-author of the study.

Daily News wire service



U.S. Fish and Wildlife Service

Region 7 - Alaska

1011 East Tudor Road
Anchorage, Alaska 99503

News

(907) 786-3487 - TTY available

Connie M.J. Barclay

Land Added To Refuge System *U.S. Fish and Wildlife Service Receives Land Gift*

Close on the heels of the first National Wildlife Refuge week, Alaska wildlife received another gift when a private organization made a donation of land -- the first ever for a national wildlife refuge in Alaska -- for the bears and salmon of the Kodiak National Wildlife Refuge.

Today the U.S. Fish and Wildlife Service accepted the 318-acre piece of land which lies at the head of Uyak Bay on the west side of Kodiak island, from the Richard King Mellon Foundation and The Conservation Fund. Surrounded by the Kodiak National Wildlife Refuge, the property includes one half mile of ocean shoreline, a salmon stream and important bear habitat.

"The donation of this property within the Kodiak National Wildlife Refuge is a very generous act that will help protect important fish and wildlife habitat for future generations," said David Allen, the Fish and Wildlife Service's Regional Director for Alaska.

The Kodiak Refuge's 1.8 million acres provide homes to brown bear, bald eagles, tundra swans, five species of salmon, river otters, fox, Sitka black-tailed deer, waterfowl and nesting birds. Originally created to protect bears and their habitats, the Kodiak Refuge encompasses almost 2 million acres and provides homes for more than 2,500 bears.

The Richard King Mellon Foundation has acquired habitat and historic areas in more than 30 states for presentations as gifts to state and federal conservation agencies.

FWS

OPTIONAL FORM 99 (7-90)

FAX TRANSMITTAL

of pages ► 1

To	Molly McCammon	From	Glenn Ellison
Dept./Agency		Phone #	786-3545
Fax #	282-7100	Fax #	

Unprecedented land gift adds bear habitat to Kodiak refuge

By **STIVE R. NEHART**
Daily News reporter

In what has been called the first deal of its kind in Alaska, a private foundation bought a chunk of prime brown bear territory and gave it to the Kodiak National Wildlife Refuge.

The land, 31.8 acres at the head of Uyak Bay, includes a half-mile of shoreline, a salmon stream and eagle nests, according to the U.S. Fish and Wildlife Service. The parcel is surrounded by the 1.8-million-acre refuge and is considered important habitat for bears and other wildlife, agency spokesman Bruce Batten said.

The agency did not have the money to buy it. But The Conservation Fund, a private group acting for the Richard King Mellon Foundation, did.

"The Kodiak refuge has always had a special place in the hearts

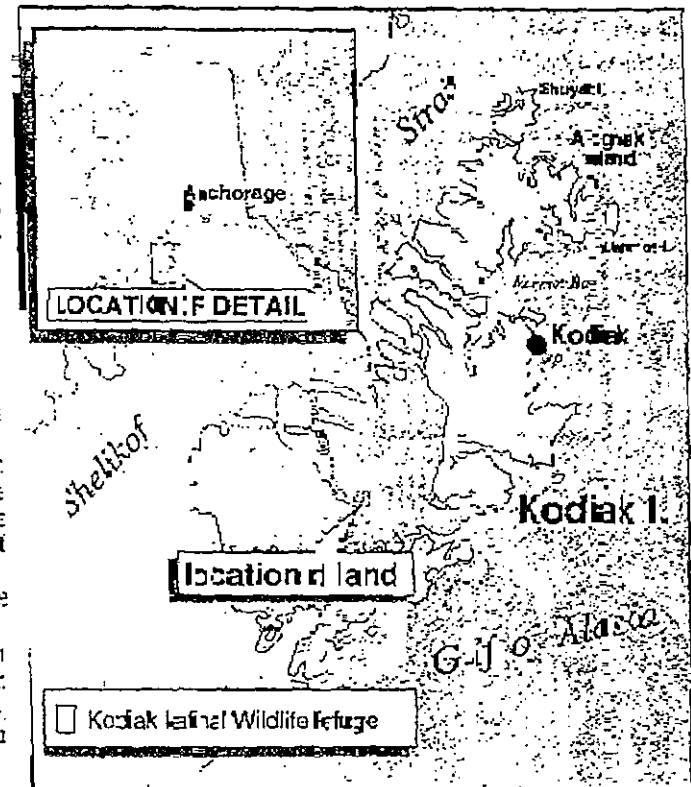
and minds of The Conservation Fund," said Brad Meiklejohn, head of the organization's Alaska office.

Because of its location, he said the land could have been commercially developed as a tourist lodge or other facility, to the detriment of wildlife.

"This is right in the heart of the refuge. It is at the head of the bay with mountains rising on each side, and with extensive tide flats," Meiklejohn said. "I have seen 17 bears on the property at one time."

The Fish and Wildlife Service accepted the parcel on Monday.

Batten said it was the first gift of its kind to a wildlife refuge in Alaska. In a written statement, refuge manager Jay Bellinger



Please see Page 3-3, LAND

RON B. SYMONI/Anchorage-Daily News

LAND: Gift to refuge is a first

Continued from Page B-1

called the offer "a tremendous gesture for the bears."

Meiklejohn said the fund negotiated the purchase with the four private individuals who owned it: Roy Ecklund, Harry Dodge and

Jeff Povelite, of Kodiak, and Tom Truitt of Colorado. He would not say how much the fund paid for the land. A real estate specialist with the federal agency said the parcel had been appraised at about \$504,000.

Working with various

partners, the Virginia-based fund has helped buy or preserve land in 41 states. This is the first time the fund has donated land in Alaska, Meiklejohn said. The fund has bought several smaller Kodiak parcels, he said, and plans to convert them to the refuge.



U.S. Fish and Wildlife Service

Region 7 - Alaska

1011 East Tudor Road
Anchorage, Alaska 99503

News

(907) 786-3487 - TTY available

Connie M.J. Barclay

October 16, 1995

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"The donation of this property within the Kodiak National Wildlife Refuge is a very generous act that will help protect fish and wildlife habitat for future generations," said David Allen, the Fish and Wildlife Service's Regional Director for Alaska. Jay Bellinger, Kodiak Refuge Manager said "This gift of the Uyak Bay land is a tremendous gesture for the bears."

The Richard King Mellon Foundation, based in Pittsburgh, Pennsylvania, has a long-standing commitment to conservation. Through its American Land Conservation Program the Foundation has acquired wildlife habitat and historic areas in more than 30 states as gifts to state and federal conservation agencies.

Acquisition of the Uyak Bay property continues The Conservation Fund's involvement in the protection of the Kodiak Refuge. Earlier this year Dr. Bob Putz, the Fund's Senior Scientist, was a negotiator for the US Fish and Wildlife Service and the Exxon Valdez Oil Spill Trustees in the purchase of 152,000 acres in fee and easement on Kodiak.

Since 1985, The Conservation Fund has helped its partners protect over 900,000 acres of wildlife habitat, open space, and historic sites in 41 states. Fund programs include American Greenways, the National Forum on Nonpoint Source Pollution, the Freshwater Institute, the Civil War Battlefield Campaign, and, with the Richard King Mellon Foundation, the American Land Conservation Program. The Conservation Fund established an office in Alaska in 1994; headquarters are in Arlington, Virginia.

The Kodiak Refuge's 1.8 million acres provide habitat for brown bear, Bald Eagles, Tundra Swans, five species of salmon, river otters, red fox, Sitka black-tailed deer, waterfowl, and nesting birds. Originally created to protect bears and their habitats, the Kodiak Refuge encompasses almost 2 million acres and supports more than 2,500 brown bears

FWS

For more information contact The Conservation Fund at (907) 694-9060

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THE NEW YORK TIMES THE ENVIRONMENT TUESDAY, OCTOBER 17, 1995

p. C4

Surprise Source Found for Tar Balls in Alaska Spill Area

By MALCOLM W. BROWNE

WHEN the Exxon Valdez ran aground on Bligh Reef in 1989, 11 million gallons of crude oil spewed into Prince William Sound in Alaska, causing the most destructive oil spill in history. But a comprehensive new Federal investigation has found that most of the tar balls still fouling the sound's shores and islands have nothing to do with the Exxon Valdez but were formed from oil imported from California.

The tar balls are found in relatively small numbers but are scattered nearly everywhere in Prince William Sound. The most likely explanation for those that did not come from the Exxon Valdez is that they are a legacy of the great earthquake of 1964, which leveled many Alaskan communities, said Dr. Keith A. Kvenvolden of the United States Geological Survey.

The port city of Valdez, on the northern shore of Prince William Sound, was hit by both the earthquake and a devastating tsunami, or tidal wave, that quickly followed. Together they destroyed the town's buildings and smashed storage tanks holding marine fuel oil and paving asphalt. Dr. Kvenvolden and his investigators believe that most of these stored petroleum products were swept into the sound by the retreating tsunami water, and the remainder continued to leak into the sound for at least four years.

At the time of the earthquake, before the discovery of the state's North Slope oil field in 1968, Alaska had no nearby source of oil, and until 1970, it imported most petroleum products, including paving asphalt, fuel oil and gasoline, by ship from California.

Dr. Kvenvolden and his colleagues at the Geological Survey report in

the current issue of Environmental Science and Technology that of the tar balls they sampled randomly from shorelines throughout the northern and western parts of the sound from 1990 to 1994, 28 tar balls were unmistakably residues of the Exxon Valdez disaster, while 61 were residues of petroleum products that originated from the Wilmington oil field near Los Angeles.

The Geological Survey team applied several advanced methods to reveal the "fingerprints" of tar ball samples for matching with known sources of oil. One technique used a mass spectrometer to analyze the relative abundances of an isotope of carbon, carbon-13. Oil from different geological sources contains distinguishing quantities of this isotope.

The scientists also conducted chemical analyses, using chromatographic techniques that separate components of dissolved samples as they pass through tubes packed with adsorbent material. Because of chemical differences in the organisms that were geologically converted into oil millions of years ago, different oil reservoirs retain distinctive chemical biomarkers.

Based on these tests, Dr. Kvenvolden said there was no doubt that most of the tar balls remaining along the Prince William Sound's northern and western shores came from California oil.

"This creates a mystery," he said. "We know from a lot of evidence that the petroleum spills caused by the 1964 earthquake could have been no more than about one-tenth the volume spilled by the Exxon Valdez. Why do we see so many more tar balls from the earlier disaster? We don't know."

The tar balls pose no significant environmental hazard and are not numerous enough to constitute an eyesore, Dr. Kvenvolden said, "but our investigation demonstrates that the degradation products of oil spills

certainly have long residence times, in this case, some 30 years."

It may be, he said, that the comparatively light crude oil from the Exxon Valdez was degraded more rapidly by natural processes than was the heavy ship bunker oil and asphalt spilled by the earthquake, but that is only surmise. Clearly, the older tar balls are more resistant to degradation than the later tar balls from the grounded tanker. Much of the latter's spill has degraded to a harmless black powder that is rapidly disappearing.

Two years ago, Dr. Kvenvolden's group issued a preliminary report based on 10 tar balls identified as having California oil antecedent.

"A lot of Alaskans didn't want to hear what we had to say," he said, "because they were legal claimants against Exxon." In 1994 a Federal jury ordered Exxon to pay \$5 billion to 14,000 claimants, and the company had already paid nearly \$4 billion in costs and claims resulting from the spill.

The preliminary report on tar balls, which Dr. Kvenvolden's group prepared in 1993, was used as evidence, he said, but it apparently did not effect the outcome of trial.

"We started this project to trace the fate of the oil spilled by the Exxon Valdez," Dr. Kvenvolden said, "but then we discovered that tar balls from California were much easier to find than North Slope tar balls along the Prince William shoreline. This may have profound implications that are much more interesting in the long run than the Valdez spill itself."

TO: BOBS.
FR: ERIC M.

10-16-95

Peninsula Clarion

...THE MOST EXCITING... WE HAVE HAPPY FAMILIES...

More digging called for at Alaska SeaLife Center site

SEWARD (AP) — The archaeologist working at the construction site of the Alaska SeaLife Center in Seward has proposed more digging that could cost nearly \$49,000.

Archaeologist Mike Yarborough says he wants to dig more test pits near what he believes is a late 19th century Seward homesite.

The U.S. Interior Department required the archaeological monitoring as part of the environmental impact assessment of

the SeaLife Center project. Archaeologists with the state Historic Preservation Office and the Interior Department have agreed with Yarborough's recommendations and passed them on to a federal advisory panel.

Maureen Sims, a spokeswoman for the SeaLife project says it's not clear who would pay for the additional archaeological work that Yarborough has recommended. Earlier this year, Yarborough's digging uncovered bottles, ceramics and bones at the site.

■ **SPECIES ACT:** Critics blast Clinton's proposed exemption / B-5

■ **DISPATCH:** Rare sea worms found on beach / B-7

METRO

SUNDAY, October 15, 1995

ANCHORAGE DAILY NEWS

SECTION B

Rules would limit polluters' liability

By NATALIE PHILLIPS
Daily News reporter

If the Exxon Valdez oil tanker ran aground in Prince William Sound under new proposed federal regulations, there wouldn't be a \$1 billion settlement. Instead, a formula would be used to calculate the damage, and the final figure would be something like \$150 million to \$250 million, according to state officials.

"It is still a lot of money, but it doesn't take into account the losses of public resources that can't be fixed," said Ernie Piper, damage assessment and restoration program manager for the state Department of Environmental Conservation.

Basically, the new regulations, written by the National Oceanic and Atmospheric Administration, would allow the govern-

ment to collect money for resources that are damaged and can be fixed. For example, if a wetland area is damaged and it can be repaired or a new one constructed nearby, the polluter would have to pay for that. But because there is no way to replace killer whales, there would be no charge.

The new regulations are also written in a way that the polluter might end up

helping determine what damage was done and what measures should be taken to restore the damage.

"They (NOAA officials) really totally rewrote the book here, and they came back with whole new regulations," said Craig Tillery, an assistant state attorney general. "And there is such a short public comment period. It is a little bit unfair to the public."

The oil industry also has

reservations about the proposed regulations, but for different reasons.

"Their stated focus on restoration is a welcome improvement," said Phil Cooney, a senior attorney with the American Petroleum Institute. "We think the agency's stated emphasis on restoration rather than the pure extraction of monetary damages is a more appropriate focus, it

is the focus the industry has."

But when "you read the fine print," government officials are left to determine what damage can be fixed and at what price, Cooney said. "These regulations are very generalized and continue to rely too heavily on (government) discretion to resolve scientific questions."

Please see Page B-2, RULES

RULES: Proposed plan would limit polluter liability to damages that can be fixed

Continued from Page B-1

Following the 1989 Exxon Valdez oil spill, Congress adopted the 1990 Oil Pollution Act, which requires NOAA to write regulations for assessing damage done to natural resources in the case of an oil spill. In early 1994, NOAA released its first draft of proposed regulations, but the comments the agency received lead lawyers to completely rework the proposed regulations. The latest version of the regulations was released in August. Public comment was accepted by NOAA through Oct. 2.

The public comment period was short because the Natural Resources Defense Council sued the federal government for dragging its feet in issuing the new regulations. In an out-of-court agreement, the government agreed to have regulations adopted by the end of the year.

The public comments will be taken into consideration when the final regulations are written and published by Dec. 31, according to Linda Burlington, who is working on the NOAA project.



During the short public comment period, NOAA received 61 comments, including a 100-page letter from the API. The state of Alaska wrote an eight-page letter that said if the regulations were in effect during the 1989 Exxon Valdez oil spill, the state and federal governments and Exxon would most likely "still be enmeshed in the cumbersome process spelled out in the regulations, instead of accomplishing the restoration."

And a handful of citizens who serve as a watchdog of the Exxon Valdez Oil Spill Trustee Council, which oversees the spending of the \$1 billion settlement, wrote a letter saying they found "significant problems" with the proposed regulations.

Specifically, the members of the citizen group that oppose the new regu-

lations pointed out that the law requires a restoration plan to be written immediately following an incident.

"The rule assumes that the restoration effort can quickly be put together as a series of well-defined projects," wrote Vern McCorkle, chairman of the Trustee Council public advisory group. "In our experience, future years' restoration needs are dependent on previous years' results.

Thus, requiring a detailed, project-based restoration plan to forecast all required restoration projects is not realistic."

Clearly, proponents and opponents of the proposed regulations read them differently. API contends that the regulations are written to address only actual damages and that they don't limit the state and federal government from filing criminal and civil lawsuits to collect other types of

damages, including the loss of "passive uses" such as sea kayaking.

"That is fine to say that now, but I can guarantee you that there will be a battery of lawyers saying (these regulations) were your exclusive remedy," Tillery said.

A senior attorney with the NRDC, Sarah Chasis, said, "Our concern is the public is losing out and the polluter is winning ... The shift seems to be fa-

voring the polluter over the public and that is very troubling."

In 1991, the state and federal governments settled criminal and civil legal actions against Exxon in an out-of-court agreement worth \$1 billion. The company still faced lawsuits from commercial fishermen and other users of the Sound, and a jury last year ordered Exxon to pay them \$5.3 billion in damages.

Anchorage Daily News

October 15, 1995

THE SEWARD PHOENIX LOG

Seward, Alaska

Volume 30 Number 5

Thursday, October 12, 1995

75 cents

Oil Spill
645 'G' ST
ANCHOR,



SeaLife caught between burnt rocks, hard heads

By Eric Fry
LOG Staff

The archaeologist working at the Alaska SeaLife Center construction site has proposed more digging that could cost nearly \$49,000, including half of that for his fees.

Mike Yarborough — who is employed by the SeaLife Center under an agreement with the U.S. Department of the Interior — wants four more test pits near what he believes is the late-19th century Lowell family homesite near the intersection of Third and Railway avenues.

When Yarborough dug there earlier this year, he found planks, decayed bones, bottle glass, ceramics, brick fragments and rusted metal in the upper layer. Beneath that he found a lot of sea mammal and bird bones, wood chips, a brick fragment, a small piece of what may be solidified tar, and three possible whetstones. Charcoal and ash was under that.

So far, that test pit is the only site that has been declared significant enough to be eligible for the National Register of Historic Places.

But Yarborough also has proposed digging as many as eight test holes where the SeaLife Center's building will be, and up to six test holes beside Lowell Point Road, where the freshwater line will run to the center.

Discussions about the location of the 18th century Russian shipyard have prompted a further look at the whole area, project spokeswoman Maureen Sims told the city Planning and Zoning Commission last week. Government agencies now want a more controlled look at the area, she said.

Archaeologists for the state Historic Preservation Office and the Interior Department agreed with Yarborough's recommendations and passed them on to a federal advisory council.

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Page 16

The Seward Phoenix LOG

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SeaLife ...

From page 1

The Interior Department is the lead agency for the SeaLife Center's environmental impact statement, which requires archaeological monitoring of any excavation. Gary Somers, a National Park Service archaeologist who represents the Interior Department on the project, said he never visited the site.

"That's fairly common to have the archaeologist most familiar with the on-the-ground work make the recommendation," Somers said.

Yarborough's opinions were well documented, said state archaeologist Tim Smith, who has seen the site. "They looked at his reasons and agreed with them."

One of Yarborough's recommendations, in fact, would save the SeaLife Center about \$250,000, but the city planning commission doesn't seem likely to go along with it.

As part of the SeaLife Center's conditional use permit, the planning commission required it to place electric lines underground. The SeaLife Center estimated that the excavation would cost \$250,000. The lines along Railway Avenue are now above ground, on poles, just like the rest of downtown.

The SeaLife Center is the only project that has been required to put electric lines underground as part of its conditional use permit, as best as city officials can remember.

Yarborough said the best way to

preserve artifacts is to leave them undisturbed. "...I strongly recommend that the utilidor not be constructed," he wrote in the plan.

Of all the work planned for the second phase of construction, putting electric lines underground would have the greatest impact on the Lowell homesite, he said.

At last week's planning commission meeting, some commissioners went ballistic about the archaeological work and said they wouldn't give in on burying the electric lines.

"It seems like we've got the tail wagging the dog here," commission chairman Blaine Bardarson said. "The find that we said is significant is so insignificant it's a joke. I mean, we're talking about a dead dog, a Worcestershire bottle, some soup bones — and we're shutting down a \$50 million project."

"And now we can't even dig underground — the federal government is standing in the way? This is a bureaucratic nightmare."

Commissioner Anne Castellina said the electric lines still can be put underground, but it would mean "an incredible amount of expense and delay" for the center.

Developers of the SeaLife Center will meet with city officials to look for a way to put the electric lines underground in trenches previously disturbed by the city, said project spokeswoman Maureen Sims. That may eliminate the need for archaeological work.

Sims said it's uncertain who will pay for the archaeological work that Yarborough has recommended.

Stuart Phoenix Log
10-12-95

City Council OKs SeaLife bonds

Authorizes sale of 2 Oceanview Subdivision parcels

LOG Staff

The City Council approved a resolution Monday to sell up to \$15 million in bonds to help the Alaska SeaLife Center build the visitor portion of the marine research facility.

The bonds are nonrecourse, a type of financing the city used to construct Spring Creek Correctional Center. "We do not pledge the assets of the taxpayers to repay the borrowing," City Manager Ron Garzini told the council.

The city is lending its tax-exempt status to the bond issue. That means that bondholders won't have to pay taxes on the interest they earn, and the SeaLife Center should get low interest rates. "We'll save the SeaLife Center millions of dollars," Garzini said.

The resolution lets the project go out and try to put together a financial arrangement, which will come back to the council for approval, Garzini said.

The council also authorized the sale of two parcels of land in the Oceanview Subdivision, near the harbor.

One parcel is a 6,600-square-foot cleared lot at the corner of Fourth Avenue and Van Buren Street, zoned auto-commercial. It now has a radio tower on it, with its anchor. The city has recently appraised it at about \$36,000.

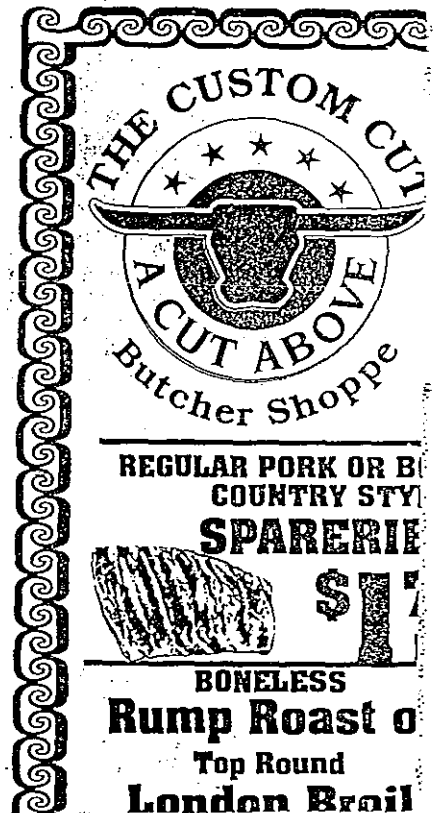
The other parcel is a 2,295-square-foot lot straddling the "fish ditch" on the east side of Third Avenue, also zoned auto-commercial. It has not been appraised, but the Kenai Peninsula Borough assessed the value at \$14,400 this year.

The city hopes to sell the lots by sealed bids in November, reserving the right to reject any or all bids.

The council also increased the legal budget for fiscal year 1996 to cover fees from James Krasnansky's Open Meetings Act lawsuit. The final costs, which are reflected over two fiscal years, are

\$19,642 in attorney fees and \$12,700 for the out-of-court settlement — a total of \$32,342.

The new council will be seated at the Oct. 23 meeting.



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Fisheries board to discuss Cook Inlet at Homer meeting in November

THE ALASKA BOARD OF FISHERIES meets Nov. 4 at Land's End Resort in Homer to consider regulatory proposals concerning lower Cook Inlet salmon and all Cook Inlet herring, groundfish, king crab and Tanner crab. Among proposals on the agenda are to:

- Establish a bait-herring fishery on the Gulf of Alaska coast of the Kenai Peninsula;
- Limit the length of lower Inlet herring seines to 100 fathoms;
- Extend salmon fishing offshore to the limits of state jurisdiction by the Barren Islands and on the Peninsula's Gulf coast, allowing fishermen to work the capes and Alaska's three-mile territorial seas;
- Direct state biologists to manage Lower Inlet seine fisheries from June 25 through about July 5 "as a mixed-stock fishery directed on sockeye returning to both Lower and Upper Cook Inlet systems;"
- Restrict or end the use of pots and bottom trawls in Cook Inlet and the northern Gulf to protect king, Dungeness and Tanner crab and also newly developing fisheries for sea urchins and sea cucumbers;
- Direct the state to petition the federal North Pacific Fishery Management Council for authority to manage federal waters of Cook Inlet, with the intent of allowing the state to restrict bottom trawling;
- Set a limit of 75 pots per fisherman for Lower Inlet Tanner crab fisheries outside Kachemak Bay;
- Close Kachemak Bay to commercial king and Tanner crab fishing to benefit recreational crab fishermen;
- Eliminate recreational pot fisheries for king and Tanner crab from Cook Inlet to eliminate the mortality of crabs in lost and delinquent pots. Recreational fishermen would be restricted to the use of ring nets.

POLLOCK FISHING on the Gulf of Alaska was extremely good during a three-day opening last week, the Kodiak Daily Mirror reports. But some Kodiak fishermen complained that an invasion of big boats from the Bering Sea scooped in huge hauls of fish.

Boats with capacities of up to 200,000 pounds reported catching full loads in as little as 20 minutes. Some boats were able to catch two or three loads in the three-day opening.

Al Burch, executive director of the Alaska Dragger Association, said he thinks draggers may have taken as much as three times the quotas — 3,000 metric tons for the central Gulf and 3,500 metric tons for the eastern Gulf.

Burch said one fisherman counted 47 boats in the Barnabas area off eastern Kodiak Island.

"Some of the super trawlers can hold a million pounds," he said. "One of them reported he was full three hours after the season opened."

The super trawlers were expected to deliver to plants in Sand Point and Akutan. A spokesman for the National Marine Fisheries Service said catch totals wouldn't be available for a week.

WALLEYE POLLOCK are the main predators on young pink salmon in Prince William Sound, the Cordova Times reports. The fewer zooplankton there are when young salmon migrate from their natal streams to sea, the more salmon the pollock are likely to eat, according to researchers Mark Willette of the Alaska Department of Fish and Game and Ted Cooney of the University of

Alaska Fairbanks.

Survival of young pink salmon appears related to their growth rate and to the timing of the bloom of large zooplankton. The faster the young fish reach 60 millimeters in length and move offshore, the less likely they are to be eaten by adult pollock, salmon and herring.

IFQs RECEIVED MIXED REVIEWS at the recent meeting of the North Pacific Fishery Management Council in Seattle, the Nome Nugget reports.

The National Marine Fisheries Service reported to the council that bycatch mortality has not declined under IFQs, despite predictions that more careful fishing with the end of so-called derbies for halibut and blackcod would result in better care of and lower mortality of discarded fish.

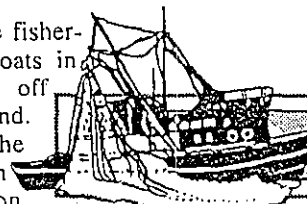
Council member Clem Tillion of Halibut Cove proposed changing regulations that allow fishermen to land up to 10 percent more than

their IFQ allocations without penalty.

The 10-percent rule was meant to allow fishermen to fill their quotas without fear of going over, recognizing that it's impossible to tell exactly how many pounds the final trip will produce.

But Tillion said the rule encourages fishermen to land 110 percent of their quotas. He said it should be changed to prevent fishermen from being paid for any landings beyond their quotas.

The U.S. Coast Guard told the council that IFQs have brought a decline in safety violations and rescue calls, because boats can now wait out rough weather without fear of losing their quota shares.



SEAWATCH

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FREE WEEKENDS

Local oyster nursery should boost new mariculture industry

by Doug Loshbaugh

Staff Writer

Homer-area shellfish farmers have taken the first steps toward building a new oyster nursery on Kachemak Bay that should help the fledgling industry develop.

The nursery is part of a plan to locate all components of oyster production in Alaska, said Mark Bradley of Kenai, project coordinator for the Kachemak Shellfish Mariculture Association.

Oysters don't reproduce in Alaska waters and growers must import young oysters from the Pacific Northwest. To prevent introduction of disease, state regulations prohibit importing oysters larger than 20 millimeters wide — smaller than farmers would like. Larger spat, as the juvenile oysters are called, are hardier and require less tending.

To solve the importation problem, the Alaska Legislature has approved money to build an oyster hatchery in Seward. But once oysters reach 1 to 3 millimeters, they don't grow well in hatcheries, Bradley said. Alaska needed an intermediate step — a nursery to grow oysters to 30 or 40 millimeters wide.

In 1993, the association tested a pilot nursery near Jakolof Bay. It speeded growth by increasing circulation of water and planktonic food through the oyster pens. But it held only 30,000 oysters, not enough to supply local farms.

Bradley said the next step is to build a production model. The mariculture association proposes a 400-square-foot floating facility with a 5-foot-diameter paddlewheel to speed the flow of seawater and plankton. An overhead gantry would help workers handle the oyster pens. The facility would

grow about 2 million oysters at a time.

The Alaska Department of Fish and Game has granted the project \$100,000 from the state's criminal settlement following the 1989 Exxon Valdez oil spill.

Now the association is choosing a site. Bradley said it must be close to electrical power, easy to reach, sheltered from storms and ice free in winter. It must also be free of pollutants that would ruin the oysters. The association is considering the state-owned harbors at Seldovia, Jakolof Bay and Ishmailof Island in Halibut Cove.

In late August, they set up net pens at each of the three harbors. With help from Unocal, the Alaska Department of Environmental Conservation and the University of Alaska Anchorage Marine Advisory Program, the association will compare the growth rates of oysters at the three sites and monitor concentrations of

planktonic food, pollutants such as hydrocarbons, heavy metals and fecal coliform bacteria. The test nets come out Oct. 31. The association hopes to pick a site by December.

Bradley said he hopes to publicize the project and hear public concerns before hearings on a state permit for the nursery. "What we want is to let as many people as possible know what we're doing, and find out what people think," Bradley said.

Obtaining a permit could take up to nine months. Bradley said the nursery could be operating by fall 1996 or spring 1997. The present moratorium on new shellfish farms on Kachemak Bay, which expires Dec. 31 (*see related story this page*), contains an exemption that would allow the nursery, Bradley said.

Oysters galore all day tomorrow

Homer residents can try what some consider the best oysters in the world at the first Kachemak Bay Oyster Fest tomorrow.

The local celebration is held in conjunction with the Alaska Oyster Festival running all month in Anchorage.

On tap tomorrow are: luncheon and dinner all day at Cafe Cups, featuring Kachemak Bay oysters; a demonstration of a power oyster shucker from 4 p.m. to 5 p.m. at Coal Point Trading Company; a demonstration of old-fashioned shucking from 5 p.m. to 6 p.m. at Eagle Quality Center; complimentary oysters on the half-shell from 6 p.m. to 9 p.m. at Land's End Resort; and an oyster dinner to benefit Hospice of Homer from 6 p.m. to 11 p.m. at The Homestead.

What's an oyster on the half-shell feel like as it slides down your gullet? "I'm not getting into this," said Mark Donohue, manager of the Kachemak Bay Shellfish Growers Cooperative. "I could get into trouble."

Kachemak Bay farm moratorium up for discussion

A moratorium on new shellfish farms for Kachemak Bay is slated to end Dec. 31. But a public survey intended to help biologists decide whether to extend the moratorium or allow more farms has drawn only about 25 comments. The deadline is Oct. 15.

The Alaska Department of Fish and Game seeks information on how the shellfish farms affect fish, wildlife and public uses of Kachemak Bay.

"We're getting everything from 'They're good for the economy,' to 'We don't want them in our back yard,'" said Don McKay, the biologist in charge of permitting for Southcentral Alaska.

Shellfish farms have caused some controversy since the early 1990s when the state received a flood of farm applications for previously unoccupied parts of

Kachemak Bay. Salmon seiners objected to proposed farms in Peterson Bay that interfered with their operations, and setnetters complained about farms in Kasitsna Bay. Tourism operators have complained that fields of mariculture buoys are an eyesore. Boaters objected that farms proposed near the Herring Islands were a navigation hazard.

Mariculturists say shellfish farms create jobs, and argue that shellfish farmers become strong water-quality advocates to protect their farms. They say they just want to earn a living.

Wes Bucher, a biologist with the Alaska Department of Fish and Game in Homer, has suggested a board to allocate Alaska's coast between oyster farmers, commercial fishermen and others, though McKay said he had not heard anything

about the idea.

In recommending whether new farms should be allowed, McKay will consider the survey, a tour of existing farms and comments of state biologists. He'd like to conduct a detailed study of how existing farms have affected fish, wildlife and public uses of the bay, he said. But he doesn't have the budget for that.

"What we're doing is a quick, subjective analysis," he said.

Depending on Fish and Game's decision, the Department of Natural Resources could take applications for new Kachemak Bay farms this spring.

Send comments to Don McKay, Habitat and Restoration Division, Alaska Department of Fish and Game, 333 Raspberry Road, Anchorage, AK 99518-1599.



SEA program intrigues scientific community

By Jodi Seitz

Special to The Times

Scientists working on the Sound Ecosystem Assessment program presented preliminary results to their peers at a meeting held Sept. 19-22 in Fairbanks.

SEA is a multi-year, \$4.6 million program funded by the Exxon Valdez Oil Spill Trustee Council to study natural processes affecting pink salmon and herring production in Prince William Sound.

At the annual meeting of the Alaska chapter of the American Association for the Advancement of Science, SEA researchers demonstrated the focus and cooperation which is contributing to their achievements in Prince William Sound. The Alaska Department of Fish and Game's Resource Program Manager, Joe Sullivan, was impressed with the presentations delivered in Fairbanks.

"(SEA) is a research program now — not a lot of separate projects.

People seem to know where they want to go," Sullivan said.

The SEA program is designed to understand the dynamics of the food chain in the Sound — from production of plankton, the tiniest animals and plants at the bottom of the chain, to the fishes which feed on plankton and the predators, such as walleye pollock, feeding on plankton and young fish.

Some of the highlights researchers reported from the first year's work are: SEA researchers Mark Willette, of the Fish and Game and Dr. Ted Cooney, of the University of Alaska Fairbanks have evidence that when zooplankton abundance declines or is low, pollock eat more young pink salmon and other age-0 fish. In the last two years, walleye pollock appeared to be the main predator on young pink salmon during May. Survival of young pink salmon appears to be related to their growth rate and to the timing of the bloom of large zooplankton. The faster the young fish reach 60 mil-

limeters and move offshore, the less likely they are to be eaten by adult pollock, salmon and herring.

Drs. David Eslinger and Peter McRoy, both of UAF, found the early bloom of some types of plant plankton may be a signal for some large zooplankton species, such as calanoid copepods, to rise from the deep waters of the sound in the spring. Once at the surface, these copepods feed on various kinds of plant plankton which bloom later. The largest peak of zooplankton density usually occurs in mid-May.

Some copepods live in the open ocean and others inhabit areas closer to the coast. By studying the amount and kinds of zooplankton in the Sound, researchers will learn more about circulation patterns that drive production of salmon, herring and other marine species.

As part of the 1995 herring studies, UAF researchers Evelyn Brown and Dr. Brenda Norcross investigated

See SEA, page 11

SEA...

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juvenile herring distribution in the Sound over the year. During 1995, herring were found in near-shore and offshore areas, but in summer they concentrated along the shore. Juvenile herring especially favored the southwestern part of the Sound and bays along the outer Kenai Fjords, but were also found to a lesser extent in bays in the east, north and western Sound.

Dr. David Salmon and the physical oceanography group of the Prince William Sound Science Center identified several current features in the Sound. The science center's Shelton Gay reported on freshwater bays. Unlike the eastern side of the Sound, the western side has many tidewater glaciers which drain into bays.

Those which have a buildup of sediment at their mouths, or sills, have different current, salinity and

temperature profiles than those that don't. Sills restrict the flow of deeper, more saline water of the passages from entering freshwater bays.

What does this mean for fish or plankton? The presence of sills could affect the amount of zooplankton that is washed into a particular bay or the length of time fish larvae remain in habitats which promote their survival. So, certain bays may be better rearing or nursery habitat for herring and pink salmon than others.

Acoustic studies by the science center's Dr. Gary Thomas found different types of fish and currents in near-shore and offshore areas. In the near-shore areas, turbulence breaks down layers observed in the offshore areas. In general, more plankton and pollock along with an occasional school of herring, were found offshore than in areas near shore.

The whole picture is being put together by the data management team under the direction of Dr. Vince Patrick, also of the Prince William Sound Science Center. Using the data

SEA gathered, scientists are creating models of the ecosystem. The models will help researchers and managers understand and predict pink salmon and herring production in the Sound.

Following the AAAS meeting, the SEA researchers met to plan the continuing studies.

"I thought the conference and the meetings we held afterwards were very beneficial. This was the first time (SEA researchers) have had a chance to get together to discuss research since last January," said SEA Chief Scientist, Dr. R. Ted Cooney. "Participation in Alaska, national and international professional meetings places SEA results in the court of open science debate, a process fundamental to the successful application of the scientific method.

Without peer review, the quality and application of results could be seriously compromised and limited in value."

Jodi Seitz is a writer for the SEA project and the Prince William Sound Science Center.

Cardover Times Oct 5, 1995

response and protection strategies for a hatchery in Kodiak, and the Copper River Delta and Flats, respectively.

As of early September, state officials were developing proposals in an effort to address the Kodiak and Cordova concerns.

The Kodiak Island Borough wants the tanker contingency plans to include a protection plan for Kitoi Bay Hatchery on Afognak Island. The proposed decision by ADEC recognizes the economic value of the Kitoi hatchery but does not require the southbound shippers to include a hatchery protection plan in their contingency

subsequently concluded that any oil affecting the Copper River Delta would originate outside state waters, and thus fall outside ADEC's jurisdiction. The City of Cordova says that conclusion is incorrect, because it assumes the currents are always of a westerly set, which would carry spilled oil away from the Copper River Flats. The City of Cordova countered that the currents can switch to a strong easterly set, which would carry oil onto the flats.

"The need to protect the Copper River Delta and Flats cannot be stressed enough," Cordova Mayor Margy Johnson wrote in the City's

tremendous importance to a vast number of Alaskans, including commercial fishermen, subsistence users, sportsmen, bird watchers, recreational users, and marine mammal viewers. It is unlike any other area and hosts the largest migratory shorebird and waterfowl wetlands in the Northern Hemisphere."

The appeal process could result in up to two or three months' delay in final approval of the tanker contingency plans. Once the plans are formally approved, they will be in effect for three years.

ADEC proposes to grant conditional approval to the 21 tanker contingency plans. Among the conditions is a directive that the shippers improve the performance of escorts that accompany large tankers (more than 190,000 DWT) through Valdez Narrows during the winter months. The ADEC would not order the shippers to use a tractor tug, but that is one of the options that would fulfill the requirement (See story, page 1).

Other proposed conditions of approval include:

- Immediate notification of any changes in shippers' contractual relationships with response contractors hired to conduct spill response on the shippers' behalf.

- More information to demonstrate various aspects of nearshore response, which uses small task forces to corral and recover spilled oil before it hits shore.

- More information on availability of air cargo transportation during peak holiday seasons, and evaluation of water cargo transportation into Kodiak and Cordova.

- Shippers must state by Nov. 30, 1995, when they will finish identifying sensitive areas and areas of public concerns for the Prince William Sound, Kodiak and the Kenai Peninsula areas.

- Shippers must identify primary recreational use areas within Prince William Sound, and develop provisions in the contingency plan to minimize intrusion on remote recreational users.

- Shippers must submit by Sept. 29,

Verdict still out on presence of spilled oil deep in Sound

Samples of deep sediments were taken in July near Knight Island to determine whether oil spilled from the *Exxon Valdez* sank and accumulated on the sea bottom. There was no visual evidence of oil in the sediment samples. Laboratory analysis is needed to determine whether oil from the 1989 spill is present at the sites sampled. The lab results were expected to be available by late September.

RCAC commissioned the special sampling because of anecdotal reports by fishermen of oil in their nets. Curiosity was further piqued by information about the fate of oil spilled in the *Braer* incident of 1993.

In the case of the *Braer*, which dumped 20 million gallons of light crude off the Shetland Islands, data indicate that approximately 30 percent of the oil went to the bottom in a 30-mile radius. Episodes of high energy wind and wave action followed both the *Braer* and *Exxon Valdez* oil spills.

The sampling was conducted July 15-17, at six sites around Knight Island, which was heavily hit by the 1989 spill. The sediment samples, taken by gravity core, were about four inches wide and one-half meter to one meter long. They were taken from water depths of 175



Dawn Reeder and Paul Barter prepare to extrude a sediment core taken near Knight Island. Photo courtesy Kinetic Labs, Inc.

meters to 695 meters.

If oil is found in the sediment samples, laboratory analysis can determine whether the oil has the same "fingerprint" as the *Exxon Valdez* cargo.

Information about the fate and effects of oil spilled from the *Exxon Valdez* would be useful in the event of any future spills.

Soundings: An In-Depth Look

Coghill Lake restoration begins to show results

Historically, Coghill Lake in Port Wells in northwestern Prince William Sound has been an important producer of sockeye salmon, a mainstay of the summer commercial gillnet fishery, and a source of sport fish. In 1982 over one million sockeyes returned to Coghill Lake. However, since 1987, the sockeye returns to Coghill have steadily declined to less than 10,000 a year and escapement into the lake in four of the last five years. 1989 was the first year the entire Coghill District was open to commercial fishing.

This season brought an unexpected late opening in the northern end of the Coghill District, as large numbers of sockeyes entered the lake later than expected, meeting the escapement goal of 30,000 fish and allowing an opener July 31 and fish milling at the mouth of the river. Additional openers built the commercial catch to over 72,000 sockeyes by mid-August. Coded wire tag data indicated that the fish caught were predominately hatchery-reared reds remote released on site as smolts, while the fish crossing the weir into the lake were predominately wild sockeyes.

However, until this season's upturn, the decline in Coghill productivity has resulted not only in a loss of traditional fisheries inside

Port Wells, but also the imposition of strict management restrictions on fisheries in the Eshamy District, and on the gillnet fishery in early chums returning through the Esther Subdistrict to Noerenberg Hatchery. The restricted management is designed to reduce the interception of Coghill-bound sockeyes as they pass through adjacent fisheries.

Beginning in 1993, PWSAC joined ADF&G and the U.S. Forest Service in a five-year plan to increase the productivity of Coghill by fertilizing the lake, and by releasing hatchery-reared Coghill stock juvenile sockeyes. This project, now in its third season, is presently funded by the Exxon Valdez Oil Spill (VOS) Trustee Council, as an effort to replace losses of other fishery resources caused by the oil spill. Lake fertilization in 1993 and 1994 has resulted in increased availability for the sockeye in the lake, increased size of juvenile fish, and increasing numbers of smolts outmigrating from the lake in the spring.

A Trustee Council decision on continued EVOS funding for the Coghill Lake restoration project has been deferred until the results of the FY95 season are reviewed. The review is scheduled for November 29 in Anchorage, followed by a Trustee Council decision in mid-December.

What caused the decline of Coghill Lake?

In the 1994 report on the Coghill Lake Restoration Project, the ADF&G said that several hypotheses have been proposed as causes for the decline in sockeye production, chief among them a decrease in zooplankton, small marine organisms which serve as food for juvenile fishes.

"In particular, juvenile recruitment [fry hatched in the lake] from the 1980, 1981 and 1982 escapements (average 160,000), which were nearly three times the 30-year mean escapement, most likely reduced zooplankton densities which adversely affected the lake's rearing capacity," reported the authors.

ADF&G research biologist Mark Willette has also suggested that the oil spill might have hastened the decline because the juvenile salmon migrated through oiled habitats in western Prince William Sound. It has also been speculated that climatic effects may have contributed to reduced freshwater and/or marine survival, or that overharvest of the returning adult sockeyes has contributed to the decline.

The actual causes remain unknown, but limnological (freshwater) sampling has revealed that the lake is low in nutrients, and supports a limited stock of zooplankton, compared with other Alaskan lakes.

What is the restoration project design, and how well is it working?

The plan to restore Coghill sockeye is based on enriching the lake with nutrients, which in turn is expected to increase zooplankton abundance. In addition, the plan calls for gradually increasing fry recruitment by increasing escapement through management techniques and hatchery stocking.

Fertilizer is applied to the lake from the air once a week between the end of June and the third week of August. The liquid fertilizer contains nitrogen and phosphorus to correct the chemical makeup of the lake. In 1994, three times more fertilizer was applied than

in 1993, to treat a larger portion of the lake and further supplement the nutrient loading.

Regular testing of the lake continues throughout the fertilization period. In 1993 the phosphorus level increased by 13% and the biomass (population) of algae increased three-fold compared to pre-fertilization years. The zooplankton biomass more than doubled.

In 1994, ADF&G continued regular sampling of the lake water, algae and zooplankton, sockeye fry in the lake, and sockeye smolt emigrating from the lake. The lake water was again significantly higher in phosphorus, and the concentration of nitrogen was twice the pre-enrichment level. The concentration of algae, the food for zooplankton, was almost identical to that in 1993 — a 2.5-fold increase over pre-enrichment years.

The density of a particular species of zooplankton — *Bosmina* — showed an average 50-fold increase over the course of the 1994 season compared to 1993, and was the highest ever observed for Coghill Lake. The size of the *Bosmina* biomass increased 100-fold from 1993. *Bosmina* is typically the first zooplankton species to respond to artificial nutrient enrichment. Two other species of zooplankton have not increased in biomass compared to pre-enrichment.

The net effect of the program is that the juvenile fish appear to be eating, and surviving, better. In the fall of 1994, the fry were larger and in better condition than in 1993, with both length and weight increased. Smolt production has also increased: the total estimated outmigration of smolt in 1994 was 1,275 million, while the estimated number of smolt in 1993 was 289,611.

The 1994 smolt outmigration was the largest since the sampling began in 1989, and represents a 6-fold increase in estimated smolt abundance compared to 1993," according to the authors of the ADF&G report.

Preliminary ADF&G estimates from the 1995 smolt outmigration indicate that 1.5 million smolt emigrated from Coghill Lake this spring, according to a memo from Regional Limnologist Gary Kyle.

How can fisheries management contribute to the restoration of Coghill?

As Area Management Biologist Siim Morstad states, "ADF&G is mandated under statute to protect and maintain wild stocks, it's our number one mission."

This mission requires that fisheries management measures be

taken to preserve the Coghill Lake sockeye stock. In addition, the EVOS-funded restoration project includes and depends upon careful management: "Without a fishery management plan that reduces or eliminates interception rates of Coghill sockeye... restoration actions taken... may be insufficient." (EVOS Chief Scientists Review Memo, October, 1994)

Before this season, the minimum escapement goal of 25,000 sockeyes had been met only once in the last five years, in 1992. According to the Department, the targeted escapement goal is consistent with the escapement levels of 30,000 to 50,000 which have historically produced the highest return per spawner of nine to one, and the maximum sockeye yield of 270,000.

According to the Department's report, "achieving adequate escapement into the Coghill system has been problematic due to the possible interception of sockeye in the commercial gillnet fisheries in the Eshamy and Coghill Districts."

These fisheries target enhanced sockeye and chum salmon returning to Main Bay and Noerenberg Hatcheries, and have been heavily restricted in the 1994 and 1995 management plans to reduce the harvest of Coghill-bound sockeyes. This year, the gillnet fishery on Noerenberg chums in the Esther Subdistrict was reduced mid-season to 12-hour openers inside the bays, to maintain an escapement corridor for returning Coghill sockeyes. As mentioned above, large number of sockeyes did eventually return to the lake, and the commercial fishery was expanded, resulting in the best catch for many years.

What is the management outlook? Morstad believes it will improve: in 1997, sockeyes will be

returning from the 1992 escapement of 29,000 fish. This year, the returning sockeyes came from brood year 1990, when there was an escapement of 9,200 fish.

Can it get worse? "It can't get any worse than 12 hours in the Terminal Harvest Area," said Morstad, "except for no fishing at all. Fishermen seem to be recognizing the ongoing problem, and some are asking us to find a remote release site [for the hatchery chums]."

The Regional Planning Team, made up of Department and PWSAC representatives, currently recommend three principle remote release sites in Prince William Sound: Port Chalmers on Montague Island, Naked Island, and Nelson Bay. Potential sites are evaluated on the basis of, among other considerations, non-interference with wild stocks, appropriate freshwater source, and accessibility. Nelson Bay may be restricted by genetic requirements to release only local, Nelson Bay stock fish.

For additional detail on Coghill Lake restoration and management, contact the Department of Fish and Game in Cordova, or the PWSAC office at 424-7511. The 1994 report on the Coghill restoration project, authored by ADF&G's Gary Kyle, Jim Edmundson and Stan Carlson, is available at both locations.

continued on back page

*Fishnet
Fall '95*

November 27-28 EVOS workshop to scrutinize PWSAC pink project

Supplementation of wild stock salmon injured by the Exxon Valdez oil spill (EVOS) has been a topic of substantial scientific debate, debate that continues without a decision on actions proposed by PWSAC through its collaborative proposal with the University of Alaska and the Native Village of Eyak. The 1995 season has brought continued serious pink salmon problems in large areas of Prince William Sound. However, the August 25 EVOS Trustee Council meeting to award funding for FY96 restoration did not address the PWSAC proposal. Rather, at the recommendation of Executive Director Molly McCammon, the Council deferred their decision on this and several other pink salmon projects until December.

Proposal 96093: Restoration of PWS Pink Salmon by Diversion of Harvest Effort has been a long while in development and evolution. The project has three sub-projects including two University of Alaska projects related to early stock development and gene-flow into wild stock populations: (1) quantitative genetic assessment of early-returning pink salmon brood stock; (2) population genetic assessment of gene flow from early return stock. PWSAC's sub-project includes wild stock inventory and assessment, integrated SEA (Sound Ecosystem Assessment) research at proposed remote release sites,

and diversion of fishing effort from injured wild stocks by developing early run timing stocks and remote releasing hatchery fish to areas where harvest pressures on those fish will not impact wild stocks.

PWSAC's original proposal (95093) was submitted to the EVOS Trustee Council in 1994, for funding and implementation in summer, 1995. The project has since been reviewed at an October, 1994, pink salmon workshop, a salmon genetics workshop, a supplementation workshop last January with more than 100 scientists and fishery managers, a round table meeting/worksession during the EVOS FY95 Science Workshop, and numerous small workgroup and teleconference sessions with University and ADF&G and EVOS staff. The proposal has been rewritten to address agency and reviewer concerns, but the long delays led to postponement of consideration for the 1995 funding cycle. PWSAC Special Projects Manager Howard Ferren has led the project to this point. Newly appointed PWSAC Chief Scientist Dr. Tim Linley is the current project leader.

FY96 funding was to be announced this summer; however, McCammon recommended on June 30 to defer funding for the project pending more detailed review of salmon genetic, stock identification and straying pro-

posals. Originally set for July, the pink salmon project review has been re-scheduled for November 27-28, prior to the Trustee Council meeting in December.

In a July 12 project 96093 review, Trustee Council Chief Scientist Dr. Robert Spies recommends:

"1. With regard to alterations of run timing and/or remote release, previous guidance from the Trustee Council has emphasized the desirability of remote release rather than changes in run timing.

2. Criteria outlined at the January 1995 supplementation workshop regarding biological risk need to be more specifically addressed in the current proposal.

3. Reiterating the Executive Director's previous position, remote release sites need to be further considered, building upon the work previously done by the Regional Planning Team, including efforts to identify possible run timing adjustments as a means of reducing wild stock harvest pressures."

If 96093 is funded in December, project managers will have to move quickly to begin putting in place required work for the 1996 field season, seven years after the spill. Requested for FY96 is a total of \$960,000. As currently planned, 96093 is a seven-year project that will require EVOS Trustee Council funding of more than \$5 million in costs.

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FishNet

Vol. 1 Issue 1

Prince William Sound Aquaculture Corporation

Fall, 1995

PWSAC falls short of 1995 return projections

With shortfalls in pink, chum and sockeye returns, PWSAC's cost recovery revenue goals for the 1995 season have not been met. As of August 25, the corporation had a total of \$3.31 million in fish sales, \$2.8 million short of the corporation's revenue goal. Of the sales, \$1.93 million came from pinks, \$956,000 from chums, and \$410,000 from sockeyes.

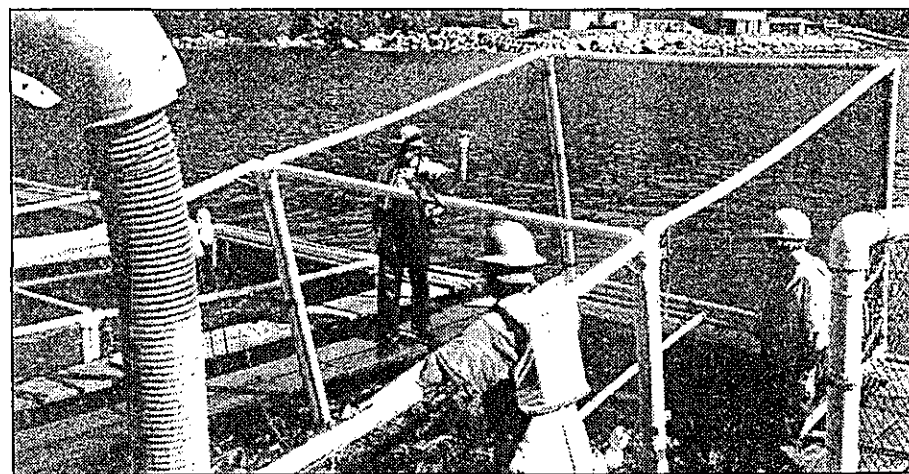
Both chums and Coghill-stock sockeyes returned at approximately half of the projected numbers, and provided approximately half the expected revenue. The best preliminary estimate of the shortfall in the pink return is also half of the forecast system-wide. Cannery Creek Hatchery performed above projection, while both Wally Noerenberg and Armin F. Koernig Hatcheries received less than half of their projected returns.

PWSAC will end the season with an es-

timated cash balance of \$10.6 million. Anticipating approximately \$3.5 million of FY97 revenues, the corporation has the resources to continue operations for two years, according to PWSAC President/CEO Ted Achilles.

A complete review of the current season will be presented at the September 23-24 Board of Directors meeting, along with the presentation of Business Plan 1996, and its recommendations for corporate change, Achilles said.

Operations Manager Eric Prestegard said that the numbers on returns of all species should be close to final by the Board meeting, but that difficulties in interpretation of the coded wire tag (CWT) data remain a concern. A serious percentage of tag loss in recovered adipose-fin-clipped fish complicates the analysis, and makes it more difficult to determine the percentage of



Seasonal employees at Wally Noerenberg Hatchery deliver live pink salmon in net pens to the tender vessel of a contract buyer.

ery-produced fish in the fishery, Prestegard said.

In reviewing preliminary numbers, Prestegard said the early stock Eyak sockeyes returned to Main Bay Hatchery at about 70% of the projection, "a pretty decent return for an experimental group of fish." No cost recovery and no commercial fishery were conducted on the Eyak stock, as the num-

bers remain very small. Plans call for increasing the size of the Eyak component at Main Bay. (See Main Bay story, this page.)

The mid-timed, or Coghill stock returned to Main Bay at 50% of projection at best, Prestegard reported, and he was "not pleased with that return." However, the return of the

continued on back page

PWSAC, *continued from page 1*

Coghill stock fish remote released at Coghill came in at 80% to 90% of the forecast, and were harvested 100% by the commercial fishery. (See Coghill story, page 4.)

On July 14, the hatchery seiner from Main Bay harvested and sold 13,568 Coghill stock sockeyes at Marsha Bay on Knight Island. The number was added to the total harvested at Main Bay and became part of the PWSAC percentage. The return to Marsha Bay was a result of a release of surplus Coghill fry into the lake in 1992; Prestegard said that additional fish would return there next season as 5-year-olds.

Of the combined returns to Main Bay, Coghill and Marsha Bay, PWSAC harvested approximately 37%, Prestegard reported. Sockeyes sold at daily bid averaged \$1.20 a pound; while sockeyes sold under pre-season contract averaged \$1.39 a pound, according to Vice President/CFO Joe Martin.

Noerenberg chums returned at about 60% to 70% of projection. Prestegard said that the four-year-old component of the return did not show well, which was expected because it sprang from the same brood year (1991) that produced the all-time lowest pink return to PWS hatcheries in 1993. The corporate share of the chums totaled closer to 50% than 40%, Prestegard said, but taken together (under aggregate management) with the Coghill stock sockeyes, the PWSAC percentage was under 40%.

Bid sales of PWSAC chums averaged \$0.63 a pound, with most of the bid sales occurring early in the season. Chum pre-season contract sales averaged \$0.49 a pound. The contract sales prices are based on the average daily grounds price paid to fishermen by the major Sound buyers. Chum prices traditionally decline after July 1 or 2. PWSAC daily bid prices and grounds prices did drop 10 to 12 cents a pound after the end of June, but the grounds prices also began to decline earlier, at the beginning of the third week of June.

Pinks at AFK and Noerenberg were a big disappointment. In looking for an explanation for the continuing shortfalls, management is closely examining coded wire tag data, and "patterns are starting to emerge." (See related story, PWS pink salmon, front page.)

PWSAC harvested 40% of the pinks for cost recovery. Pinks sold under daily bid for an average of \$0.229 a pound at Cannery Creek, and an average of \$0.236 at Wally Noerenberg. Most of the pink bid sales were made towards the end of the season, when prices tend to be lower, Martin said. Also, bid sales in general were limited due to the reduced size of the return. Under pre-season contract, pinks sold at an average price of \$0.259 a pound at AFK, \$0.223 at Cannery Creek, and \$0.231 at Noerenberg, Martin reported.

Coghill, *continued from page 4*

returning from the 1992 escapement of 29,000 fish. This year, the returning sockeyes came from brood year 1990; when there was an escapement of 9,200 fish.

Can it get worse? "It can't get any worse

Island, and Nelson Bay. Potential sites are evaluated on the basis of, among other considerations, non-interference with wild stocks, appropriate freshwater source, and accessibility. Nelson Bay may be restricted

PWS pink salmon: What's going on?

The pink salmon season in Prince William Sound is over, with the majority of the seine fleet putting their nets away without having caught what they needed to make it pay. The early pinks to Solomon Gulch Hatchery in Valdez Arm were strong, and the pink return to PWSAC's Cannery Creek Hatchery was excellent, but the returns to Noerenberg and Armin F. Koernig (AFK) Hatcheries have been extremely weak, with a particularly disastrous showing at AFK. The pattern in 1995 was very similar to that in 1994.

The question being asked on the street and around dinner tables: Why were pink returns so weak this year — and last year — in western Prince William Sound?

As well as the poor performance of the hatchery stocks in the western and northwestern areas of the Sound, wild pink stock escapements have been unsatisfactory in the Southwest, Northwest and Coghill Districts. In contrast, wild pink returns have been strong in the Eastern District, and on the islands in the Southeast District.

"It is pretty obvious that half the Sound did poorly this year," said Dan Sharp, area management biologist at the Cordova Dept. of Fish and Game. "There is a pattern developing for this year and last, for both hatchery and wild stocks. It's a big mystery: what is driving the western side of the Sound?"

Although there are other possible explanations, such as lingering effects of the 1989 oil spill, speculation has focused on an increased predator population in the western Sound, literally eating

continued on back page

PWS Pinks, *continued from page 1*

away at the salmon fry — both wild and hatchery — as they emerge in the spring. ADF&G biologists and other SEA (Sound Ecosystem Assessment) program scientists agree: indications are that it may be a predator problem. Suspected predators include an increased pollock population, measured in the tens of thousands of tons in the western corridors and passes by sonar researchers at the Prince William Sound Science Center in 1994 and 1995.

According to PWSAC Operations Manager Eric Prestegard, information provided by coded wire tags (CWT) from hatchery fish in 1994 shows that not all release groups of fry survived equally well. Groups of fry released later in the spring survived at much higher percentages than the larger number of fry in the mid-release groups. Biologists hope that 1995 CWT data, when available, may help them understand the survival pattern, which they speculate has to do with varying rates of predation on salmon fry released at different times and different sizes.

ADF&G research biologist Mark Willette said that there is some evidence in his work as part of the SEA program that the 1992 and 1993 pink salmon failures in PWS were caused by predation. SEA researchers conducted two broad-scale surveys of predator and plankton distribution throughout PWS in 1995. Information from the surveys should help if predator distribution is linked to the Sound-wide pattern of pink production. If pollock and/or other predators are eating the fry, what can be done through fishery management to remedy the problem?

GROUND FISH MANAGEMENT IN PRINCE WILLIAM SOUND

Within harvest quotas set by the federal government, the Alaska Dept. of Fish and Game manages groundfish openings and closings in PWS. According to ADF&G's James Brady, "pollock are definitely on the short list of key predators affecting pink salmon survival in PWS."

Also, said Brady, pollock is a developing fishery in PWS. Last spring, three or four midwater trawlers from the Kodiak area ventured into the Sound, and in about 10 days caught 2,700 tons of pollock, much of it on the east side of Knight Island off Pt. Helen, and in Port Bainbridge in the ex-

treme SW corner of the Sound.

"The catch per hour was fantastic," said Brady. "There seemed to be a large spawning aggregation in those areas, where there had never been a fishery before. . . . historical harvest figures have been 10,000 to 13,000 pounds per season. And the fish were good quality, with a high percentage of roe and extremely low bycatch."

All of Prince William Sound is part of the Eastern Gulf management unit, which is federally managed by the National Marine Fisheries Service (NMFS) Juneau office according to Brady. Each unit is managed within the parameters of a Total Allowable Catch (TAC) set annually by NMFS following surveys of the available biomass and stock abundance trends. The TAC for last season was 3,360 tons for the whole Eastern Gulf, most of which was taken in PWS.

"We had no idea what the biomass was in PWS," said Brady. "All we had to go by was a 1989 trawl survey which estimated 10,000 tons. We let the fishery go well beyond the federal allowable exploitation of 15% of that estimated population — 30% — before we closed it. The management of PWS is locked into the federal TAC. Once the TAC is reached, NMFS shuts down the Eastern Gulf, which they did right after we shut down PWS."

If the State wanted to independently manage pollock stocks in PWS, they would need to go to the North Pacific Fishery Management Council (NPFMC). They could request for one of two changes. One, to split off a percentage of the existing Eastern Gulf TAC just for PWS. Two, try to show that the PWS biomass was independent of the Eastern Gulf biomass so it should not be subtracted from the Eastern Gulf TAC. In either case, the state would probably also need to prove that the PWS biomass was much larger than presently estimated.

Bill Bechtel, former manager of groundfish in this region for the Alaska Dept. of Fish and Game, is a new member of the Science Planning Team for the NPFMC and has been asked to take information on PWS groundfish stocks to a meeting of the group next week, Brady said. Bechtel will be carrying the data from the SEA program surveys done in 1994 and 1995. NMFS is apparently interested in finding out more about the Sound's developing pollock fishery and its ramifications.

*Fish Net
Fall '95*

Anchorage Daily News
Thursday 9-28-95
B7

Eyak Corp. answers criticisms

This is in response to Cliff Ward's letter (Aug. 26) on the Eyak Corp. and the Exxon Valdez Oil Spill Trustee Council negotiations.

First of all, I don't appreciate his stereotyping Eyak shareholders by saying they "have conveniently borrowed the 'white man hates us' excuse from their brethren Outside." That's a crock and an attitude that Alaskans — Native and non-Native alike — don't want or need.

Second of all, I don't appreciate his statement about one of Eyak's representatives gaining "personally from seeing that Eyak Corp. lands are clear-cut." That statement is untrue, of course.

Third, Mr. Ward needs to give the Eyak shareholders a little credit. We are not going to sell off our land, which is our birthright, and take a payoff just to make environmental extremists happy. We have always been willing to sell our commercial timber harvest rights, but the Trustee Council is not interested.

We log our land responsibly. We have a right to make a decent living like anyone else in this country. We are not going to rape the land and leave, like people have in the Lower 48. We've always lived here, and we are here to stay.

By the way, the information on the \$30 million land exchange is completely false. Cliff, please get your facts straight. Call the Eyak office next time.

— Nancy Cecile Barnes
Juneau

Opinion

Are pollock eating our pinks?

By Heather McCarty

If pollock and other groundfish predators are eating pink salmon fry in the western Prince William Sound, and affecting adult returns, what can be done through management to bring balance to the system?

Within harvest quotas set by the federal government, the Alaska Dept. of Fish and Game manages groundfish openings and closings in Prince William Sound. According to ADF&G's James Brady, "Pollock are definitely on the short list of key predators affecting pink salmon survival in Prince William Sound."

Also, said Brady, pollock is a developing fishery in the Sound. Last spring, three or four midwater trawlers from the Kodiak area ventured into the Sound, and in about 10 days caught 2,700 tons of pollock, much of it on the east side of Knight Island off Pt. Helen, and in Port Bainbridge in the extreme southwest corner of the Sound.

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Heather McCarty is a member of the Prince William Sound Aquaculture Corp.

Commentary

MAKING A SPLASH: The Club holds first meet. Page 12.

THE VALDEZ

Westerdall verdict: not guilty

By Mike Johansson

Valdez Vanguard

Mike Johansson was found the guilty of 1st degree murder and 1st degree assault. Following nearly 14 hours of deliberation, the jury

found him not guilty. The jury was told that Westerdall had been up to 10 years in prison and a \$75,000 fine had been levied on him for a 1981 murder of a man named Mike Smith. Westerdall was charged with the murder of Smith in 1981.

Norfolk, Va. was a simple murder case. Westerdall was charged with the murder of Smith in 1981.

The jury found Westerdall not guilty of 1st degree murder and 1st degree assault.

Superior Court Judge John Anderson ruled the jury's verdict was reasonable and the case was dismissed.

Westerdall was charged with the murder of Smith in 1981.

The jury found Westerdall not guilty of 1st degree murder and 1st degree assault.

See verdict, page 2

Aspergillosis

Blood tests to determine

By Tony Bechtel

Valdez Vanguard

Aspergillosis is a common lung infection that can be fatal. It is caused by a fungus called Aspergillus.

The fungus is found everywhere in the air. It is most common in warm, humid climates.

People with weakened immune systems are most at risk of developing aspergillosis.

There are many types of Aspergillus. Some are harmless, while others can cause serious illness.

Aspergillosis can affect the lungs, sinuses, and other parts of the body.

It is important to see a doctor if you have any symptoms of aspergillosis.

See page 2

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The Nov. 16, 1995
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From page 1

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Photo courtesy of Mark Hodgins

Kenai Peninsula Borough Mayor Don Gilman talks to former legislator Paul Fischer, as Fischer flips hamburgers at the Oil Appreciation Day celebration held Saturday at Leif Hansen Memorial Park in Kenai. The second annual celebration was attended by over 1,400 area residents, who gathered to listen to bands, eat food and drink, and thank area industrial companies for their contributions to the community. The event was organized by Aaron Goforth, Jack Brown and many other volunteers.

Black of Arco Alaska Inc., who will discuss "AAI Purchasing Strategy and Implementation Process."

Cost is \$10 for members and \$12 for non-members. For information, call 563-2226.

SeaLife Center gets \$150,000

The Alaska SeaLife Center has received a \$150,000 cash donation from the Seward branch of National Bank of Alaska. The money will go toward the capital fund-raising campaign that will fund the visitor component of the center.

NBA supports the center, said NBA branch manager Lori Draper. "It will be a tremendous asset to the area, both in terms of scientific knowledge gained and as a tremendous visitor attraction."

The center's mission is to conduct long-term research and monitoring programs required to rehabilitate and restore marine mammals, birds and other marine life injured by the Exxon Valdez oil spill. Construction began in May and the facility is expected to be open to the public in June 1998.

be a record season for the cruise business in Alaska. Despite canceling six of its 102 cruise ship sailings, the company projects it will carry more passengers in 1995 than 1994.

"All of our estimates revealed we would have our best year ever in '95," said Peter Ratcliffe, president of Princess Tours.

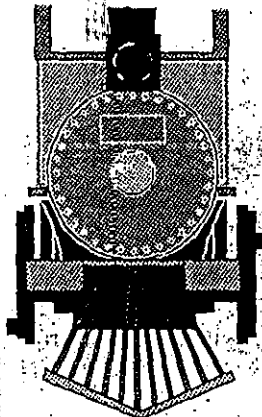
For the first time the company has sold 50,000 cruise tours, up from a record 44,000 in 1994.

Princess attributes the record year to the popularity of the Gulf of Alaska, "Voyage of the Glaciers" cruise itinerary between Vancouver, British Columbia and Seward. For 1995, Princess increased capacity on this itinerary by 25 percent.

Princess also said that its passenger evaluation surveys show customer satisfaction with Princess overall also is higher than last year's record levels.

For 1996, Princess again will deploy six of nine cruise ships to Alaska and expects to carry over 150,000 passengers on Alaska cruises and cruise tours.

Veterans home loan bonds sold



Cordova Railroad Roundhouse Site

Notice of Public Meeting on Project Status and Cleanup Plans

Date: September 20, 1995

Time: 7:00 pm to 9:00 pm

Location: Cordova Library Meeting Room

BP EXPLORATION (ALASKA) INC. invites you to attend a public meeting to discuss the current status of efforts to cleanup the old railroad roundhouse site and plans for additional site activity during 1995.

For more information, please call

Betty Miller at (907) 564-4848 or Leslie Griffiths at (907) 564-4356.

The Cordova Times

Prince William Sound's Oldest Newspaper

Established in 1914

The Cordova Times is published weekly on Thursdays by Alaska Newspapers, Inc., The Cordova Times, USPS 563680, 336 E. Fifth Ave., Anchorage, AK 99501-2633. Second-Class postage paid at Anchorage, Alaska. Postmaster send address changes to The Cordova Times, 336 E. Fifth Ave., Anchorage, AK 99501-2633. Subscriptions: Second-class mail rates are \$45 for one year, \$25 for six months; first-class rates are \$90 for one year, \$50 for six months. Newsstand price is 75¢ each. ISSN 1048-8766.

Volume 81 Number 27 September 7, 1995

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GROUND FISH MANAGEMENT IN PWS

(Continued from August 31 column)

If pollock and/or other fish predators are eating pink salmon fry in the western Sound, and affecting adult returns, what can be done through groundfish management to remedy the problem? Within harvest quotas set by the federal government, the Alaska Dept. of Fish and Game manages groundfish openings and closings in PWS. According to ADF&G's James Brady, "pollock are definitely on the short list of key predators affecting pink salmon survival in PWS."

Last spring, three or four midwater trawlers from the Kodiak area ventured into the Sound, and in about 10 days caught 2,700 tons of pollock, much of it on the east side of Knight Island off Pt. Helen, and in Port Bainbridge in the extreme SW corner of the Sound.

"The catch per hour was fantastic," said Brady. "There seemed to be a large spawning aggregation in those areas, where there had never been a fishery before." Historic harvest figures have been 10,000 to 13,000 pounds per season. "And the fish were good quality, with a high percentage of roe and extremely low bycatch."

All of Prince William Sound is part of the Eastern Gulf management unit, which is federally managed by the National Marine Fisheries Service (NMFS) Juneau office, according to Brady. Each unit is managed within the parameters of a Total Allowable Catch (TAC) set annually by NMFS following surveys of the available biomass and stock abundance trends. The TAC for last season was 3,360 tons for the whole Eastern Gulf, most of which was taken in PWS.

"We let the fishery go well beyond the federal allowable exploitation rate of 15% of the estimated population of 10,000 tons — to 30% — before we closed it." The management of PWS is locked into the federal TAC. "Once the TAC is reached, NMFS shuts down the Eastern Gulf, which they did right after we shut down PWS."

If the State wanted to independently manage pollock stocks in PWS, they would need to go to the North Pacific Fishery Management Council (NPFMC). They could ask for one of two changes: One, to split off a percentage of the existing Eastern Gulf TAC just for PWS. Two, try to show that the PWS biomass was independent of the Eastern Gulf biomass so it should not be subtracted from the Eastern Gulf TAC. In either case, the state would probably also need to prove that the PWS biomass was much larger than presently estimated.

THIS COLUMN IS PROVIDED BY PWSAC

Prince William Sound salmon: What's going on?

By Heather McCarty
For The Vanguard

Commentary

The pink salmon season in Prince William Sound is drawing to a close, with the majority of the seine fleet putting their nets away without having caught what they needed to make it pay.

The early pinks to Solomon Gulch hatchery in Valdez Arm were strong, and the pink return to PWSAC's Cannery Creek Hatchery was excellent, but the returns to Noerenberg and Armin F. Koerning (AFK) Hatcheries have been extremely weak, with a particularly disastrous showing at AFK.

In addition to the poor performance of the hatchery stocks in the western and northwestern areas of the Sound, wild pink stock escapements have been weak in the Southwest, Northwest and Coghill Districts. In contrast, wild pink returns have been

strong in the Eastern District, and on the islands in the Southeast District. Why have pink returns this year and last year been so weak in western Prince William Sound?

"It is pretty obvious that half the Sound did poorly this year," said Dan Sharp, area management biologist at the Cordova Dept. of Fish and Game. "There is a pattern developing for this year and last, for both hatchery and wild stocks. It's a big mystery: what is driving the western side of the Sound?"

Although there are other possible explanations, such as lingering effects of the 1989 oil spill, speculation has focuses on an increased predator population in the western Sound, literally eating away at the salmon fry — both wild and hatchery — as they emerge in the spring. ADF&G biologists

and other SEA program scientists agree: indications are that it may be a predator problem.

Suspected predators include an increased pollock population, measured in tens of thousands of tons in the western corridors and passes by sonar researchers at the Prince William Sound Science Center in 1994 and 1995.

According to Prince William Sound Aquaculture Corporation Operations Manager Eric Prestegard, information provided by the recovery of coded wire tags from hatchery fish indicates that not all release groups of fry survived equally well. Groups of fry released later in the spring survived at much higher percentages than the larger number of fry in the mid-release groups. Biologists hope that 1995 coded wire tag data will help them understand the survival pattern, which they speculate has to

do with varying rates of predation on salmon fry released at different times and different sizes.

ADF&G research biologist Mark Willette said there is some evidence in his work as part of the SEA program that the 1992 and 1993 pink salmon failures in PWS were caused by predation. SEA researchers conducted two broad-scale surveys of predator and plankton distribution throughout PWS in 1995. Information from the surveys should help if predator distribution is linked to the Sound-wide pattern of pink production. If pollock and/or other predators are eating the fry, what can be done through fishery management to remedy the problem? This column next week will discuss PWS groundfish management.

• Heather McCarty is a member of the Prince William Sound Aquaculture Corporation.

Valdez Vanguard
9-6-95

We know the otolith is connected to the ear bone; now how do you mark an otolith?

The marking pattern on an otolith looks a lot like the rings on a cross section of a tree trunk, with varying bands of light and dark coloration. The distinctive pattern created by the bands identifies the origin of the fish; each hatchery has its own unique registered pattern. Different groups of fish within a hatchery can also be marked with their own different patterns, and wild fish can even be marked in streams by chemical means.

In the hatchery setting, the marking is done with water temperature changes. While the eggs are in the incubator, a small increase in the temperature of the water running through the trays will result in more calcium being deposited in the otolith. This calcium deposit appears as a light-colored ring when viewed under a microscope. A drop in tempera-

ture causes more protein to be laid down, resulting in a dark-colored ring.

A change of 4 degrees Centigrade for 36 hours creates one band. By precisely manipulating the water temperature for a period of several days, hatchery staff is able to "label" each fish with its distinctive pattern.

The temperature manipulation is carried out with an assemblage of pipes through which heated water is mixed with the hatchery water supply. The boilers and piping are housed in a mobile van adjacent to each hatchery building.

When an adult fish returns to spawn, the otolith has grown from smaller than the head of a pin to about the diameter of a pencil eraser. The otoliths are removed from a percentage of the catch and analyzed in a laboratory to determine the fishes' origins.

On June 1, a not-so PWSAC hatchery manager placed Eric Prestegard at the Cordova of at three remote sites still with us: he was manager when Jeff Olson fell. These changes in resulted in a cascade of ended permanent staff places into more respect the hatcheries.

Jeff has been with I first as a seasonal and tourist beginning in 19. named Assistant Manager Hatchery (CCH), moved in 1991. In 1993 he was Hatchery (MBH) Manager. enberg Hatchery (' 1994. Jeff is married to couple has two children Joseph, 3. The family life, but are now really ties of town life, "all keep the dogs tied up."

Jeff was replaced as by Andrea Tesch, former Hatchery Manager. company in 1987 as a with an extensive background in East Africa. S tourist at WNH in 1988. visor in 1989, and Assistant in 1990. Andrea is netter in 1991, and lives her husband, Charlie. Eric.

Christine Mitchell was Tesch as Assistant Hatchery WNH. With the company time became a Fish C

Eric goes under

PWSAC Operations Manager Eric Prestegard was one of the dunkers recently in a Dunk Tank fund raiser for the Cordova Family Resource Center. The end of August benefit was one of the main events in the Black Top Boogie on Cordova's newly repaved and lighted Main Street.

Joining Prestegard on the cold seat were town luminaries such as Mayor Margy Johnson, Coast Guard Commander Jim Beckham, Body Builder Mary Franklin,

and ADF&G managers Dan Sharp and Slim Morstad. The Ops Manager estimated that he went in 20 times in 15 minutes, and said his tormentors were "about evenly divided between gillnetters and seiners, but the worst was a four-year-old with a good aim."

The event was reminiscent of the old days when Prestegard was Manager of AFK Hatchery, and got thrown in the Sound at the end of eggtake.

*Fish Net
Fall 95*

Pink otolith marking equipment in hatcheries

Thanks to several years of united effort by fishermen and biologists, a new system to mark all the pink salmon released from four hatcheries in Prince William Sound is in place and ready for operation. The technique, called thermal otolith mass marking, uses temperature fluctuations in water circulating through the hatchery incubators to cause permanent marks to be formed on the otolith, a tiny bone in the salmon's inner ear. Marking equipment has been installed at FWSAC's Armin F. Koernig, Wally Norenberg and Cannery Creek Hatcheries, and at the Solomon Gulch Hatchery operated by the Valdez Fisheries Development Association.

The otolith marking technique is intended to replace the current, more labor-intensive process of inserting coded wire tags (CWT's) into the nose cartilage of a percentage of the hatchery fish. However, to make sure of the reliability of otolith marking, the CWT program will continue for two more years.

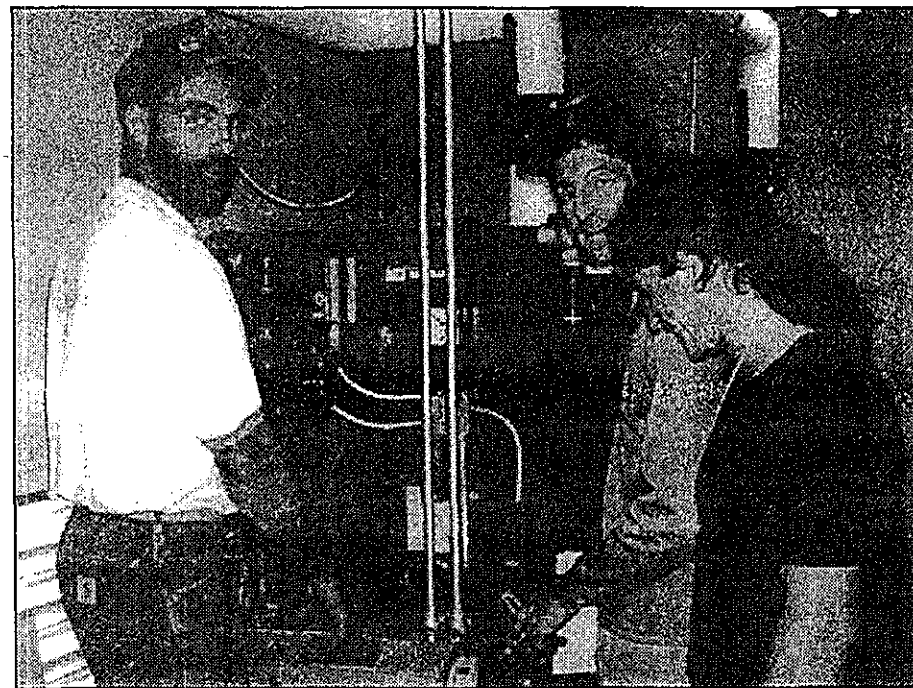
Most of the cost of otolith marking installation and operations through FY96 have been funded by the Exxon Valdez Oil Spill (EVOS) Trustee Council, with conceptual approval of funding through 1998. The overlapping CWT recovery is also funded through FY96, with conceptual approval through 1998. Ops Manager Eric Prestegard says that PWSAC will be bearing some operational costs for the otolith program, and will continue to pay for the application

of the coded wire tags.

By marking all the hatchery-produced pinks entering the Sound, fishery biologists will be able to more reliably differentiate those fish from wild pink salmon. This information will allow fishery managers to focus commercial harvests on hatchery stocks in order to protect wild pink stocks, particularly those in the Southwest District of the Sound most heavily injured by the 1989 oil spill.

In the usual hatchery environment, cold fresh water is constantly circulated through the incubator trays holding the fertilized salmon eggs and, later, the hatched fish. The otolith marking process takes place between October and December, requiring the addition of a boiler unit to increase the water temperature by the few degrees necessary to create bands in the otolith as it grows. The boilers have been installed and tested in all three PWSAC hatcheries, reports the new physical plant engineer Russ Bradley. The marked 1995 brood year pink fry will be released in the spring of 1996, to return as adults in 1997.

With coded wire tagging, only about one in 600 fish can be marked. Thermal marking all of the fish from each hatchery will increase the certainty of fishery managers dealing with in-season harvest allocations. Also, otolith marking does not require the human handling of each fry in the application of coded wire tags, decreasing the stress on the fish. In addition, there is some con-



AFK Hatchery staff, left to right, Fish Culturist II Chris Schnipke, Assistant Hatchery Manager Chuck Pratt, and a seasonal employee inspect the newly-installed otolith marking boiler after a test run.

cern that imbedding a coded wire tag in the nose of a fish diminishes its ability to imprint and return to its release location — that could cause increased straying.

Information from the marked fish will be used in-season to help reduce interception of wild pink salmon in mixed stock fisheries. The marked fish will also help answer questions about how much returning hatchery and wild stocks stray from where they were hatched.

"Many subtle variables could be contributing to the declines we see in the wild stocks. The otolith marking program will

give us greater flexibility and certainty to help answer some of these questions," said Mark Willette, ADF&G research biologist.

Studies being undertaken by NOAA (National Oceanographic and Atmospheric Administration) in the Gulf of Alaska will also benefit from the marked fish, making it possible for investigators to determine the migratory paths and behavior of pink salmon.



Fish Net / April 95

New strategy would overhaul spill compensation

By MARLA CONE
Los Angeles Times

A thousand or so sea birds die a slow death. Miles of popular beaches are closed to surfers and swimmers for weeks. Tiny shimmering grunion are killed en masse as they spawn.

This oil-slicked wasteland was long ago cleaned up, but the aftermath of the 1990 Huntington Beach, Calif., spill — as well as the Exxon Valdez disaster in Alaska and other oil accidents from Santa Barbara, Calif., to New Jersey — still resonates as officials mold a new policy guiding how the American people will be compensated for oil spills.

How should oil companies make amends for inflicting such

intangible pain as a missed morning of surf or the death of a sea otter?

Federal officials have wrestled with formulating a fair compensation policy since 1990, and the latest twist comes in a controversial Clinton administration proposal. The National Oceanic and Atmospheric Administration, which is seeking comments on its proposal at a San Francisco public meeting today and Thursday, faces a court-ordered Dec. 31 deadline to adopt a final rule.

Because of concerns voiced largely by the oil industry, the administration has scrapped its original policy that put a price tag on each animal, acre of wetland or day of recreation.

Under the earlier strategy, the

government performed some unusual calculations based on public opinion polls: What is a day of swimming in the ocean or walking on the beach worth? What would people pay to save an otter or a pelican from dying in an oil slick?

The new damage assessment formula has a far different thrust: Don't affix a value, just fix it.

For instance, if 20,000 beachgoers were turned away, the oil company responsible for the spill would boost access by that same number of people, perhaps by building a parking lot or walkway or widening a beach. If 10 sea otters died, the company would restore kelp or take some other step to increase surviving

otters by 10.

"This approach is so vastly different from the way we've done it before," said Linda Burlington, chief of NOAA's damage assessment team.

Federal economists and attorneys say the public would be more equitably and expeditiously compensated. And the oil industry generally prefers the new technique as a less arbitrary way to pay the American people what they are due.

But environmentalists and some California oil-spill experts worry that it may lower damage settlements and insufficiently reimburse the public. They also say that the policy seems so rigid it could limit options for replacing the losses and bog down already

lengthy legal battles.

The philosophy behind the policies is that companies responsible for a spill shouldn't just clean up the mess and pay emergency response bills. They also are liable for injury to wildlife and temporary loss of recreation when beaches and marinas are shut down.

Under the new strategy, state and federal agencies — acting as trustees — would team with the oil company to measure the losses, and then seek damages to provide services or resources of "the same type and quality" as those injured.

Only if no direct replacement is available can the trustees try to seek a comparable solution.

Juneau Empire
9/5/95

Newly found map suggests historic shipyard

THE ASSOCIATED PRESS

SEWARD — A Fairbanks anthropologist researching Russian navy archives has found a map she says indicates a historic 18th century shipyard was located where Seward's marine life center will be built.

The discovery at Russia's St. Petersburg archives could mean added costs for the Alaska SeaLife Center if a comprehensive excavation is required.

The map, located by University of Alaska Fairbanks researcher Lydia Black, shows an old Russian settlement and the site of two previously unknown Kenaitze Indian camps, at the head of Resurrection Bay.

Researchers are eager to study the chart, which may clarify debate about the location in present-day Seward of the Russian ship-

The map, located by a University of Alaska Fairbanks researcher, shows an old Russian settlement and the site of two previously unknown Kenaitze Indian camps, at the head of Resurrection Bay.

yard that produced the Phoenix — the first ship built on North America's west coast.

Historians have established that the triple-masted, full-rig Phoenix was launched from Seward in 1794.

The map, which dates to 1850, is attributed to Russian captain Ilarion Arkhimandritov who surveyed Prince William Sound and Resurrection Bay. His drawing shows a dot, which he labeled as

the site of the former Russian settlement, along the coast at the southern end of town.

Excavation already was under consideration at the SeaLife site, where animal bones and other artifacts have been unearthed. Officials say it appears items uncovered so far date to the early 20th century, including many artifacts from the Lowell family homestead which predates the arrival of city

founders.

An archaeologist is monitoring the construction site but officials say no Russian artifacts have been found so far. Tim Smith, an archaeologist with the state Historic Preservation Office, told the Seward Phoenix Log that the map probably would not instigate a full-scale dig.

"I've also seen maps that show the shipyard other places," Smith said. "At this point, there's nothing to indicate (the yard) is in the project area other than a dot on a map that may not be accurate."

But Tim Sczawinski, a former archaeologist and a consultant to Seward's historic preservation commission, said even before seeing the archives map he had believed the shipyard was probably located where the SeaLife Center will be.

Kodiak land tiff still burns after almost two decades

Congress may step in between rancher, Native corporation

By TOM KIZZIA
Daily News reporter

Only a few months ago, Omar Stratman's long, lonely struggle against his Native landlord appeared doomed.

The Kodiak rancher has argued for 19 years that the Native corporation owning his 20,000-acre grazing lease is a fraud, organized around a Native village abandoned long before the 1971 Alaska Native Claims Settlement Act.

But in June, the U.S. Senate took up legislation to end the dispute once and for all. Leisnoi Inc. would be declared a valid Native corporation, no matter what the historical record.

Leisnoi says it is descended from a legitimate village. Sen. Frank Murkowski, R-Alaska, the measure's sponsor, said Stratman's prolonged lawsuit has drained Leisnoi's resources, threatened its Kodiak logging operation, and dragged down negotiations with the Exxon Valdez trustees over sale of scenic property.

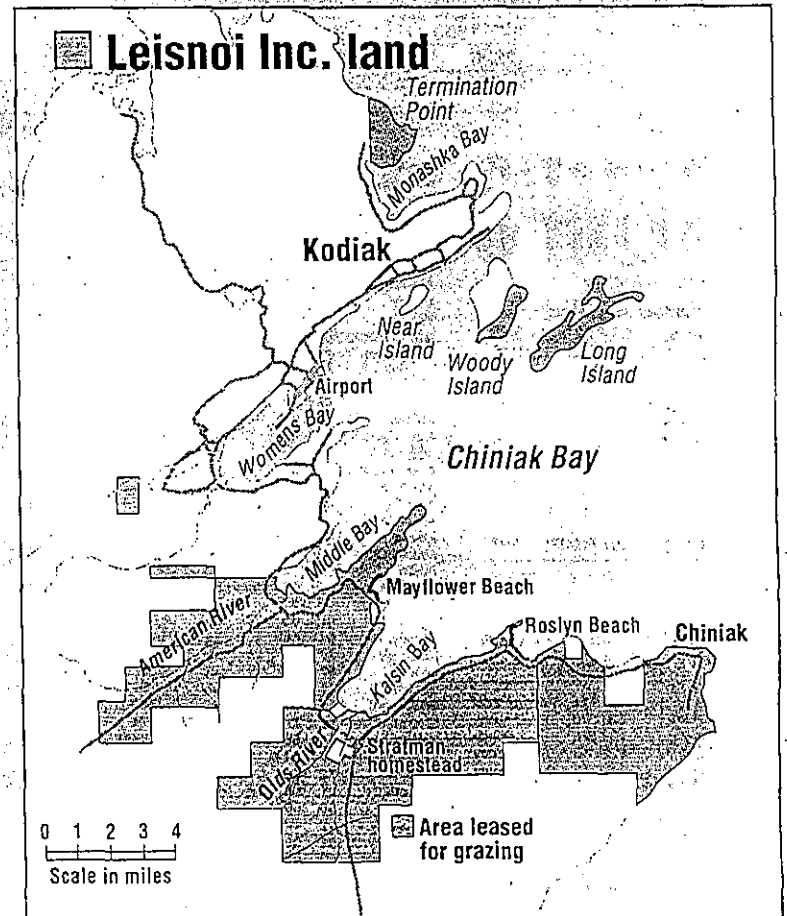
Murkowski's move would probably

have ended one of the last two surviving legal challenges to the legitimacy of an Alaska Native corporation (the other, according to federal officials, involves the Minchumina Native Corp., west of Denali National Park).

But then Leisnoi made one of the great public-relations blunders in the annals of the land claims act.

Just as Murkowski's measure went to committee, Leisnoi announced it was imposing fees for use of the corporation's 82 square miles of land — which includes most of the road-accessible countryside where Kodiak residents have always gone to fish and hike and picnic.

Company officials said their land was being trashed by litter and off-road vehicles, and they were just doing what Native corporations everywhere in Alaska are doing these days. Beginning in June, it would cost Kodiak residents \$15 to go fishing for a day on



Please see Back Page, KODIAK

RON ENGSTROM / Anchorage Daily News

Anchorage Daily News Sept. 4, 1995

Page 1 of 3

KODIAK: Land squabble burns on

Continued from Page A-1

the American or Olds rivers; annual fishing permits could be purchased for \$125.

Kodiak went ballistic. Radio call-in shows were jammed with angry callers. Local sporting goods stores refused to sell the permits. And suddenly Stratman's challenge of Leisnoi's legitimacy became a cause celebre.

"When there's a nice day, there's just a chain of cars going out the road. These permits covered all the popular places," said Bud Cassidy, resource manager for the Kodiak Island Borough. "In the process of screaming and yelling, folks found out Murkowski was trying to get something through Congress. It was really terrible timing."

Leisnoi did a quick about-face and dropped the fees. But that didn't stop the protests. Two weeks ago, the Kodiak Island Borough Assembly passed a resolution telling Congress, in effect, to butt out and let the courts decide whether Leisnoi had a right to the land along Kodiak's road system. The vote was 6-1.

"To have a landowner that prominent, and maybe their acquisition was by fraud, has caused a lot of disrespect, anger and frustration," said Lisa Henneman, a librarian who testified in favor of the resolution. "There's going to be no healing or closure if people feel there's been a backroom political deal."

Leisnoi officials say they are still willing to negotiate with the borough to allow public access to certain areas. But they were angry about the assembly's action.

"My people think what happened at the borough is a racist thing because a lot of white people in Kodiak don't like the Natives and want to get the land back," said Leisnoi attorney Edgar Paul Boyko.

"Obviously they chose to meddle in the affairs of a private dispute between private entities," Leisnoi president Ed Ward said in a tersely worded statement. "We're very disappointed."

6 To have a landowner that prominent, and maybe their acquisition was by fraud, has caused a lot of disrespect, anger and frustration. 9

— Lisa Henneman

1970, the qualifying date for the land claims act, the village had pretty much dispersed. Today, half of Leisnoi's 328 shareholders live outside Alaska, and only 21 percent live on Kodiak.

"If you're going to argue 'My heart lies on Woody Island but my body lies here in Kodiak every night,' then those are the facts you put in your affidavit," said Stratman's lawyer, Michael Schneider. "That's not what happened here. You had a bunch of people signing affidavits in order to grab the most valuable land on Kodiak."

Leisnoi's defenders point out that the land claims act, which created regional and village corporations to administer shares of a \$1-billion, 44-million-acre settlement, forced Congress to pin down a sense of home that was often hard to define among Alaska Natives.

Seven other Kodiak "settlements" were given small grants by Congress in 1980 to resolve disputed land claims. But the Woody Island group's claim, approved by the government in 1975 on the basis of Native affidavits, proceeded on its own into legal purgatory.

Stratman's lawyers got some of the original "residents" to recant, and accused organizers of submitting photographs of government housing for aviation workers. Leisnoi's lawyers now admit the sworn affidavits used to prove the existence of a Woody Island village in 1970 won't stand up.

But they said Woody Island qualified anyway under a separate "act of God" regulation. They said the village had as many as 41 residents between 1960 and 1964, when the earthquake and tsunami knocked out ties to the main island and Woody Island was given

ing deal.

"He was going to be the richest man on Kodiak Island," said Boyko. "Stratman thought he had a hammer he could use on Leisnoi by basically bankrupting them, shutting down logging and freezing their assets. He could then make them buy their freedom by giving him land and money."

Schneider responds that Stratman doesn't want a lot of land because he couldn't afford the taxes and his concern for public access is genuine. "He won't settle unless they address the various public needs," Schneider said.

Leisnoi has not been easy to portray as a helpless victim of extortion, either. At one point the corporation nailed an eviction notice on Stratman's door because a clerical error included his homestead in a legal description of Leisnoi's holdings.

Star-crossed from the start, Leisnoi has spent more than \$1 million on legal fees in the past 20 years, company officials say. Some of that money has been spent on internal squabbling.

Last year, the company's managers were sacked after a coup, and the new board of directors asked Alaska State Troopers to investigate alleged misuse of funds (the investigation is continuing, a trooper spokesman said last week). Meanwhile, a tape was broadcast of interim president Fred Zharoff boasting to the board that his position as a state senator meant special favors for Leisnoi; Zharoff was let off by the state ethics committee after a public apology.

Leisnoi's logging of old-growth forests on Cape Chiniak generated opposition from some Kodiak residents and more lawsuits involving timber contracts.

Anchorage Daily News Sept 9, 1985

Jump to next page...

To many Kodiak residents, however, the congressional action sought by Leisnoi amounts to meddling on a far greater scale.

"It would be like after a year of everyone being glued to their TVs watching the O.J. trial, they'd say now we're going to let Congress decide this," said Assembly Member Suzanne Hancock, who sponsored the borough resolution.

"We kind of walked into this issue and I'm not sure we know exactly how to get out of it," said Murkowski spokesman Chuck Kleeschulte. "All we were trying to do was clear up the (land) title issue. If we'd realized that two weeks after we prepared the legislation they were going to impose fees, we might not have gone ahead."

When Congress reconvenes this week, resolution of the Leisnoi dilemma will be up to Rep. Don Young, R-Alaska.

The Leisnoi provision passed the Senate Aug. 3 as part of a package of Alaska land claims amendments. The House of Representatives had already passed its own package of amendments, without including Leisnoi. It will be up to Young — as Alaska's sole House member and as chairman of the House Resources Committee — to decide whether to accept the Leisnoi measure or leave resolution of the lands issue to the courts.

Repeated calls to Young's office and the House Resources Committee requesting information on the Leisnoi bill were not returned in the past week.

Leisnoi was created to represent the Native village of Woody Island, which was a Native community just outside "white" Kodiak dating from the 19th century. By

up.

Schneider disagrees, saying the pre-1964 number was more like eight or 10.

Remarkably, this essential historical dispute has never been aired, either in court or in administrative appeals. Instead, lawyers have kept busy for two decades with procedural appeals and collapsed settlement negotiations.

Stratman first raised questions about Leisnoi's origins in 1976, after his federal grazing lease was turned over to the new Native corporation. A homesteader with a reputation for being ornery, he has several hundred head of cattle and a tourist lodge on his ranch in the grasslands east of town.

"I'm a pretty stubborn individual," said Stratman, who estimates he's spent more than \$100,000 on attorney fees, owes even more and has sued one of his former lawyers for malpractice. "I made a vow to see this through, but I'm tired and sick and want to get on with my life."

"He's nobody's vision of a folk hero," admits Hancock, who carried his cause to the borough assembly. "Alaska's full of people like him. They're not the easiest people in the world to get along with. But he's the only one who's been pushing this."

Lawyers on both sides understand that success now depends partly on how the public sees their clients.

Boyko portrays Stratman as a gold-digger who has dressed up his claim lately by talking about open spaces and public access. In 1982, Stratman was willing to settle the lawsuit if Leisnoi would sell him 17,000 acres at a bargain price of \$13 an acre. Earlier this year, Boyko said, Stratman was willing to cut a similar self-enrich-

Recently, an effort to sell 1,020 scenic acres at Termination Point to the Exxon Valdez Oil Spill Trustees Council has been shelved, at least temporarily, because Stratman insisted any funds be set aside until his lawsuit is resolved.

Stratman's case sparked back to life last December when a federal appeals court ruled his complaint could be revived because a 1982 settlement had collapsed. Currently, different aspects of the lawsuit are being fought at four levels: U.S. District Court, the 9th U.S. Circuit Court of Appeals, the U.S. Supreme Court, and Alaska Superior Court.

In July, the federal government filed an appeal brief supporting Leisnoi. A federal lawyer argued that Stratman's claim of representing the public interest is bogus because Leisnoi received legal title to its land long ago. Therefore, the Department of Justice said, even if Stratman wins and Leisnoi is decertified as a Native corporation, the land cannot be returned to the government.

Schneider calls that argument ludicrous.

"This is a bureaucratic position taken by a government agency trying to defend its bungling," he said.

Further settlement negotiations appear stalled while everyone waits to see how Congress acts. But some Kodiak residents say it might be best if a judge somewhere sits down with the conflicting historical accounts and sorts out the truth about Woody Island.

"I'm concerned about the community's well-being and letting us all be neighbors again," said borough assembly member Hancock. "I think there's a lot of ill feeling in this community that will be dissipated, win or lose, if it's handled by the court."

Map puts Russian shipyard at Seward SeaLife site

The Associated Press

SEWARD — A Fairbanks anthropologist researching Russian naval archives has found a map that indicates a historic 18th century shipyard was located where Seward's marine life center will be built.

The discovery at Russia's St. Petersburg archives could mean added costs for the Alaska SeaLife Center if a comprehensive excavation is required.

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known Kenaitze Indian camps at the head of Resurrection Bay.

Researchers are eager to study the chart, which may clarify debate about the location in present-day Seward of the Russian shipyard that produced the Phoenix, the first ship built on North America's west coast.

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The map, which dates to 1850, is attributed to Russian captain Ilarion Arkhimandritov, who surveyed Prince William Sound and

Resurrection Bay. His drawing shows a dot, which he labeled as the site of the former Russian settlement, along the coast at the southern end of town.

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An archaeologist is monitoring the construction site but officials say no Russian artifacts have been

found so far. Tim Smith, an archaeologist with the state Historic Preservation Office, told the Seward Phoenix Log that the map probably would not instigate a full-scale dig.

"I've also seen maps that show the shipyard other places," Smith said. "At this point, there's nothing to indicate (the yard) is in the project area other than a dot on a map that may not be accurate."

But Tim Sczawinski, a former archaeologist and a consultant to Seward's historic preservation commission, said even before seeing the archives map he had believed the shipyard

was probably located where the SeaLife Center will be, because the coastal site was an attractive setting for early settlers.

Smith said the map raises some questions, since it was drawn more than 50 years after the Phoenix was built and 30 years after Russian settlers quit the area.


He said that even if the map does show the shipyard, the exact site may never be found since Seward's shoreline has changed from the 1790s, when it may have been as much as 80 feet inland from today's coastline.

Smith said much of the SeaLife Center would be on fill that was placed in the bay over the past 50 years.

Black, a noted authority on Russian Alaska, said she's convinced the chart correctly locates the shipyard because it agrees with earlier maps. She said Arkhimandritov was an "exceedingly able" seaman who had produced a clear map.

The anthropologist said she was studying archives for another project when she located the map in July.

Fairbanks Daily News 9/2/95



Service Company, Alaska Commercial Company, the First National Bank of Anchorage, the National Bank of Alaska, North Pacific Processors, Ocean Beauty Seafood, Silver Lining and Era Aviation. The support from Cordova and statewide businesses, local schools and community volunteers is making this program a reality, although additional support is needed to finance the program for a full school year, according to organizers.

Parents and other community members who wish to be involved or would like to financially support the program can contact Kellee Rose at the Cordova Chamber of Commerce, 424-7260, or Clara Popelka at NBA, 424-3258.

**The
Baha'i Faith**
3143 5748

**PRINCE WILLIAM SOUND
COLLEGE
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PWS PINK SALMON: WHAT'S GOING ON?

The pink salmon season in Prince William Sound is drawing to a close, with the majority of the seine fleet putting their nets away without having caught what they needed to make it pay. The early pinks to Solomon Gulch Hatchery in Valdez Arm were strong, and the pink return to PWSAC's Cannery Creek Hatchery was excellent, but the returns to Noerenberg and Armin F Koernig (AFK) Hatcheries have been extremely weak, with a particularly disastrous showing at AFK.

In addition to the poor performance of the hatchery stocks in the western and northwestern areas of the Sound, wild pink stock escapements have been weak in the Southwest, Northwest and Coghill districts. In contrast, wild pink stock escapements have been weak in the Eastern District, and on the islands in the Southeast District. Why have pink returns this year and last year been so weak in western Prince William Sound?

It is pretty obvious that half the Sound did poorly this year," said Dan Sharp, area management biologist at the Cordova Dept. of Fish and Game. "There is a pattern developing for this year and last, for both hatchery and wild stocks. It is a big mystery: what is driving the western side of the Sound?"

Although there are other possible explanations, such as lingering effects of the 1989 oil spill, speculation has focused on an increased predator population in the western sound, literally eating away at the salmon fry — both wild and hatchery — as they emerge in the spring. ADF&G biologists and other SEA program scientists agree: indications are that it may be a predator problem. Suspected predators include an increased pollock population, measured in the tens of thousands of tons in the western corridors and passes by sonar researchers at the Prince William Sound Science Center in 1994 and 1995.

According to PWSAC Operations Manager Eric Prestegard, information provided by the recovery of coded wire tags (CWT) from hatchery fish in 1994 indicates that not all release groups of fry survived equally well. Groups of fry released later in the spring survived at much higher percentages than the larger number of fry in the mid-release groups. Biologists hope that 1995 CWT data, when available, may help them understand the survival pattern, which they speculate has to do with varying rates of predation on salmon fry released at different times and different sizes.

ADF&G research biologist Mark Willette said that there is some evidence in his work as part of the SEA program that the 1992 and 1993 pink salmon failures in PWS were caused by predation. SEA researchers conducted two broad-scale surveys of predator and plankton distribution throughout PWS in 1995. Information from the surveys should help if predator distribution is linked to the Sound-wide pattern of pink production. If pollock and/or other predators are eating the fry, what can be done through fishery management to remedy the problem? This column next week will discuss PWS groundfish management.

THIS COLUMN IS PROVIDED BY PWSAC

ALASKAN LIQUOR STORE

Fine Wine & Spirits

Cordova Times
Aug 31, 1995

Phoenix may have been built at SeaLife site

By David A. Collins
LOG Staff

The 18th century Russian shipyard that gave rise to the Phoenix, the first ship ever built on the West Coast of North America, may have been in the same area where the Alaska SeaLife Center currently is under construction, according to a recently discovered map.

Historians are excited by the discovery, which fuels a long-running debate. The triple-masted, full-rig Phoenix was built in Seward and launched in 1794, but the exact location of the shipyard has remained a mystery because of conflicting reports and a lack of archaeological evidence.

Ydia Black, an anthropologist with the University of Alaska Fairbanks, believes a map she found in July while doing research at the Archives of the Russian Navy in St. Petersburg, Russia, shows conclusively the area in which the

facility was located.

In 1850, Russian captain Illarion Arkhimandritov mapped the entire Prince William Sound region, including Resurrection Bay. His map shows a dot, which he labeled as the site of the former Russian settlement, along the coast at the southern end of town.

The map also shows two previously unknown Native villages at the head of Resurrection Bay in the Nash Road area. They are listed as summer and winter villages of the Kenaitze, the Dena'ina people of the Kenai River who were not known to have maintained any camps in the Seward area.

The discovery of the map could mean added costs for the SeaLife Center if a comprehensive excavation has to be done at the site. An excavation was already under consideration because of animal bones and other artifacts unearthed dur-

See Map, page 20

Seward Phoenix Log
8-31-95

Map ...

From: page 1

ing construction. Everything that has been found so far dates to the early 20th century. Much of it is believed to be from the Lowell family homestead, which predates the arrival of the city founders. No Russian artifacts have been found.

An archaeologist from the National Park Service will make the final determination on how construction should proceed, and that decision is expected to be announced Wednesday at the Planning and Zoning Commission meeting.

Tim Smith, an archaeologist with the state Historic Preservation Office, does not expect the map to lead to a full-scale dig.

"I don't want to pull a bunch of money out of the SAAMS budget to do archaeology that doesn't have a point," he said, referring to the project's developers, the Seward Association for the Advancement of Marine Science. "At this point there's nothing to indicate (the shipyard) is in the project area other than a dot on a map that may not be accurate. ... I've also seen maps that show the shipyard other places."

"We did our homework on all the historical information," said project spokeswoman Maureen Sims. Numerous other sites in Resurrection Bay were considered

just as likely to be the shipyard location, she said.

"If it's there, that'd be quite a find," Sims said. But she is hoping it isn't there and SAAMS doesn't have to conduct a full field investigation of the building footprint looking for it. "To us, that equals a lot of money."

More likely, Smith said, archaeologist Mike Yarborough will continue to monitor the construction and dig test pits nearby. Also, there may be more research done on the map.

Seward resident Tim Sczawinski, a former archaeologist and a consultant to the city's Historic Preservation Commission, hopes the map will lead the National Park Service to conclude the SeaLife Center site needs to be studied more. He wants "archaeologists controlling the construction company instead of the other way around, which is the way it appears to be going," he said.

"It's never been my intention to screw up the SAAMS people or their project," Sczawinski said. "The truth is, the SAAMS people really tried to do things properly all along. I think early on they got some bad advice from their consultants that nothing was there, there was nothing to worry about."

Even before seeing the map, Sczawinski believed the shipyard was probably located in the SeaLife Center area because it was the most logical spot since it had the same

inviting features that would later attract Seward's founders. He called Black, his former professor, and asked if she had any maps that would bolster his claim. Last week she sent him a copy of part of the Arkhimandritov map, which he forwarded to Smith.

Smith is skeptical about how relevant the map is for several reasons. Because he does not read Russian, he only has Black's interpretations to go by. Plus, the map was drawn more than 50 years after the construction of the Phoenix and 30 years after the Russians abandoned the area.

And even if the map is correct about what area the settlement was located, the exact spot may be impossible to pinpoint. In the 1790s, the shoreline was much closer to present day Railway Avenue, perhaps 80 feet inland of the present coastline. Much of the area where the SeaLife Center is being built "is massive fill that's been placed there the last 50 years or so," Smith said.

Black, a leading authority on Russian history in Alaska, has little doubt the map is correct in where it places the shipyard. It confirms earlier charts that indicate the facility in the same spot, but those charts are not as clear, she said. Also, Arkhimandritov was an "exceedingly able seaman," she said.

Black, who was researching an unrelated project when she copied the map, believes the debate on

what should be done next is none of her business.

"I think it's up to the community to decide if it's a valuable site," she said. "The site is valuable if the community values it."

The map has stirred excitement among area historians and scholars.

"To me, it indicates that area is worth more investigation," Doug Capra, a Seward history teacher and member of the city's Historic Preservation Commission. "If we could locate the shipbuilding site it would be tremendous."

"It's the most accurate map I've seen from the Russians," said Lee Poleske, president of the Resurrection Bay Historical Society.

Poleske pointed out that looking for the shipyard could amount to a wild goose chase because there were some reports that the Russians dismantled the buildings and took everything with them when they left.

"There's a possibility there's nothing to find," he said.

The two Kenaitze villages shown on the map also are intriguing because it is the first documentation of a Native presence in that era.

"There's always been rumors that there were Native tribes with villages at the head of the bay," Poleske said.

Alan Boraas, an anthropologist at Kenai Peninsula College who studies the Dena'ina, said the Seward area has generally been considered part of the territory of the Chugach Alutiiq tribe, a group with a different language and customs who were more prevalent in Prince William Sound and the southern Kenai Peninsula.

"It will take awhile to figure out what it means," he said. "It seems to me unlikely the Dena'ina territory regularly, habitually extended to that area."

Boraas said Arkhimandritov could have mistakenly used the term Kenaitze to refer to people who were from the Chugach Alutiiq tribe or it could have been a period of expansion for the Kenaitze.


Clare Swan, tribal chairwoman of the Kenaitze Indian Tribe IRA, said she knew Kenaitze routinely traveled to the Seward area, but she had never seen any evidence or historical documentation.

"Our cultural director is just literally going to turn inside out," she said.

Contract ...

From page 1

Monday. "I never worried about



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Oil Spill Trustees Spend \$18 Million To Study Herring, Orcas, Ecosystem

ANCHORAGE (AP)—Exxon Valdez oil spill trustees have approved spending \$18 million in the coming year to rebuild oil-damaged areas and to continue studying Prince William Sound's ecosystem.

The trustees, representing state and federal agents, also voted Friday to continue monitoring a previously studied killer whale pod after seven of 36 whales were lost following the spill in 1989.

The largest appropriation is for ongoing study of Prince William Sound and its depleted herring fishery.

At their annual meeting in Anchorage, trustees approved a \$30 million budget for the fiscal year starting Oct. 1. The amount was expected to grow by \$4.5 million in December when the panel considers additional studies. Approval was deferred until then to see if field data gathered this summer justified more research.

Of the projected \$34.5 million, about \$18 million will go toward studies and restoration; \$4.5 million will cover administrative costs; and \$12 million will be placed in the council's restoration fund, a savings account to pay for work after payments of the settlement end in 2001.

So far, the Trustee Council has spent about half of the \$900 million settlement paid by Exxon following the Prince William Sound oil spill in 1989, the nation's worst.

Universities, nonprofit groups, government agencies and others recommended the studies that were selected and will receive contracts for the work.

Scientists say herring appear to be ailing most following the spill, but researchers are unsure what caused the collapse. Herring in the first two years after the spill returned to the sound in abundant numbers. Populations fell off sharply in 1993, 1994 and again in 1995.

"We're in the midst of a pretty dire situation," said Bob Spies, the council's chief scientist. Herring are a key element in the sound's food chain and had provided fishermen their first commercial harvest of the year each spring.

The council also voted to spend \$4.5 million on an "ecosystem assessment" of the sound, a package of oceanographic studies that Spies said could provide longterm understanding of resources.

☆

Peninsula Clarion
August 28, 1995

Trustees OK spending for rebuilding, study

ANCHORAGE (AP) — Exxon Valdez oil spill trustees have approved spending \$18 million in the coming year to rebuild oil-damaged areas and to continue studying Prince William Sound's ecosystem.

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Find may prompt dig at SeaLife Center site

SEWARD (AP) — The discovery of some animal bones and artifacts could add as much as \$200,000 to the cost of the new SeaLife Center in Seward, officials say.

Archaeologists are to meet soon to decide whether the find at the work site are important enough to justify a large-scale dig.

Project spokeswoman Maureen Sims says that wouldn't delay construction. "(But) it has significant budget implications," she said.

An archaeologist monitoring the project found some fire-cracked rocks and a number of bones from sea mammals, fish and birds in a test pit dug near the SeaLife Center construction site.

"A real interesting mix of fauna I don't associate with the Euro-American diet," Mike Yarborough

told the city's Historic Preservation Commission last week.

Excavation on a road near the SeaLife site for sewer line work also unearthed a number of glass and crockery pieces dating to the early 20th century. That part of Seward had been filled in, but the original soil was beneath it, Yarborough said.

Site work was stopped briefly last month, in order to give a state archaeologist time to assess the find. But archaeologist Tim Smith said the materials weren't potentially significant, and he allowed the work to proceed.

Phase two of the project, erecting the building, isn't scheduled to begin until next spring.

Smith said he'll be meeting with Yarborough and a National Park Service archaeologist to decide what to do.

See SEWARD, back page

...Seward

Continued from page 1

Service archaeologist to decide what to do.

"The lead federal agency is basically in the driver's seat on that decision," he said. "We're a consulting party."

"If that deposit is thought to be significant, we'll have to do an additional data-gathering project," he said. "The size, timing and funding is very much up in the air."

To meet federal laws, the project carries a requirement that the U.S.

Department of the Interior and the state consider cultural and historic resources that may be damaged by the center.

The developers, the Seward Association for the Advancement of Marine Science, pay for Yarborough's services but he reports to the state Historic Preservation Office.

The association said it has spent about \$50,000 on a study of nearby historic buildings by an Anchorage consultant, and another \$25,000 on Yarborough's field work so far.

That doesn't include the field work he's just starting, the association's Sims said.

Juneau Empire
August 28, 1995

Exxon Valdez trustees approve spending plan

Money will go for rebuilding, science study

THE ASSOCIATED PRESS

ANCHORAGE - Exxon Valdez oil spill trustees have approved spending \$18 million in the coming year to rebuild oil-damaged areas and to continue studying Prince William Sound's ecosystem.

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"We're in the midst of a pretty dire situation," said Bob Spies, the council's chief scientist. Herring are a key element in the sound's food chain and had provided the commercial fishing fleet its first harvest of the year each spring.

The council also voted to spend \$4.5 million on an "ecosystem assessment" of the sound, a package of oceanographic studies that Spies said could provide long-term understanding of resources.

State of Alaska
Office of the Governor

TONY KNOWLES
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Juneau, Alaska 99811-0001
NEWS RELEASE



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FOR IMMEDIATE RELEASE: August 26, 1995

95-210

KNOWLES APPLAUDS EVOS FUNDING FOR KENAI RIVER
Trustees Council Approves \$580,000 to Restore Damaged Habitat

Governor Tony Knowles today applauded the *Exxon Valdez* Oil Spill Trustees Council for their approval of \$580,000 to restore damaged salmon habitat on public lands along the Kenai River.

"The Trustee Council action puts another piece of the puzzle into place to protect salmon habitat on the Kenai River," Knowles said. "It further demonstrates the importance of the partnership that's needed between local, state, and federal efforts to tackle this complex issue." The Governor has identified the restoration of Kenai River habitat crucial to commercial and sport salmon fisheries as a priority of his administration.

Fish and Game Commissioner Frank Rue, a member of the of the Trustee Council, said the benefits of the project would extend beyond the boundaries of the public lands involved. "We've asked private land owners along the Kenai to work with us to restore riverbank habitat that the salmon need to thrive," Rue said. "This project will result in habitat improvements to some of the key areas on the Kenai River. It will help us be part of the solution that we need to sustain the river and provide fishing opportunities for Alaskans."

The funding will be used to restore 5.4 miles of publicly owned land along the Kenai River, part of 19 miles of important riverbank habitat that has been adversely impacted by trampling, vegetation loss and development. The project is one of \$13.7 million worth of projects approved by the Trustee Council Friday as part of its 1996 work plan.

The Trustee Council is a panel of state and federal officials appointed to oversee trust funds obtained from the settlement of litigation over natural resource damages due to the 1989 *Exxon Valdez* oil spill. Kenai River sockeye salmon are among the species determined to have been injured by the spill.

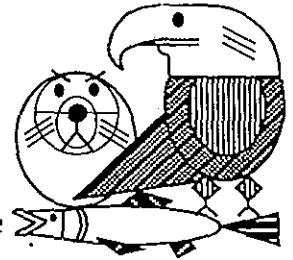
The work to be undertaken in 1996 is the first part of a three year, two million dollar project to restore and protect habitat, and provide recreational opportunities on the Kenai River.

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



News Release - For Immediate Release

Date: Friday, August 25, 1995
Subject: Trustee Council
Contact: L.J. Evans or Eric Myers at 278-8012

Prince William Sound a major focus of Trustees' 1996 work plan

The *Exxon Valdez* Oil Spill Trustee Council today approved \$13.7 million in funding for general restoration, habitat protection, research and monitoring projects to be undertaken in 1996. Resources important to Prince William Sound commercial and subsistence fisheries were a major focus.

"The Trustees continue to carry out the mandate they received from the public for a comprehensive, integrated approach to restoration," said Executive Director Molly McCammon. "The 1996 Work Plan reflects the Trustee's commitment to restoration of commercial fisheries, subsistence resources, as well as understanding continuing declines in seabirds and marine mammals injured by the *Exxon Valdez* oil spill."

McCammon noted that the Sound Ecosystem Assessment, developed and implemented extensively by residents of Cordova, received approval from the Trustees for funding at \$4.53 million, roughly a quarter of the estimated total FY96 Work Plan.

"This reflects the priority the Trustees place on the SEA objectives in a time when funding for many similar projects is beginning to decline," McCammon said.

Funding approved for other projects in Prince William Sound will deal with restoration of subsistence resources, pink salmon and herring problems not otherwise addressed in the SEA program, sockeye salmon restoration, recovery of the nearshore ecosystem, research to understand continuing

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

declines in seabirds and marine mammals affected by the spill, restoration of cutthroat and Dolly Varden trout, and a new planning project for archaeological restoration.

The package approved today includes funding for twenty-four projects. Decisions on funding an additional package of 19 projects was deferred for Trustee Council action in December, after data collected in the 1995 field season can be analyzed. The Trustees will also set aside an additional \$12 million in 1996 for the Restoration Reserve, a fund to support restoration work after Exxon's payments end in 2001.

The Trustee Council also added Kittlitz's murrelets and common loons to the list of species injured by the spill.

"This addition does not really reflect new findings," said Dr. Robert Spies, Chief Scientist for the Trustee Council. "The evidence was already clear that the affects on these seabirds were significant. This action represents an official recognition of that fact."

The Trustee Council is a panel of three state and three federal officials appointed to oversee the trust funds obtained in the civil settlement between Exxon Corporation and the governments for natural resource damages due to the 1989 spill.

For more information, contact L.J. Evans at 907/278-8012, or the Oil Spill Public Information Center at 907/278-8008, or toll-free for Alaska residents at 1-800-478-7745, outside Alaska at 1-800-283-7745.

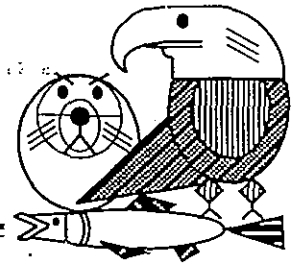
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Exxon Valdez Oil Spill Trustee Council

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



News Release - For Immediate Release

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Subject: Trustee Council
Contact: L.J. Evans or Eric Myers at 278-8012

Trustees continue work to restore resources injured by 1989 oil spill

The *Exxon Valdez* Oil Spill Trustee Council today approved \$13.7 million in funding for general restoration, habitat protection, research and monitoring projects to be undertaken in 1996.

"The Trustees continue to carry out the mandate they received from the public for a comprehensive, integrated approach to restoration," said Executive Director Molly McCammon. "The 1996 Work Plan reflects the Trustee's commitment to restoration of commercial fisheries, subsistence resources, as well as understanding continuing declines in seabirds and marine mammals injured by the *Exxon Valdez* oil spill."

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"The projects we approved today are a product of wide public and community involvement," said Craig Tillery, Assistant Alaska Attorney General and chair of today's meeting. "The 1996 Work Plan reflects a well thought out, balanced approach to restoration of the resources injured by the oil spill."

The 1996 projects are organized into several clusters with related objectives. A significant part of the funding is directed at restoration of Prince William Sound fisheries. The Sound Ecosystem Assessment program, which is

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

analyzing factors influencing pink salmon and herring population fluctuations, received approval from the Trustees for funding at \$4.53 million.

Other projects address additional pink salmon and herring problems, sockeye salmon restoration, recovery of the nearshore ecosystem, research to understand continuing declines in seabirds and marine mammals affected by the spill, subsistence resource restoration, restoration of cutthroat and Dolly Varden trout, a project to restore damaged habitat on public lands along the Kenai River, a new planning project for archaeological restoration, and habitat improvements.

The Trustee Council also added Kittlitz's murrelets and common loons to the list of species injured by the spill.

"This addition does not really reflect new findings," said Dr. Robert Spies, Chief Scientist for the Trustee Council. "The evidence was already clear that the affects on these seabirds were significant. This action represents an official recognition of that fact."

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Closer look may put 2 species on injured list

Status of bird, mammal and fish species injured during oil spill

Recovering

Bald eagles, killer whales, black oystercatchers, (Red Lake), sockeye salmon

Recovery unknown

Cuthroat loon, Dolly Varden, river otters, rockfish

Not recovering

Common murre, harbor seals, harlequin ducks, pink salmon, marbled murrelets, snail cherring, sea otters, pigeon guillemots (Kenai), sockeye salmon

Possible additions

Kittlitz murrelet, common loon

Vote would free oil-spill money for study of damage to common loons, Kittlitz's murrelets

By NATALIE PHILLIPS
Daily News reporter

After the 1989 Exxon Valdez oil spill, government officials identified 17 species of birds and mammals as injured by the nearly 11-million-gallon spill. Now they are considering adding two more to the list — the common loon and the Kittlitz's murrelet.

"We really don't have any new information," said Bob Spies, chief scientist for the Exxon Valdez Oil Spill Trustee Council. "We are just stepping back and looking at the available data."

Being on the Trustee Council's injured species list clears the way for the council to fund studies of the species. The trustees will vote at their annual

budget meeting today whether to add the two birds to the list.

They also will consider a proposed \$18 million budget for 1996. Most of that money, about \$12 million, would go to the Restoration Reserve Fund. The council has committed to placing \$108 million in the fund over the next six years so there will be a trust fund for future studies and research. The rest of the proposed budget is for administrative costs, species studies and continued monitoring.

Trustee Council scientists plan to review the entire injured species list this winter to determine if any of the species have recovered and now can be taken off the list. Exxon

officials would not comment on the list or possible additions, said Ed Burwell, a company spokesman in Irving, Texas.

The injured species list includes bald eagles, killer whales, river otters, common murre, harbor seals, harlequin ducks, herring, sea otters and pink salmon.

The list also includes the marbled murrelet, a small seabird that comes to shore to breed in old-growth forests. But it does not include the Kittlitz's murrelet, a similar but rarer murrelet that breeds on bare rock and glaciated moraines.

Murrelets — both marbled and Kittlitz's — are brown with mottled white spots. In the winter, their plumage changes to black

above and white below. The marbled murrelet has a longer bill than the Kittlitz's murrelet. The flight of both birds is rapid and their wings long and pointed. They are almost always seen in pairs and are believed to mate for life.

Bird biologists estimate there are only 20,000 Kittlitz's murrelets in the world, and most live in the spill area. After the spill, cleanup workers found 1,992 murrelet carcasses. Of that, 612 were marbled murrelets and 72 were Kittlitz's murrelets. The rest were not identified.

"Assuming that some of the recovered-but-unidentified murrelet carcasses are Kittlitz's and that more murrelets actually died

than were recovered," the death toll for Kittlitz's "may be as high or higher than that of any other single species affected by the oil spill," Spies wrote in his recommendation for adding the bird to the injured list.

Oil spill workers picked up 396 loon carcasses during the spill cleanup. Most of those — 216 — were identified as common loons.

"We don't have very good population estimates for loons in general, but they are long-lived and fairly slow reproducing," Spies said Thursday. "There may be just several thousand in the spill area." The recovered carcasses may represent as little as 10 percent of the total number of loons killed.

August 24, 1995

■ **SPECIAL KIDS:** Many programs in area can help them out.
Page 3.

■ **LO**
country
Page 4.

THE SEWARD PHOENIX LOG

Seward, Alaska

Volume 29 Number 50

Bones may prompt archaeological dig

Research adds to SeaLife Center cost

By Eric Fry

LOG Staff

Archaeologists will meet soon to decide whether animal bones and other artifacts found at the Alaska SeaLife Center work site are important enough to require a comprehensive dig.

That wouldn't delay construction, said project spokeswoman Maureen Sims, but it could cost up to \$200,000. "It has significant budget implications."

An archaeologist monitoring the construction project has found fire-cracked rocks and a lot of bones of sea mammals, fish and birds under Railway Avenue and in a test pit he dug outside of the center's site.

"A real interesting mix of fauna I don't associate with the Euro-American diet," Mike Yarborough told the city's Historic Preservation Commission last week.

Excavations of the road for sewer line work also unearthed a lot of artifacts like glass and crockery pieces and bottles dated to the early 20th century. That part of town was

filled in, but the original soil is underneath it. Yarborough said.

The construction project is now in Phase I, which includes clearing the site and putting in utilities, a well, intake and outfall lines, and a rock wall.

Construction work was briefly stopped in early July after Yarborough's discoveries, to allow state archaeologist Tim Smith to assess them. He said they were potentially significant, but he didn't hold up construction after that. Yarborough went to work on a 39-cubic inch test pit.

But when water lines were being laid southward from Railway Avenue onto the building's site in late July, Yarborough said it looked like a continuation of the first site, and work was halted.

Workers will be coming back anyway for Phase II of the project, in which the building is erected, Sims said. "Rather than wait and spend the money waiting, why not stop it now, since we're going back any-

See Dig, page 16

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From page 1

way."

Phase II of construction is expected to go out to bid in November, but work wouldn't begin until spring 1996.

Smith said he'll meet with Yarborough and a National Park Service archaeologist this week to decide what to do. "The lead federal agency is basically in the driver seat on that decision. We're a consulting party," Smith said.

"If that deposit is thought to be significant, we'll have to do an additional data-gathering project," he said, referring to archaeological work.

"The size, timing and funding is very much up in the air," he said, suggesting that the Exxon Valdez Oil Spill Trustee Council or the Interior Department might be a source of funds.

The decision to do an expensive, detailed dig throughout the building's footprint may hinge on the definition of historical "significance." Federal law is vague about the crite-

ria, Smith said.

Yarborough said a significant find helps answer important research questions. To private citizen Tim Sczawinski, the location of the Native winter settlement on Resurrection Bay is an important enough question.

"It would take a Russian cannon to slow things down," Sczawinski told the city's historic commission last week. "Almost anything of any significance in Seward history happened in that area."

To meet federal laws, the project has an agreement with the U.S. Interior Department and the state to consider cultural and historic resources that may be damaged by the center.

The developers, the Seward Association for the Advancement of Marine Science, pay for Yarborough's services, but he reports to the state Historic Preservation Office.

SAAMS has spent about \$50,000 on a study of nearby historic buildings by an Anchorage consultant, Charles Mobley, and about \$25,000 on Yarborough's field work to date. That doesn't include the analysis he's just starting, Sims said.

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Peninsula Clarion, August 23, 1995 3

University to take lead in Seward marine center

PALMER (AP) — An agreement approved Friday by the University of Alaska regents clears the way for the school to head a research unit at the Alaska SeaLife Center, which is being planned for Seward.

The center's research arm, funded through the Exxon Valdez oil spill settlement, will combine educational tours for visitors with research on marine mammals and

birds.

University president Jerome Komisar said the center was an important addition.

"It will enable us to do more scientific research and it also will draw more people to Alaska," Komisar said.

The agreement links the School of Fisheries and Ocean Sciences in Fairbanks and the Seward Association for the Advancement

of Marine Science, a non-profit corporation overseeing the project for the city of Seward.

Fairbanks Provost John Keating and Dean Vera Alexander were appointed to coordinate the agreement.

Keating said the university will appoint and fund a faculty member as interim science director to develop the research unit's planning and promotion.

The post will take up about 25 percent of the interim director's time, until the job becomes a full-time position in 1998.

Keating said the university hopes the center will win research grants so that it could hire three additional professors.

Some labs will be open to the public, he said, making the marine center the first of its kind in Alaska.

UAA regents OK SeaLife unit

The Associated Press

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VICTORY -ON- KODIAK

Score a big one for the Boone and Crockett Club's conservation agenda! Last May, Interior Secretary, Bruce Babbitt, signed agreements with the presidents of two Alaska Native corporations to protect more than 150,000 acres of prime habitat for brown bear, salmon, bald eagles and other species on Kodiak Island. The historic land transactions were a combination of fee acquisitions and conservation easements protecting habitat important to fish and wildlife species injured by the Exxon Valdez oil spill.

The \$60.5 million package used funds from the \$1 billion 1991 settlement between the federal government, State of Alaska and the Exxon Corporation. Lands acquired from Akhiok Kaguyak, Inc. and Old Harbor Native Corporation were deeded to them by the Alaska Native Claims Settlement Act and now are returned to the Kodiak National Wildlife Refuge.

"These agreements will preserve important habitat, provide additional opportunities for hunting, subsistence, commercial and sport fishing, and other outdoor activities, and strengthen the

local economy on Kodiak Island," Secretary Babbitt told an audience of Native Alaskans, sportsmen's and environmental groups present at the ceremony in his office. "President Franklin Roosevelt established Kodiak National Refuge a half-century ago at the urging of hunters and conservationists, the Eisenhower Administration enlarged it in the 1950's, and now, in keeping with President Clinton's commitment to protect the environment and provide economic opportunities for Native peoples, we are taking another step in preserving this natural treasure."

The two Native Alaskan village corporations retain some land around their village to allow for subsistence hunting and fishing, to preserve traditions, and for economic development. A third Kodiak agreement with Koniag, Inc. is being finalized at press time and will protect an additional 58,000 acres.

The agreements help implement the Exxon Valdez Final Restoration Plan designed to restore the environment in the 1,500 mile oil spill region from Prince William Sound and Kodiak Peninsula in the north to Kodiak and the

Alaska Peninsula to the southwest. (Fair Chase, Spring 1994)

Sportsmen's organizations, including the Boone and Crockett Club, lined up impressive national support for Kodiak, and native lands in the Kodiak bear refuge contained nearly half of the best fish and wildlife habitat in the entire oil spill region according to biologists and marine scientists hired by the oil spill trustees.

In July, 1993, Boone and Crockett President, Stephen S. Adams, put the Club on record in a letter to the six member Exxon Valdez Trustee Council, stating "The Department of Interior has long sought to re-acquire Kodiak Native corporation inholdings along the salt water edge and the salmon rivers within the bear refuge. These are some of the most biologically productive habitats within the oil spill zone, and they are under imminent threat of commercial development even though their highest and best use is clearly intrinsic wilderness."

Kodiak is legendary among hunters because the storm tossed archipelago in the Gulf of Alaska is home to the larg-

est brown bears in the world. The top three brown bears and seven of the top ten, and 33 of the top 50 on the Boone and Crockett list are Kodiaks.

"This agreement culminates more than a decade of hard work and hope of our people to find a win-win solution of our refuge inholdings," says Akhiok Kaguyak, Inc. president Ralph Eluska. "We had to either develop our land assets in ways that would harm the bears' habitat or continue locked in poverty. It took support from people literally across the nation to make this deal a reality. We owe Secretary Babbitt, the Boone and Crockett Club, and all of our allies an enormous thank you. We are also confident the lands the public gained are some of the finest fish and wildlife areas in North America."

Former U.S. Fish and Wildlife Service Director John Turner, now with the Conservation Fund, agrees with Eluska on the importance of Kodiak. Turner made Kodiak Native Inholdings the number one land acquisition priority of the Department of Interior during his tenure under George Bush and Bill Clinton, and got the ball rolling on Kodiak in 1992 with a Land & Water Conservation Fund budget request that passed Congress with the support of Alaska Senator Ted Stevens, Congressman Don Young and the Congressional Sportsman's Caucus.

"We were able to create ninety-two units of the National Wildlife Refuge System, more than Teddy Roosevelt, and it was an exciting four years," reflects Turner, "so I see Kodiak as a culmination of a very dynamic period. Of course when you look at the richness of Kodiak's biotic resources the agreements are a great use of the Exxon settlement, not only for the finest population of great bears, but also some of the most productive wild salmonic fisheries on the globe."

"I really salute the Native corporations in waiting for a fair settlement from the United States, and their stewardship of the land and using it for subsistence was a key element," Turner adds. "When I met with them as Director of the Fish and Wildlife Service, they sensed we wanted to deal in good faith. We appreciated where they were coming from with the economic needs of the villagers, the aspirations of their people, and they were obviously at a crossroads."

Also with the Conservation Fund, Dr. Bob Putz, former regional director of the Fish and Wildlife Service in Alaska

became chief negotiator for the Exxon Valdez Trustee Council during the often difficult Kodiak agreements.

Emil Christiansen, president of Old Harbor Native Corporation, echoes both the predicament the Native corporations faced and the satisfaction in the win-win result.

"Personally, I didn't know if the effort would pay off, but I would go to almost any lengths to preserve this land for future generations," Christiansen says. "Fish and wildlife habitat that is not protected will be destroyed by man, just look at the rest of the Washington and Oregon salmon systems and even some major systems in Alaska. We were determined not to let Kodiak start on the downward spiral of habitat degradation, because we make our livelihood from the quality of the resources just like the bears do. We also love it just the way it is."

world occur in the Karluk drainage including Karluk Lake. (Troyer and Hensel, 1964; Cowan, 1972). The river typically produces one third of the commercial harvest of salmon from the Kodiak refuge. The mainstem Karluk River is 21 miles long and drains an area of 236 square miles. It provides spawning or rearing habitat for all five species of Pacific salmon, rainbow/steelhead trout, and Dolly Varden/Arctic char.

The Karluk River is one of two drainage systems in the refuge (and one of the few such drainages within the boundaries of an Alaskan national wildlife refuge) where both steelhead and chinook salmon populations occur in abundance. Average annual escapement of all five species of Pacific salmon combined have reached or exceeded 2.5 million fish during the even years and nearly a half million in odd year returns.

THE EXXON VALDEZ OIL SPILL AGREEMENT IS REACHED. FROM THE LEFT: RALPH ELUSKA, PRESIDENT OF AKHIOK KABUYAK, INC.; SECRETARY OF THE INTERIOR, BRUCE BABBITT WEARING ALUTIIQ NATIVE HEADGEAR, AND EMIL CHRISTIANSEN, PRESIDENT OF OLD HARBOR NATIVE CORPORATION.



FINAL PUSH TO PROTECT KARLUK & STURGEON RIVERS

The land agreements already signed protect 80% of the targeted Native corporation inholdings in the Kodiak bear refuge. The Department of Interior and the Exxon Valdez Trustee Council want to finish the job of making Kodiak refuge whole by acquiring the Karluk and Sturgeon Rivers.

The Karluk is one of the most storied rivers in all of Alaska. The highest known brown bear densities in the

Kodiak refuge manager, Jay Bellinger is elated with the accomplishments of the Exxon Valdez acquisitions so far, but feels the clock is running on protecting the Karluk and the neighboring Sturgeon River. "The number one priority for me is to see the refuge whole, with all the large Native corporation blocks protected," says Bellinger. "And that means finishing the job on the Karluk and Sturgeon Rivers. With the mounting pressures for human development and for subdividing these land blocks for private cabins and



U.S. FISH AND WILDLIFE SERVICE DIRECTOR, MOLLIE BEATTIE, ON LOCATION AT THE KARLUK RIVER IN THE KODIAK BEAR REFUGE. BEATTIE HAS PUT THE SERVICE INTO OVERDRIVE TO SAVE PRIME BROWN BEAR HABITAT.

lodges, it is a now or never proposition before the Exxon Valdez Trustee Council on these two rivers.

As for Secretary Babbitt and the Trustee Council, there is no disagreement on the ecological importance of the Karluk or Sturgeon. In fact, both parcels scored off the charts on both "link to injury" and "degree benefit" to fish and wildlife species injured by the oil spill. These two factors are what drive the prioritization process in the oil spill restoration plan. The Native corporation which owns them, Koniag, Inc., is a willing seller.

The hang up so far is price. An appraisal done for the Trustee Council came up with an offer of \$127 per acre, a price so low in the eyes of the Native corporation, that negotiations have virtually ceased according to Uwe Gross, chief executive officer for Koniag, Inc.

"By way of background, there was a U.S. House acquisition bill that passed in early 1980's where a price of \$600 per acre was agreed to, subject to confirmation on appraisal, for all the Native inholdings, which then totaled more than 300,000 acres," say

Gross. "Subsequently, as a part of the negotiations with the Department of Interior during the Reagan Administration on land exchanges for the Arctic National Wildlife Refuge coastal plain, Koniag agreed to a value of approximately \$650 per acre for 115,000 acres, which included the Karluk and Sturgeon."

Asked if there is a way to reach an agreement, Gross continued, "Subject to successful completion of the phase one negotiations (58,000 acres referenced above), Koniag is willing to begin negotiations on the Karluk and Sturgeon rivers, the crown jewels of our refuge inholdings. But the belief that we'd let them go for \$650 an acre, or less, is a non-starter from our point of view."

Both sides of the table know that the stakes are high and that in an era of dwindling government largesse, the Exxon Valdez Restoration Fund is probably the buyer of last resort. The current make up of the Trustee Council is favorable to land acquisition, and President Clinton is favorable to land acquisition, but if President Clinton is not reelected in 1996, the opportunity to save the most famous bear habitat in North America could be lost.

Dave Cline, the Alaska VP for the Audubon Society and chairman of the Kodiak Brown Bear Trust believes intensified efforts are needed by all of Kodiak's supporters. "You have to be an optimist to be in this battle," say Cline, "but we've come more than three-quarters of the way to making the refuge whole and protecting some of the finest hunting lands in the world. Given the threats that bears face all over the world, Kodiak should go down in history as one of the greatest conservation successes ever."

Cline, like John Turner, believes the Kodiak acquisitions present the most long lasting and meaningful expenditures to date of the monies from the Exxon Valdez tragedy. "There are a lot of thank yous to pass around for Kodiak so far," says Cline, "and the Boone and Crockett Club stands in the first rank. Kodiak and the habitat acquisition on Afognak Island and the rest of the spill region is unique in that there are funds available. "Completing the job is really a matter of conservation leadership."

INTERVIEW WITH A KODIAK BEAR BIOLOGIST

VIC BARNES, NATIONAL BIOLOGICAL SERVICE

Q. How many brown bears do you have on Kodiak?

A. There are approximately 3,000 Kodiak bears in the entire Kodiak archipelago. The highest densities are located on Kodiak Island, the largest island in the group. Two-thirds of Kodiak Island, almost two million acres, has been a federally protected bear refuge since 1941. The highest density population of brown bears in the refuge is the Karluk Lake drainage where there is an area of 100 square miles with over one bear per square mile.

Q. Is Kodiak Island still producing huge bears?

A. Yes. Each year there's eight to ten world class bears taken in the harvest which means they meet minimum requirements for listing in the Boone and Crockett Club, which is the 28 inch skull or larger. In the last four years there have been two animals ranking in the top ten or fifteen in the all time list.

Q. How many Kodiak's are taken per year?

A. The sport harvest averages about 155 per year throughout the archipelago. Approximately 70-75% of sport harvest occurs within the refuge. We keep an eye on increased development of recreational buildings because defense of life and property kills rise with increased human development in bear habitat. * (See Editor's Note) Our studies take into account all mortality, both sport and non-sport kills, so there's an increasing competition for a limited number of animals.

Q. How important were the recent land agreements with Kodiak Native Corporations to both Kodiak bear quality and quantity?

A. The land deals were exceptionally important because they allow for a uniform, consistent management strategy on almost the entire refuge now. We know bears don't honor ownership boundaries, so if some critical habitat components for populations are on private lands, while other components are on public lands, it is difficult to manage. Development on private lands effects the population density and composition on the public lands. With the Exxon Valdez agreements made with Native corporations, 80% of the targeted private inholdings within the refuge are now protected. We still need to get the Karluk and Sturgeon River drainages and this would make the Kodiak refuge whole.

Q. Why do Native inholdings on the Karluk and Sturgeon Rivers pose problems?

A. The Sturgeon River is an area where critical feeding sites occur both on Native land and adjacent public land, where bears will be effected if there is a substantial use of private lands. This would degrade the habitat of the area we have identified as critical feeding area for brown bears. And we are definitely seeing pressure on Karluk lands because of ecotourism, as well as, all the flight-seeing trips where the planes are circling and watching bears. This, combined with the dramatic increase in sport fishing pressure on the Karluk River, is having an affect on bears. If recreational use increases on the portion of the Karluk that is private, it will pressure the refuge to restrict use on the area of public lands on Karluk Lake to compensate, to give the bears some relief.

Q. How does Kodiak differ from other bear-viewing tourist areas in Alaska?

A. The main difference is that human activity at McNeil River and Brooks River is tightly controlled. People move in controlled groups along the same trails everyday, all season. Bears know and accept this behavior. By contrast, Kodiak has a few closed areas to humans for limited time frames, but beyond that people have free run of the refuge within the normal access and camping permit rules.

At Katmai National Park there is concern that ecotourism is growing beyond the extent that it impacts bears. Hunting is another big difference in that McNeil and Katmai are parks where no hunting is allowed. Here on Kodiak we want a diverse management style for consumptive and non-consumptive users.

Kodiak is unique in that bear hunting was an original purpose of the refuge in President Franklin D. Roosevelt's executive order and hunters led the effort to conserve bears. The only other comparable prime bear area is Admiralty Island, but even there, a no-hunting sanctuary was created around the bear-viewing area. Kodiak is unique amongst high density brown bear areas in that we don't have any sanctuaries within the refuge closed to hunting, and our objective is to maintain that in the future to accommodate all the uses.

*Alaska law provides for individuals to kill bears in defense of their life or property. A person who is "attacked" by or who believes they are about to be attacked by a bear may legally kill the bear. As more and more human-bear interaction takes place more bears are killed in defense of life and property. In many instances bears have been killed under the DLP statute by individuals who were inexperienced in dealing with bears in the wild and who simply shot bears that were not a significant threat. As human development in bear habitat increases more and more bear will be in jeopardy under the DLP rule. Persons who kill a bear under this rule are required to report the kill to the Alaska Department of Fish and Game authorities and turn the hides and skull over to such authorities.

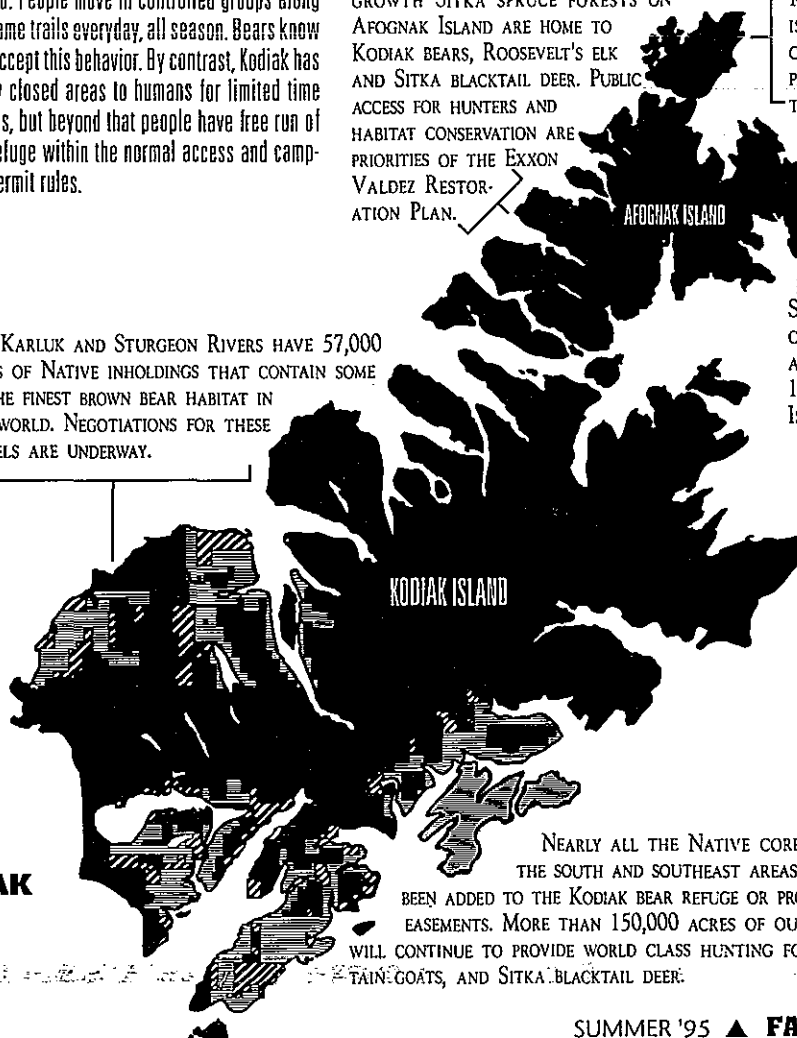
KODIAK PROTECTING A HUNTER'S PARADISE

NATIVE LANDS CONTAINING OLD GROWTH SITKA SPRUCE FORESTS ON AFOGNAK ISLAND ARE HOME TO KODIAK BEARS, ROOSEVELT'S ELK AND SITKA BLACKTAIL DEER. PUBLIC ACCESS FOR HUNTERS AND HABITAT CONSERVATION ARE PRIORITIES OF THE EXXON VALDEZ RESTORATION PLAN.

ALL OF SHUYAK ISLAND, KODIAK'S HARDEST HIT ISLAND IN THE OIL SPILL, COULD BECOME A STATE PARK WITH THE ACQUISITION OF 25,665 ACRES.

SEAL BAY AND TONKI CAPE COMPRISE 41,550 ACRES AND WERE PURCHASED IN 1993 TO CREATE AFOGNAK ISLAND STATE PARK.

THE KARLUK AND STURGEON RIVERS HAVE 57,000 ACRES OF NATIVE INHOLDINGS THAT CONTAIN SOME OF THE FINEST BROWN BEAR HABITAT IN THE WORLD. NEGOTIATIONS FOR THESE PARCELS ARE UNDERWAY.



LAND STATUS ON KODIAK

- U.S. FISH & WILDLIFE SERVICE LAND
- NATIVE LAND SELECTED
- NATIVE LAND CONVEYED

NEARLY ALL THE NATIVE CORPORATION INHOLDINGS ON THE SOUTH AND SOUTHEAST AREAS OF KODIAK ISLAND HAVE BEEN ADDED TO THE KODIAK BEAR REFUGE OR PROTECTED BY CONSERVATION EASEMENTS. MORE THAN 150,000 ACRES OF OUTSTANDING BEAR HABITAT WILL CONTINUE TO PROVIDE WORLD CLASS HUNTING FOR KODIAK BEARS, MOUNTAIN GOATS, AND SITKA BLACKTAIL DEER.

PHONE COMMENT LOG

Name	Affiliation	Phone	Address
Terry Burrell			3716 Wisteyan Dr Anchorage, AK 99508

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

Date of call: 9/1/95 Comment taker: LJ EVANS

Subject of comments: Future work plans

Comments:

Wants to see future work plans gather more baseline data on fisheries and wildlife present in spill areas. Scheduled for extensive logging so that impacts of logging can be assessed.

Forest Forever/Eyak Rainforest Preservation Fund

Dear Exxon Valdez Oil Spill Trustees Council,

I want to save up to 70,000 acres of ancient rainforest in Prince William Sound by supporting a timber buyback of Eyak Corp. land in imminent threat of clearcut in Orca Narrows. I support a timber rights purchase plan proposed by the Eyak Rainforest Preservation Fund and the Coastal Coalition. I want this Forest Forever deal negotiated and signed **NOW** to prevent logging on this land in perpetuity.

Phase One of this deal would empower the trustees council to purchase timber rights from the Eyak Corp. so that logging never occurs in this ancient rainforest. Phase Two of the deal would create a three-year moratorium on current land-use rules to negotiate the finer details of the Forest Forever plan; allowing the federal government, concerned citizens, and the Eyak shareholders a chance to iron out the legal terms (i.e. conservation easements) for how the land would be protected and managed.

Respectfully,

Arden Wood

Respectfully,

Ellen Americus

P.O. Box 875384

Wasilla, AK 99687

Respectfully,

Tan Americus

P.O. Box 875384

Wasilla, AK 99687

Respectfully,

KATE FRIES

5900 EL CAMINO DR

ENGLEWOOD, CO 80111

Respectfully,

Elysa L. Gies

3322 SE Court Dr.

Stunt FI 34997

Respectfully,

Kinda Lipton

P.O. Box 2081

Boulder, CO 80306

Boulder County Audubon Soc.

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Respectfully,

Jolinda Buchanan
1340 Race #6
Denver, CO 80206

Respectfully,

Erin McConnell

Respectfully,

Constance E. Cardillo
50 E. 16 Ave. #640
Denver, CO 80202

Respectfully,

Amanda Staab
3310 S. 7th St.
Milwaukee, WI 53215

Respectfully,

Tina Smith (Tawith)
2227 E. 14th Ave.
Denver, CO 80206

Respectfully,

Liz Kleinfeld (Liz)
2227 E. 14th Ave.
Denver, CO 80206

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Respectfully,

Chris Fauchet
2009 Valdez Road
Orlando, FL 32803

Respectfully,

Wendy Lavery

Respectfully,

Adam Rappaport
P.O. Box 520530
Big Lake, AK 99652

Respectfully,

Viggo L. Br
P.O. Box 670265
Chugiak, AK 99567

Respectfully,

Seann O'Laughnaugh-Naughton
PO BOX 80087
FBKS, AK 99708

Respectfully,

Janya L. Beatty
8300 E. 17 Ave
Anchorage, AK 99504

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Respectfully,

Rebecca Chandler

PO Box 134

Ester AK

99725-0134

let
your heart
be your guide
♡

protected and managed.

Respectfully,

William A. Kito

William A Kito

Box 223

Gridwood, AK 99587-0223

Respectfully,

RICHARD RODRIGUEZ

45 VINE ST.

OVIDO, FL 32765

Respectfully,

Tara Xay

1517 Chestnut Pl.

St. Collins, CO 80521

Respectfully,

A.J. Kolarsiek

1433 Williams St. 206

Denver, CO 80218

Respectfully,

Eric Bollen

an avid hiker of Cordova's

amazing forests.

Forest Forever/Eyak Rainforest Preservation Fund

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Respectfully,

Karen Woodring

Respectfully,

Oran J. Antrim
P.O. 910 Pine Valley, CA
91962

Respectfully,

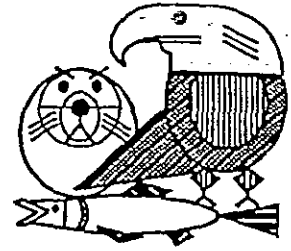
Julie M. Jakob
4541 Piper St #3
Anchorage, AK 99502-1540

Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 "G" Street, Anchorage, AK 99501

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



October 2, 1995

Ms. Linda Burlington and Mr. Eli Reinharz
National Oceanic and Atmospheric Administration
Office of General Council Natural Resources
1315 East-West Highway
SSMC #3, Room 15132
Silver Spring, MD 20910

Dear Ms. Burlington and Mr. Reinharz:

The undersigned members of the Public Advisory Group for the *Exxon Valdez* Trustee Council have reviewed NOAA's natural resource damage assessment rule being proposed under the 1990 Oil Pollution Act. While we have not reviewed the rule in great detail, we have identified what we perceive to be significant problems.

The Public Advisory Group was established by the State of Alaska and the federal government in 1991 following settlement of the governments' claims against Exxon Corporation following the 1989 *Exxon Valdez* Oil Spill. Its mission is to advise the Trustees on the use of restoration funds and conduct of activities to restore the resources and services injured by the spill.

The Public Advisory Group has been an active participant in the development of the Trustees' program to restore the resources and services injured by the 1989 oil spill. We have practical experience in reviewing restoration proposals and observing the problems and opportunities presented by an oil spill and the need for restoration. In our brief review, we have identified three major problems with the proposed rule.

1. *In most cases, a large spill will result in significant injuries that cannot be fully restored, and monetary compensation is appropriate.* Restoration activities are likely to fully restore resources only when damage is confined to a localized animal population (e.g., a few bird nests) or a small physical setting (e.g., a few-acre wetland). For large spills, like that of the *Exxon Valdez*, the injuries may not be restorable except through time, and may not even be identifiable at the time of the spill. Requiring all damages to be estimated in terms of predicted, specific restoration costs will delay and limit the ability of the public to obtain compensation for the injuries. In these instances, monetary compensation remains an appropriate and acceptable alternative, but one that is largely disallowed by the proposed rule. Implementation of the rule would leave the public inadequately compensated for large oil spills.

2. *The requirement for an agreed-upon, project-based restoration plan prior to compensation is unworkable.* The rule assumes that the restoration effort can quickly be put together as a series of well-defined projects. In our experience, future years' restoration needs are dependent on previous years' results. Thus, requiring a detailed, project-based restoration plan to forecast all required restoration projects is not realistic. The 1996 restoration program for the *Exxon Valdez* spill has become a well-integrated program to aid the resources and services injured by the spill, but it could not have been constructed without the results of previous years' scientific investigations.

3. *The proposed rule should allow for the involvement of the responsible parties only at the discretion of the trustees.* The proposed regulations require the government trustees to invite the responsible party to join in the NRDA process. This participation should be at the sole discretion of the trustees. A responsible party and the trustees have two different groups of people to whom they are responsible. The responsible party is responsive to shareholders' investment, so it is in their interest to be conservative in their damage assessment and analysis, and narrow in the scope of investigation. A public trustee has a different responsibility, and therefore may take a different path, that is not necessarily in the best interest of the shareholders of the responsible party's company.

Thank you for this opportunity to comment. We appreciate your consideration of our review as you proceed towards a final decision.

Sincerely,


Vern McCorkle, Chairman
Exxon Valdez Trustee Council Public Advisory Group

on behalf of:

<u>Name</u>	<u>Principal Interest</u>
Rupert Andrews	Sport Hunting & Fishing
Jim Diehl	Recreation Users
James King	Public-at-Large
Nancy Lethcoe	Commercial Tourism
Brenda Schwantes	Subsistence
Thea Thomas	Commercial Fishing
Martha Vlasoff	Public-at-Large
Pam Brodie	Environmental
Dave Cobb	Local Government
Chip Dennerlein	Conservation
Chris Beck	Public-at-Large
Chuck Totemoff	Native Landowners

RUPE ANDREWS
9416 LONG RUN DRIVE
JUNEAU, ALASKA 99801

HOME (907) 789-7422
FAX (907) 789-1846

RECEIVED
SEP 25 1995

September 25, 1995

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

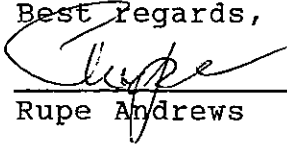
Molly McCammon, Executive Director
Exxon Valdez Oil Spill Trustee Council
645 G Street, Suite 401
Anchorage, AK 99501-3451

Dear Molly:

A few quick lines to comment on the recent field trip to Chenega and Prince William Sound beaches. Even though the unexpected weather kept us another day and didn't allow for a beach landing, from my perspective, the trip was a huge success. I have been on the EVOS-PAG for three years and with exceptions, never had the opportunity to really talk to my colleagues on the PAG or to agency personnel. I believe you will find that everyone on the field trip will agree on this.

Someone on staff should be commended for arranging the return logistics given all the circumstances of weather in the southcentral area. All of the Juneau people caught the late flight Thursday evening out of Anchorage. All in all, I returned home feeling better informed and much more appreciative of agency restoration efforts. My thanks to you and the EVOS staff and especially to Cherrie Womac.

Best regards,

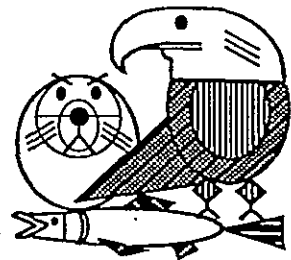

Rupe Andrews

Exxon Valdez Oil Spill Trustee Council

Restoration Office

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

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



September 18, 1995

Representative Con Bunde
716 West 4th Avenue
Anchorage, Alaska 99501-2133

Dear Representative Bunde,

Thank you for your recent letter in regard to the *Exxon Valdez* Oil Spill Trustee Council's small parcel program and your comment in support of the nomination by Mr. James Donald Hopkins. Thank you for the information from Dr. George West, who also provided us with a copy.

As you may know, more than 260 small parcels have been nominated by various land owners throughout the spill area. These parcels have all been evaluated for their potential contribution to restoration. A copy of the *Comprehensive Habitat Protection Process: Small Parcel Evaluation and Ranking — Vol. III* report is enclosed for your reference. The small parcel program is clearly quite popular and there are many more nominations of parcels than the Trustee Council can purchase, at least not at this time. In order to move forward, the Trustee Council has identified 29 parcels of particular priority for the restoration of the resources and services injured by the *Exxon Valdez* oil spill. Further efforts are currently underway respecting these particular parcels (title searches, hazardous materials surveys, appraisals, etc.) prior to deciding which ones may be appropriate for acquisition by the Trustee Council. Several of these are in the Homer area.

Although there are important attributes associated with the parcel nominated by Mr. Hopkins (KEN 146), this parcel has not been identified as a priority parcel at this time. Although KEN 146 is not among the current list of priority parcels, it is possible that it may be further considered in the future.

The enclosed report provides additional detail on the small parcel review process. If I can provide additional information, please let me know.

Sincerely,


Molly McCammon
Executive Director

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

Alaska State Legislature



INTERIM:
716 WEST 4th AVENUE
ANCHORAGE, AK 99501-2133
OFFICE: (907)258-8168

House of Representatives

RECEIVED
AUG 24 1995

August 16, 1995

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

Molly McCammon
Executive Director
Exxon Valdez Oil Spill Trustee Council
Restoration Office
645 G Street, #401
Anchorage, Alaska 99501

Dear Ms. McCammon:

It has come to my attention that James Donald Hopkins owns an 80 acre parcel of land, within the Eastland Creek section of Kachamak Bay State Park, that he is willing to sell. I support the purchase of this parcel to help round out the north shore portion of the park, an area as yet undeveloped and possessing outstanding park values.

Dr. George C. West, a retired zoophysiology professor from UAF and Executive Director of the Pratt Museum in Homer, has done a complete study of the Hopkins parcel. This report of Dr. West's study should be in your possession.

The acquisition of the Hopkins land would be an asset in completing the Eastland Creek section of Kachamak Bay State Park, increasing the recreational potential of the park. An additional benefit will be the protection of habitat for several species of wildlife affected by the Exxon Valdez oil spill.

Your attention and careful consideration to this purchase will be greatly appreciated.

Sincerely,

A handwritten signature in dark ink, appearing to be "Con Bunde", written over the word "Representative".

Representative Con Bunde

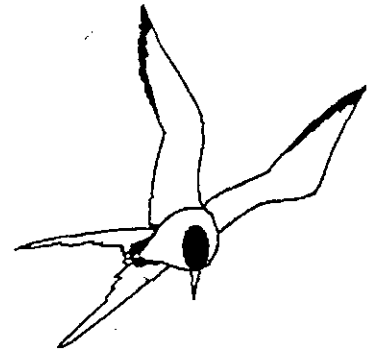
BIRCHSIDE STUDIOS

P. O. Box 841

Homer, Alaska 99603

(907) 235-7095

Fax (907)235-4230



June 30, 1994

Exxon Valdez Oil Spill Trustee Council
Restoration Office
645 G Street, Suite 401
Anchorage, Alaska 99501-3451

Dear Trustees:

This letter is in support of the application of **Mr. James Hopkins** for your acquisition of a parcel of land within the Eastland Creek section of Kachemak Bay State Park, and bordering Kachemak Bay, about 14 miles northeast of the base of the Homer Spit.

The parcel is currently "landlocked" within the boundaries of Kachemak Bay State Park (see map). Purchase of this land would help to complete that part of the park on the north shore of Kachemak Bay, an area yet undeveloped, but in a prime location for recreational enhancements and potential access from the road system east of Homer, Alaska. Over half of the subject property appears to be steep bluffs along Kachemak Bay on the southeast, along tributaries of Eastland Creek on the east, and along an unnamed intermittent stream to the southwest. These bluffs rise to 500 feet above the shore of Kachemak Bay and then the property continues to rise another 100 feet at its northwestern extent.

Some of the bluff face is vegetated with alder; there are willows, cottonwoods, and alders in the stream valleys along with herbaceous vegetation. Some Sitka or Lutz spruce extend on ridges towards the mouth of Eastland Creek where there is an active Bald Eagle nest. The upper and more level portion of the property is heavily vegetated with spruce.

The intertidal area of Kachemak Bay adjacent to the subject property is shallow and extends about one mile off shore at low tides. In this shallow intertidal area, silver salmon migrate to the head of the Bay, and many birds and marine mammals feed. We have seen thousands of scoters in this area in early spring and winter. Marbled and Kittlitz's Murrelets feed here with Common Loons, Greater Scaup (in winter), Red-breasted Mergansers, Mew and Glaucous-winged Gulls, Black-legged Kittiwakes, Aleutian and Arctic Terns, Common Murres, Pigeon Guillemots, Sea Otter, Harbor Porpoise, and Harbor Seal. The mud flats at low tide support thousands of spring migrating shorebirds, some of which may use the intertidal areas at the base of the subject property. On the following page is a partial list of bird species that utilize this property.

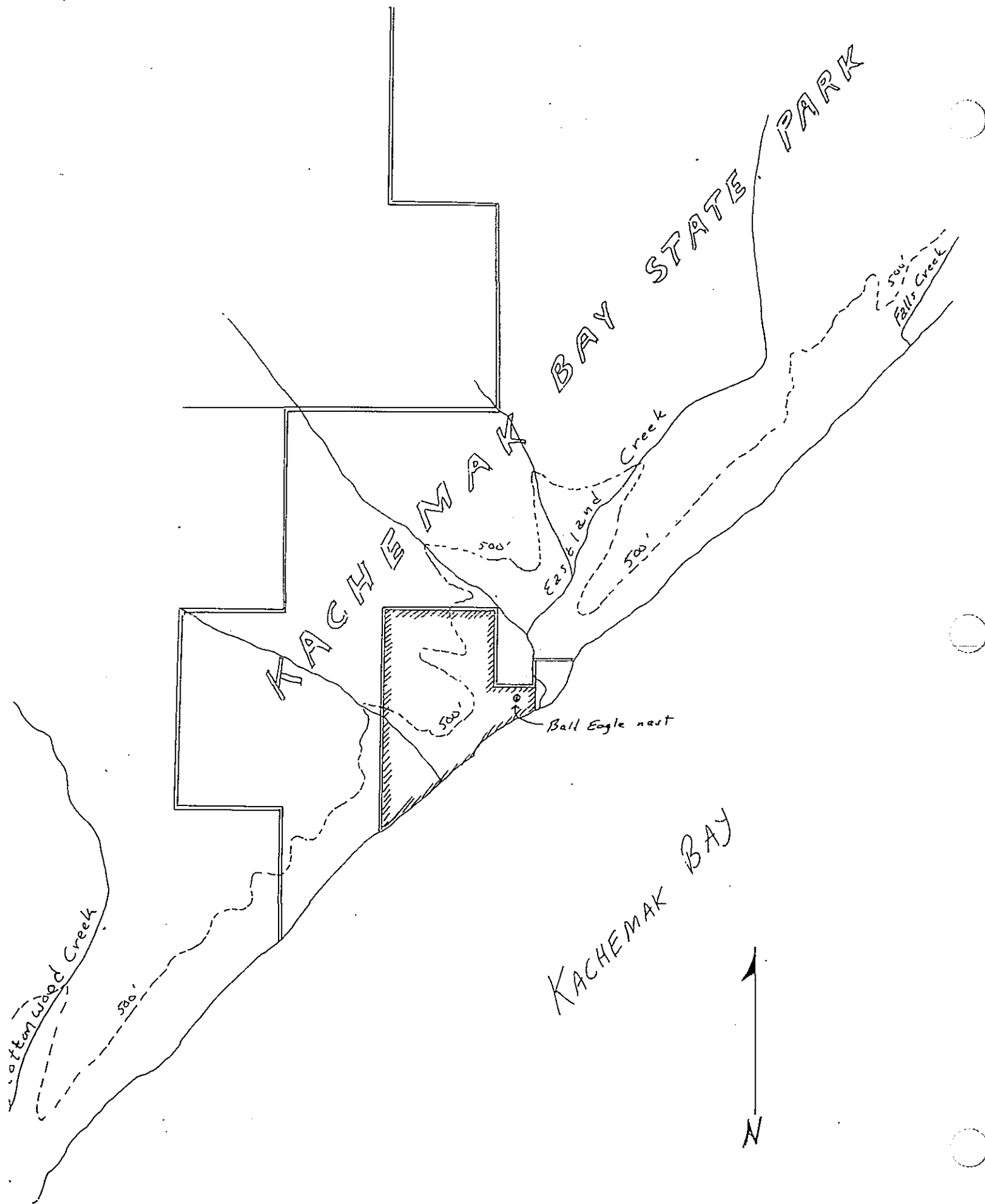
Species	Use	Species	Use
Bald Eagle	nesting	Bank Swallow	probable nesting
Northern Harrier	feeding	Gray Jay	probable nesting
Sharp-shinned Hawk	probable nesting	Steller's Jay	probable nesting
Northern Goshawk	probable nesting	Black-billed Magpie	probable nesting
Western Sandpiper	feeding on intertidal mud	Boreal Chickadee	probable nesting
Dunlin	feeding on intertidal mud	Red-breasted Nuthatch	probable nesting
Short-billed Dowitcher	feeding on intertidal mud	Golden-crowned Kinglet	probable nesting
Mew Gull	feeding on shoreline	Ruby-crowned Kinglet	probable nesting
Glaucous-winged Gull	feeding on shoreline	Hermit Thrush	probable nesting
Black-legged Kittiwake	feeding off shore	Swainson's Thrush	probable nesting
Arctic Tern	feeding off shore	Varied Thrush	probable nesting
Aleutian Tern	feeding off shore	Orange-crowned Warbler	probable nesting
Common Murre	feeding off shore	Yellow-rumped Warbler	probable nesting
Pigeon Guillemot	feeding off shore	Townsend's Warbler	probable nesting
Marbled Murrelet	feeding off shore	Wilson's Warbler	probable nesting
Kittlitz's Murrelet	feeding off shore	Fox Sparrow	probable nesting
Great Horned Owl	probable nesting	Golden-crowned Sparrow	probable nesting
Belted Kingfisher	probable nesting in bluff	White-crowned Sparrow	probable nesting
Three-toed Woodpecker	probable nesting	Dark-eyed Junco	probable nesting
Tree Swallow	feeding	Pine Grosbeak	probable nesting
Violet-green Swallow	feeding	White winged Crossbill	feeding
		Pine Siskin	probable nesting

I believe that acquiring the subject property to complete the Eastland Creek section of Kachemak Bay State Park will increase the Park's recreational potential for the citizens of Homer and the State of Alaska as well as providing contiguous protected habitat for many species of wild-life.

Sincerely yours,



George C. West, Ph.D.
Professor of
Zoophysiology, Emeritus
University of Alaska Fairbanks



July 19, 1995

To those at the Science Center

Thank you for publicizing the Sea
bulletin. I just finished reading the
June issue of Pacific Herring and found
the information brought forth very interesting.

I am so happy that continued
research in our PWS herring is
being studied. These last few years
has been such a loss for so many
in this area. We need our herring
back to help service the fishing
industry.

Thanks again

PWS Herring sac roe Permit Holder

Clay Giddner

P.O. Box 380

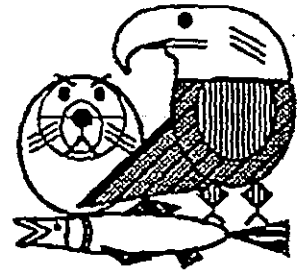
Cordova

Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 "G" Street, Anchorage, AK 99501

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

**MEMORANDUM**

TO: Molly McCammon
FROM: *Traci Cramer*
 Traci Cramer
 Administrative Officer

DATE: September 8, 1995**RE:** Transcripts of the August 25, 1995 meeting

While the transcripts from the August 25, 1995 meeting include two instances where the amount of funding approved by the Trustee Council for the FY' 96 projects is stated, (page 175, line 17 and page 176, line 7) I feel that a memorandum is necessary to clarify the actual amount approved.

The following represents parts of the actual transcripts.

1. Starting on page 174, line 3 MR. RUE: Yes, I move ... adopt the recommendations for FY' 96 projects as outlined in the spreadsheets of August 15 ... making the changes reflected on page 12 of today's handout... And, finally, I also move the Trustee Council approve \$589,100 for FY' 97 report writing costs ...
2. Page 174, line 22 MR. TILLERY: Amend the motion to add \$50,000 to 96027.
3. Page 178, line 10 ALL TRUSTEE COUNCIL MEMBERS: Aye.

The actual amount approved for the FY' 96 projects was \$13,670,700 as reflected below.

August 15, 1995 Worksheet	\$13,739,300
Page 12 of handout:	
Project 96048-BAA	-116,900
Project 96064	-3,000
Project 96154	+1,300
Project 96027	<u>+50,000</u>
APPROVED FY' 96 Projects	\$13,670,700

Trustee Agencies

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