

## **13.08.01 – Reading File**

**February 1998**

# Exxon Valdez Oil Spill Trustee Council

645 G Street, Suite 401, Anchorage, AK 99501-3451 907/278-8012 fax: 907/276-7178



February 27, 1998

The Honorable John Torgerson  
Alaska State Legislature  
State Capitol, Room 514  
Juneau, Alaska 99801-1182

Dear Senator Torgerson:

As your letter of February 18, 1998, indicates, the Seldovia Historical Museum has requested funding from the *Exxon Valdez* trust fund. In fact, organizations in all eight spill-affected communities in Prince William Sound and lower Kenai Peninsula have requested trust funds to improve or repair existing museums or construct new ones. In some communities, more than one organization has requested funds for this purpose. In Seldovia, both the Museum and the Seldovia Village Tribe have requested funds to improve their museums.

The challenge for the Trustee Council has been to develop an approach to museum improvements that primarily restores injury from the 1989 oil spill, but also serves the interests of the communities and resolves competing requests for use of trust funds. *Exxon Valdez* oil spill trust funds may be used to restore resources injured as a result of the oil spill, including archaeological resources. The *Exxon Valdez Oil Spill Restoration Plan* acknowledges the restoration value of providing appropriate facilities to store and display spill-related archaeological artifacts.

The Trustee Council recently adopted a resolution regarding funding for archaeological artifact repositories and display facilities in Prince William Sound and the lower Kenai Peninsula. Seldovia is one of the eight spill-affected communities in these regions. The resolution directs me to invite comprehensive proposals for a single regional repository in one of the eight communities, local display facilities in the remaining seven communities and traveling exhibits. I expect to issue a Request for Proposals soon. The Trustee Council is tentatively scheduled to make funding decisions on archaeological restoration on August 6, 1998. Funds would be available on October 1, 1998, at the earliest.

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#### Federal Trustees

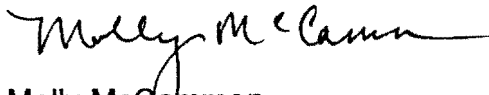
U.S. Department of the Interior  
U.S. Department of Agriculture  
National Oceanic and Atmospheric Administration

#### State Trustees

Alaska Department of Fish and Game  
Alaska Department of Environmental Conservation  
Alaska Department of Law

I have encouraged Mr. Kroll to work with the other organizations in Seldovia to ensure that a proposal for a facility in Seldovia reflects the community's interests and support. Please let me know if you need additional information.

Sincerely,

A handwritten signature in black ink, reading "Molly McCammon". The signature is fluid and cursive, with a long horizontal stroke at the end.

Molly McCammon  
Executive Director

cc: Henry Kroll, Director  
Seldovia Historical Museum

mm/raw

# Alaska State Legislature

## Committee Membership

Senate Finance  
Senate Resources  
Senate Rules  
Legislative Budget & Audit



*Senator John Torgerson*

**District Address:**  
145 Main St. Loop; Ste. 226  
Kenai, AK 99611  
(907) 283-2690  
fax 283-9267

**Session Address:**  
State Capitol: Room 514  
Juneau, AK 99801-1182  
(907) 465-2828  
fax 465-4779

February 18, 1998

Ms. Molly McCammon  
Executive Director  
Exxon Valdez Trustee Council  
645 G Street, #401  
Anchorage, AK 99501-3451

RECEIVED

FEB 25 1998

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

Dear Ms. McCammon:

I am writing in regards Seldovia's Historical Museum. It is my understanding they have requested an appropriation from EVOS.

I would like to give my support to the Museums request for EVOS funds. The present museum is very much in need of many repairs. A new museum would be something that the entire community would benefit from.

I would appreciate hearing from you on this particular request.

Sincerely,

A handwritten signature in black ink, appearing to read "John Torgerson".

Senator John Torgerson

cc: Henry Kroll, Director  
Seldovia Historical Museum

Nk980055/mccammo/seldovia

*Representing the Kenai Peninsula*

# Exxon Valdez Oil Spill Trustee Council

645 G Street, Suite 401, Anchorage, AK 99501-3451 907/278-8012 fax: 907/276-7178



February 27, 1998

The Honorable Ted Stevens  
United States Senate  
Committee on Appropriations  
Washington, D.C. 20510-6025

Dear Senator Stevens:

This letter is in response to your request for information on small parcel habitat protection efforts in the Homer area.

On October 3, 1997, the Trustee Council agreed to provide \$996,100.00 to purchase 68.7 acres at Mud Bay and 38 acres at Beluga Slough. In addition, the City of Homer agreed to convey a conservation easement to the State of Alaska and the United States on additional parcels containing a total of approximately 59.5 acres adjacent to the Mud Bay small parcel. The City will also provide \$41,000 toward the purchase of the Beluga Slough small parcel.

Purchase of these parcels was initially proposed by the City of Homer and widely supported by the public in Alaska as well as on a national basis. Many letters were received to let the Trustee Council know how important these lands are to the residents of Homer as well as the tourism industry. The Homer Chamber of Commerce and Homer's State Legislators also endorsed this effort. After the purchase of the land is complete, the City of Homer will be responsible for its management. The City is already planning ways to enhance the public use of the area through boardwalks and viewing platforms for bird watching and other recreational activities.

I have included the benefits report and map for each parcel. If I can be of further assistance, please do not hesitate to call me.

Sincerely,

A handwritten signature in cursive script that reads "Molly McCammon".

Molly McCammon  
Executive Director

enclosure

cc: Senator John Torgerson  
Representative Gail Phillips  
Mayor John Cushing

MM/ty

**KEN 1060 A,B,C & D: Homer Spit - Mud Bay**

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<b>Acreage:</b>	68.7	<b>Rank:</b> PMSC	<b>Sponsor:</b> ADF&G, ADNR
<b>Owners:</b>	Trust for Public Lands (option)		
<b>Location:</b>	Homer Spit		
<b>Value:</b>	\$422,100		

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**Parcel Description:** The subject properties collectively comprise a contiguous 68.7 acre tract largely comprised of low-lying intertidal flats and salt marsh on the eastern side of the spit along Kachemak Bay extending across the spit to include the outer beach berm. The Trust for Public Lands (TPL) has an option to purchase the nominated lands.

**Restoration Benefits:** Acquisition of the subject properties will provide protection for important intertidal resources. These estuarine wetland habitats extend from mid-intertidal to supratidal elevations and include muddy intertidal, mixed sand/gravel substrate, giving way to alkalai grass salt marsh and a gravel/cobble/driftwood beach along the western beach berm. On the bay side of the spit, the intertidal habitats are characterized by brackish waters, providing feeding habitat for juvenile salmon outmigrating from other parts of Kachemak Bay. At high tide, harbor seals will swim in the area to feed, especially when the salmon are running in the mid to late summer. The intertidal habitat in this area supports intertidal vegetation and invertebrates that are of special significance to migratory birds on a seasonal basis. During spring migration, the tidal flats of this area are used by tens of thousands of migrating shorebirds which also use the uplands for roosting at high tide (especially Western sandpipers and Black Turnstones). In spring, the wetter portions of these lands are also of significant value to a variety of waterfowl species. Because of the biological productivity as well as aesthetic value of these lands, the properties are also of great public interest, helping to support tourism and recreation services. The area is especially popular during the annual Homer Shorebird Festival which draws thousands of visitors from throughout the state.

**Potential Threats:** The subject property has substantial development potential as indicated by recent commercial developments in the area. The property is one of the last remaining large pieces of open space/natural habitat left on the Homer Spit.

**Appraised Value:** The appraised fair market value of the subject properties is a total of \$422,100 as reflected in the approved fair market appraisal review.

**Proposed Management:** It is intended that the property will be managed by the City of Homer in a manner consistent with the terms of a conservation easement to ensure protection of restoration values.

**Public Comment:** The Restoration Office has received an extraordinary amount of public comment in support of acquiring the Homer Spit nominations. Scores of letters from individuals as well as organizations both from within and outside the state have endorsed purchase of the nominated parcels. A large number of individuals have also indicated support through a petition.

COAL

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SUBD.

HOMER

MARINE INDUSTRIAL

HOMER SPIT

# HOMER SPIT/BELUGA SLOUGH Land Protection Program

- - Public Land  
(City of Homer, State of AK, U.S. Fish & Wildlife Service)
- - Private Property Available for Acquisition  
(Under option or verbal agreement reached)
- - Developed Private Property  
(currently not under consideration for acquisition)

34

SPIT



## KEN 1061: Beluga Slough

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Acreage:	38	Rank:	PMSC	Sponsor:	ADF&G, ADNR
Owners:	Trust for Public Lands (option with landowner)				
Location:	Homer				
Value:	\$615,000				

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**Parcel Description:** The subject property is a square 38 acre tract adjacent to the Beluga Slough that drains in the ocean. The Trust for Public Lands (TPL) has an option to purchase the nominated lands.

**Restoration Benefits:** Acquisition of the subject property will provide protection for important intertidal resources. These estuarine wetlands support intertidal vegetation and invertebrates that are of special significance to migratory birds on a seasonal basis. During spring migration, the tidal flats of this area are used by tens of thousands of migrating shorebirds which also use the uplands for roosting at high tide. In spring, these lands are of significant value to a variety of waterfowl species (the Kachemak Bay Critical Habitat Area Management Plan specifically recognizes the importance of Beluga Slough to early spring migrants). Because of the biological productivity as well as aesthetic value of these lands, the properties are also of great public interest, helping to support tourism and recreation services. The area is a popular site to visit during the annual Homer Shorebird Festival which draws thousands of visitors from throughout the state.

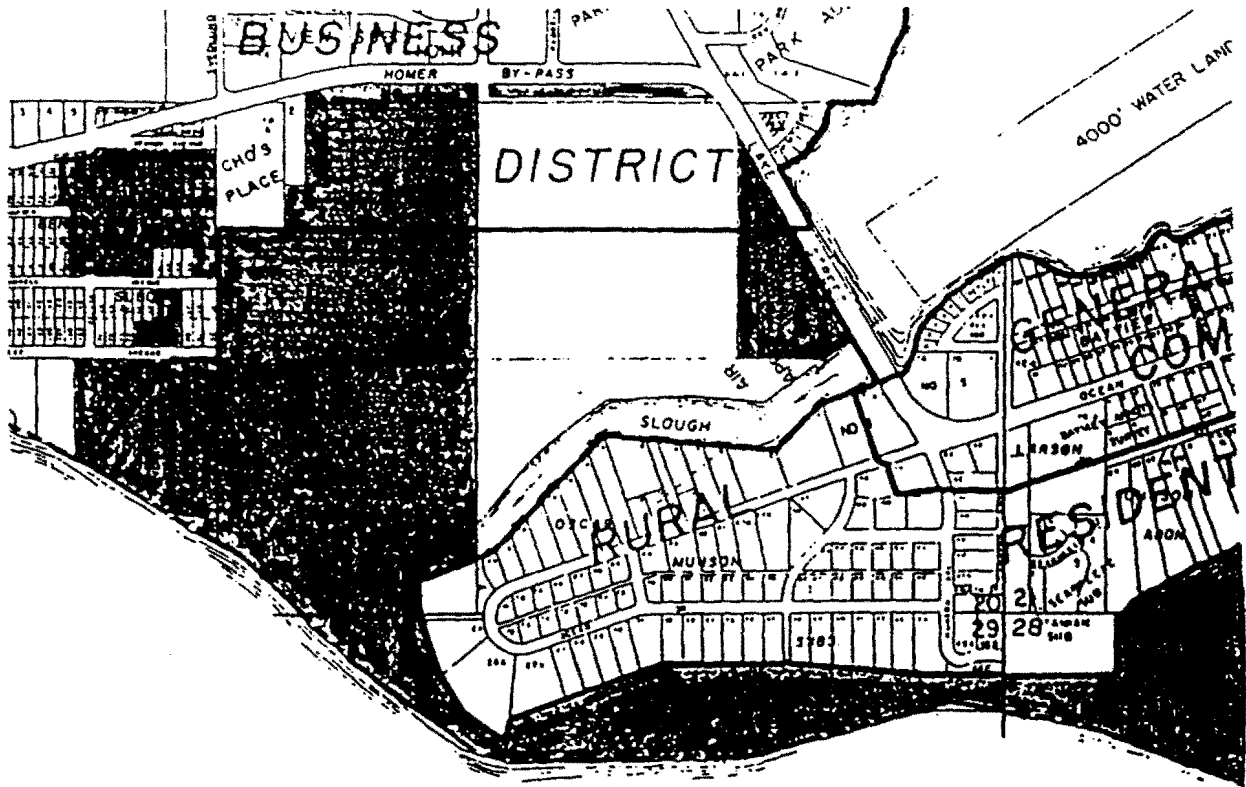
**Potential Threats:** The subject property has substantial development potential as indicated by recent commercial developments in the area.

**Appraised Value:** The appraised fair market value of the subject properties is \$615,000 as reflected in the approved fair market appraisal.

**Proposed Management:** It is intended that the property will be managed by the City of Homer in a manner consistent with the terms of a conservation easement to ensure protection of restoration values.

**Public Comment:** The Restoration Office has received an extraordinary amount of public comment in support of acquiring the Homer Spit/Beluga Slough nominations. Scores of letters from individuals as well as organizations both from within and outside the state have endorsed purchase of the nominated parcels. A large number of individuals have also indicated support through a petition.

# BELUGA SLOUGH



## HOMER SPIT/BELUGA SLOUGH Land Protection Program



- Public Land

(City of Homer, State of AK, U.S. Fish & Wildlife Service)



- Private Property Available for Acquisition

(Under option or verbal agreement reached)

## Attachment B

### Location Maps

KEN 1060 A, B, C, and D - Mud Bay

#### City of Homer Property

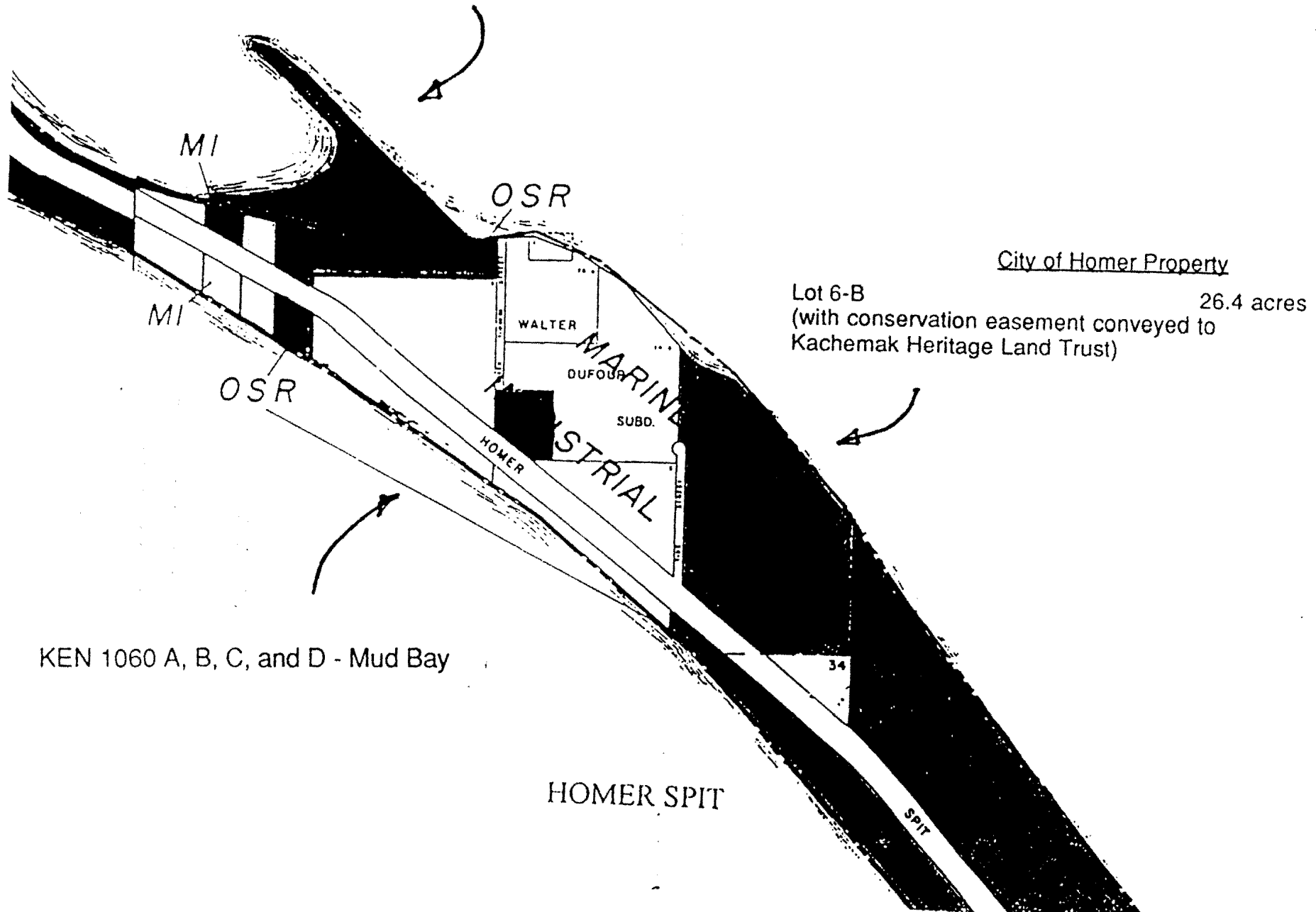
Lot 6-B 26.4 acres  
(with conservation easement conveyed to  
Kachemak Heritage Land Trust)

#### City of Homer Property

Government Lot 7 - T6S R13W S28	7.10 acres
Government Lot 8 - T6S R13W S28	3.94 acres
Government Lot 9 - T6S R13W S28	3.0 acres (portion north of Spit road)

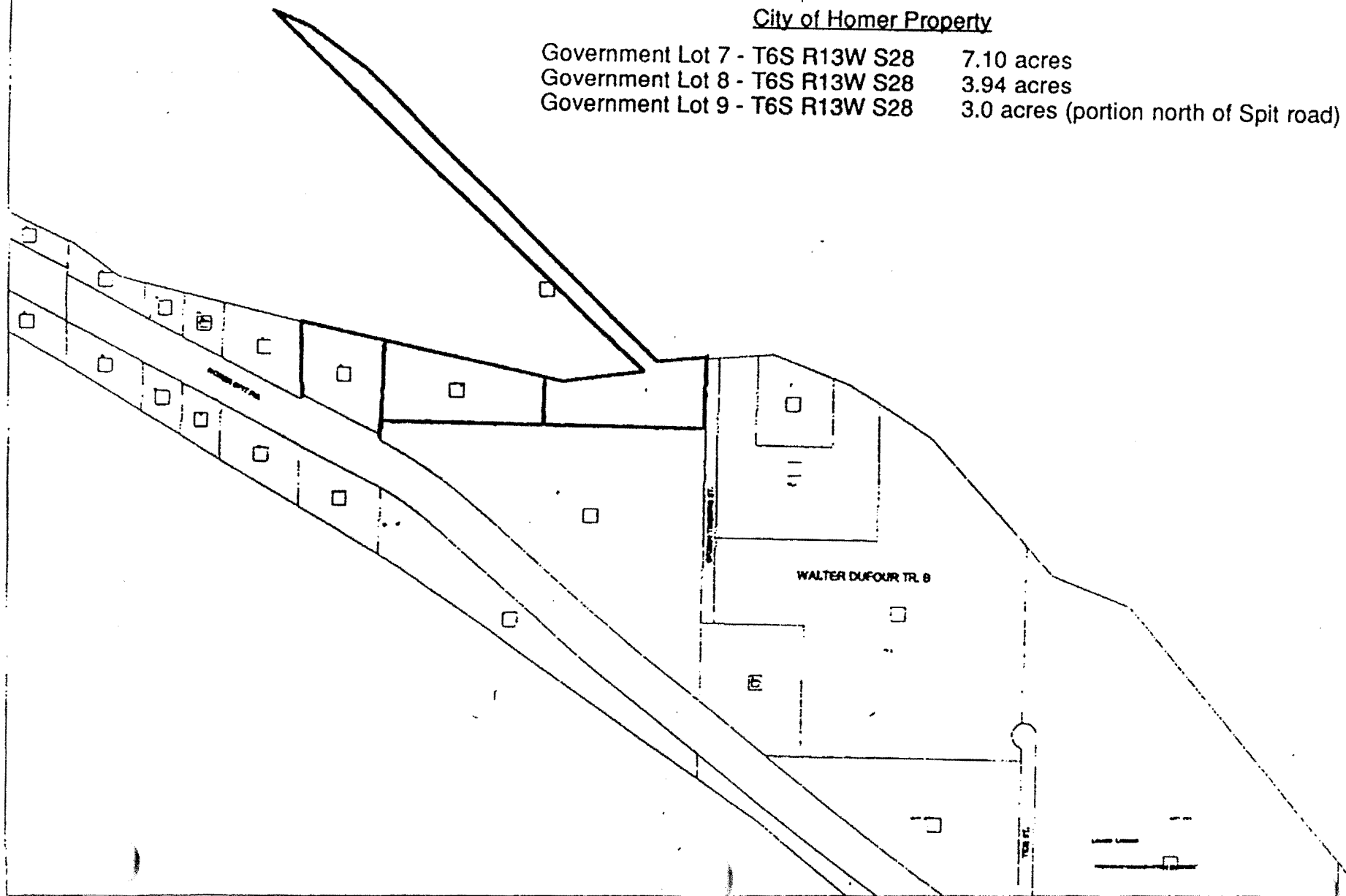
City of Homer Property

Government Lot 7 - T6S R13W S28	7.10 acres
Government Lot 8 - T6S R13W S28	3.94 acres
Government Lot 9 - T6S R13W S28	3.0 acres (portion north of Spit road)



City of Homer Property

Government Lot 7 - T6S R13W S28	7.10 acres
Government Lot 8 - T6S R13W S28	3.94 acres
Government Lot 9 - T6S R13W S28	3.0 acres (portion north of Spit road)



BEARING  
S4 02° W

# NOTARY'S ACKNOWLEDGEMENT

SUBSCRIBED AND SWORN TO BEFORE ME THIS  
DAY OF \_\_\_\_\_, 1997.

FOR: \_\_\_\_\_

NOTARY PUBLIC FOR ALASKA

MY COMMISSION EXPIRES \_\_\_\_\_



THIS PLAT WAS  
PLANNING COM

KENAI PENINS.

BY: AUTHORIZED

City of Homer Property

Lot 6-B 26.4 acres  
(with conservation easement conveyed to  
Kachemak Heritage Land Trust)

WALTER DUFOUR  
TRACT-B

BAY

LOT 6-B  
26.410 AC.

GOV. LOT 5

SE 1/16 (NOT MONUMENTED)  
N=48,783.2278  
E=84,938.5333

#132, 87-37RS (HRD)  
ADJ. C/O MON  
N=85,102.84  
E=84,271.00

40' X 80' LEASE LOT  
(RMC 178, PG 337, HRD)

LOT 6-A  
19.070 AC.

50' WIDE SECTION  
LINE EASEMENT

LOT 1-A  
5.524 AC.

80' WIDE SECTION  
LINE EASEMENT

GOV. LOT 1

GOV. SEC'S 27/28/19/24  
N=38,437.0985  
E=85,858.7244

GOV. LOT 1

#132, 87-37RS (HRD)  
C1/4 SEC. 27, T8S, R12E  
N=85,072.78  
E=83,214.15

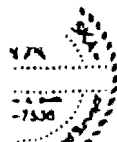
#155, 87-37RS (HRD)  
ADJ. C/O MON  
N=38,183.83  
E=86,481.90

PG. C/O MON  
N=38,102.6879  
E=85,653.1532

NOTE: RECORD DISTANCE AS PER  
STATE OF ALASKA RIGHT-OF-WAY  
MAP ALASKA PROJECT NO. F-021-1 (23)  
AND F-021-1 (14)

FIELD RECOVERED POSITION  
N1/4 SEC. 1-37S, R12E  
N=37,817.3207  
E=77,474.6184

ADJ. C/O MON  
N=38,188.13  
E=86,783.08



TED STEVENS, ALASKA, CHAIRMAN

THAD COCHRAN, MISSISSIPPI  
ARLEN SPECTER, PENNSYLVANIA  
PETE V. DOMENICI, NEW MEXICO  
CHRISTOPHER S. BOND, MISSOURI  
SLADE GORTON, WASHINGTON  
MITCH MCCONNELL, KENTUCKY  
CONRAD BURNS, MONTANA  
RD C. SHELBY, ALABAMA  
JREGG, NEW HAMPSHIRE  
T.F. BENNETT, UTAH  
NIGHTHORSE CAMPBELL, COLORADO  
GARRY CRAIG, IDAHO  
LAUCH FAIRCLOTH, NORTH CAROLINA  
KAY BAILEY HUTCHISON, TEXAS

ROBERT C. BYRD, WEST VIRGINIA  
DANIEL K. INOUE, HAWAII  
ERNEST F. HOLLINGS, SOUTH CAROLINA  
PATRICK J. LEAHY, VERMONT  
DALE BUMPERS, ARKANSAS  
FRANK R. LAUTENBERG, NEW JERSEY  
TOM HARKIN, IOWA  
BARBARA A. MIKULSKI, MARYLAND  
HARRY REID, NEVADA  
HERB KOHL, WISCONSIN  
PATTY MURRAY, WASHINGTON  
BYRON DORGAN, NORTH DAKOTA  
BARBARA BOXER, CALIFORNIA

STEVEN J. CORTESE, STAFF DIRECTOR  
JAMES H. ENGLISH, MINORITY STAFF DIRECTOR

United States Senate  
COMMITTEE ON APPROPRIATIONS  
WASHINGTON, DC 20510-6025

February 5, 1998

RECEIVED

FEB 24 1998

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

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

Dear Molly:

I have been contacted by an Alaskan, Joanne Parent, who has a proposal for the trustee council. She proposes that the council purchase the wetlands at the end of the Homer Spit.

I would appreciate it if you could look into this matter and provide me with any information upon which I may base a reply.

With best wishes,

Cordially,



TED STEVENS

# Exxon Valdez Oil Spill Trustee Council

645 G Street, Suite 401, Anchorage, AK 99501-3451 907/278-8012 fax: 907/276-7178

February 26, 1998



The Honorable Scott Ogan  
Co-Chair, House Resources Committee  
Alaska House of Representatives  
State Capitol, Room 128  
Juneau, Alaska 99801-1182

Dear Representative Ogan:

I appreciated the opportunity to speak before your committee this month and describe the restoration program underway by the Oil Spill Trustee Council.

You asked for a breakdown of those lands under our habitat protection program which were acquired in fee and those acquired with conservation easements. The attached spreadsheet provides that information.

In addition, you also asked how much a seal hunter was compensated for obtaining tissue samples for research from seals used for subsistence purposes. The answer is \$45 per seal.

If I can provide any additional information, please don't hesitate to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Molly McCammon".

Molly McCammon  
Executive Director

Attachment

cc: Representative Hudson, Co-chair

mm/raw



# Exxon Valdez Oil Spill Trustee Council

645 G Street, Suite 401, Anchorage, AK 99501-3451 907/278-8012 fax: 907/276-7178



## Habitat Protection Program Interests Acquired: Surface Title vs. Conservation Easements

February 25, 1998

Parcel Description	Total Acreage	Surface Title	Ease-ments	Total Price (Incl. Interest)	Trustee Council Contribution
<b>Acquisitions Completed</b>	<b>456,683</b>	<b>329,802</b>	<b>126,881</b>	<b>\$258,248,453</b>	<b>\$212,255,107</b>
Akhiok - Kaguyak, Inc.	118,674	76,211	42,463	\$46,000,000	\$36,000,000
Chenega	59,520	37,236	22,284	\$34,000,000	\$24,000,000
English Bay	32,537	32,537	0	\$15,371,420	\$14,128,074
Kachemak Bay State Park <sup>1</sup>	23,800	23,800	0	\$22,000,000	\$7,500,000
Koniag <sup>2</sup>	116,771	59,689	57,082	\$28,500,000	\$21,500,000
Old Harbor <sup>3</sup>	31,609	28,609	3,000	\$14,500,000	\$11,250,000
Orca Narrows (timber rights)	2,052	0	2,052	\$3,450,000	\$3,450,000
Seal Bay / Tonki Cape	41,549	41,549	0	\$39,549,333	\$39,549,333
Shuyak Island	26,665	26,665	0	\$42,000,000	\$42,000,000
Small Parcels <sup>4</sup>	3,506	3,506	0	\$12,877,700	\$12,877,700
<b>Offers Accepted</b>	<b>148,674</b>	<b>91,076</b>	<b>57,598</b>	<b>\$84,457,300</b>	<b>\$74,014,000</b>
Eyak <sup>5</sup>	75,425	55,357	20,068	\$45,000,000	\$45,000,000
Tatitlek <sup>6</sup>	69,814	32,284	37,530	\$34,550,000	\$24,550,000
Small Parcels <sup>7</sup>	3,435	3,435	0	\$4,907,300	\$4,464,000
<b>TOTAL:</b>	<b>605,357</b>	<b>420,878</b>	<b>184,479</b>	<b>\$342,705,753</b>	<b>\$286,269,107</b>

1. **Kachemak Bay:** These inholdings were acquired in fee simple title including all timber and all subsurface rights. A value of \$2 million was negotiated for the subsurface resources.

2. **Koniag:** Surface title in 59,689 acres was acquired for \$26.5 million and a nondevelopment easement through the year 2001 was acquired on the remaining 57,082 acres for \$2 million. The nondevelopment easement includes land along the Karluk and Sturgeon Rivers.

3. **Old Harbor:** As part of the protection package, the Old Harbor Native Corporation agreed to protect an additional 65,000 acres of land on Sitkalidak Island as a private wildlife refuge.

4. **Small Parcels - Acquisitions Complete:** Thirty-two small parcels have been acquired. They range in size from 1.6 acres to 1,377 acres.

5. **Eyak:** The acquisition is subject to a shareholder vote expected to be held in July 1998.

6. **Tatitlek:** The acquisition is subject to a shareholder vote expected to be held in May 1998.

7. **Small Parcels - Offers Accepted:** Purchase agreements have been signed for three additional small parcels and the Kenai Natives Association package.

# Exxon Valdez Oil Spill Trustee Council

645 G Street, Suite 401, Anchorage, AK 99501-3451 907/278-8012 fax: 907/276-7178



February 25, 1998

Mayor Dave Cobb  
City of Valdez  
Community Development Department  
POB 307  
Valdez, Alaska 99686

Dear Mayor Cobb:

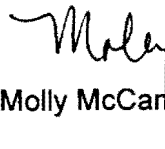
As you may know, the Trustee Council will be hosting community meetings throughout the oil spill impacted region in the time frame of mid-March/April to obtain input and comment on how the Restoration Reserve should be used.

We are now putting that schedule together and I would like to ask for your suggestions regarding an appropriate time for a meeting in Valdez. Tentatively, I was thinking in terms of early to mid April. Regarding the meeting itself, we plan to show a short video (approximately 12 minutes) in all the communities that briefly describes the restoration program to date and orients viewers to the basic question being asked of the public – how should the Restoration Reserve be used? We will also have some printed materials, including a special edition of the *Restoration Update* newsletter devoted to the basic policy choices confronting the Trustee Council.

The kinds of questions we are hoping to get public comment on include how the reserve funds should be used -- whether there should be additional habitat protection purchases, whether the reserve should be used to support research and monitoring, or perhaps a combination of both. Should the reserve funds be managed as an endowment in perpetuity or expended over a shorter time frame? Should there be changes in the governance structure of the Trustee Council or the Public Advisory Group? We anticipate a short presentation followed by discussion and questions and answers.

I would appreciate it if you could help me identify a good date for such a meeting and look forward to your suggestions.

Sincerely,

  
Molly McCammon

\*\*\*\*\*  
\*\*\* ACTIVITY REPORT \*\*\*  
\*\*\*\*\*

TRANSMISSION OK

TX/RX NO. 9269

CONNECTION TEL 19078352992

CONNECTION ID

START TIME 02/25 15:14

USAGE TIME 01'07

PAGES 2

RESULT OK

# Exxon Valdez Oil Spill Trustee Council

645 G Street, Suite 401, Anchorage, AK 99501-3451 907/278-8012 fax: 907/276-7178

**FAX COMPLETE**



## FAX COVER SHEET

To: Mayor Dave Cobb Number: 1.907. 835. 2992

From: Molly Mc Cammon Date: February 25, 1998

Comments: Total Pages: 2

Please forward.

City of Valdez

POB 307

Valdez AK 99686

HARD COPY TO FOLLOW Yes

Document Sent By: Rebecca

3/27/96

# Exxon Valdez Oil Spill Trustee Council

645 G Street, Suite 401, Anchorage, AK 99501-3451 907/278-8012 fax: 907/276-7178



February 25, 1998

Mayor Margie Johnson  
City of Cordova  
POB 1210  
Cordova, Alaska 99574-1210

  
Dear Mayor Johnson:

As you may know, the Trustee Council will be hosting community meetings throughout the oil spill impacted region in the time frame of mid-March/April to obtain input and comment on how the Restoration Reserve should be used.

We are now putting that schedule together and I would like to ask for your suggestions regarding an appropriate time for a meeting in Cordova. Tentatively, I was thinking in terms of early to mid April. Regarding the meeting itself, we plan to show a short video (approximately 12 minutes) in all the communities that briefly describes the restoration program to date and orients viewers to the basic question being asked of the public – how should the Restoration Reserve be used? We will also have some printed materials, including a special edition of the *Restoration Update* newsletter devoted to the basic policy choices confronting the Trustee Council.

The kinds of questions we are hoping to get public comment on include how the reserve funds should be used -- whether there should be additional habitat protection purchases, whether the reserve should be used to support research and monitoring, or perhaps a combination of both. Should the reserve funds be managed as an endowment in perpetuity or expended over a shorter time frame? Should there be changes in the governance structure of the Trustee Council or the Public Advisory Group? We anticipate a short presentation followed by discussion and questions and answers.

I would appreciate it if you could help me identify a good date for such a meeting and look forward to your suggestions.

Sincerely,

  
Molly McCammon

---

#### Federal Trustees

U.S. Department of the Interior  
U.S. Department of Agriculture  
National Oceanic and Atmospheric Administration

#### State Trustees

Alaska Department of Fish and Game  
Alaska Department of Environmental Conservation  
Alaska Department of Law

\*\*\*\*\*  
\*\*\* ACTIVITY REPORT \*\*\*  
\*\*\*\*\*

TRANSMISSION OK

TX/RX NO. 9270

CONNECTION TEL 19074246000

CONNECTION ID

START TIME 02/25 15:19

USAGE TIME 01'20

PAGES 2

RESULT OK

# Exxon Valdez Oil Spill Trustee Council

645 G Street, Suite 401, Anchorage, AK 99501-3451 907/278-8012 fax: 907/276-7178



## FAX COVER SHEET

**FAX COMPLETE**

To: Mayor Margie Johnson Number: 1.907.424.6000

From: Molly McCammon Date: February 25, 1998

Comments: \_\_\_\_\_ Total Pages: 2

Please forward

City of Cordova

~~602 Railroad Avenue~~

POB 1210

Cordova AK 99574-1210

HARD COPY TO FOLLOW Yes

Document Sent By: Rebecca

3/27/96

# Exxon Valdez Oil Spill Trustee Council

645 G Street, Suite 401, Anchorage, AK 99501-3451 907/278-8012 fax: 907/276-7178



## MEMORANDUM

**To:** File/Record

**From:** Molly McGammon  
Executive Director

**Date:** February 25, 1998

**Re:** Emergency Action

---

Emergency action was needed today on two issues detailed in the attached memo (attachment A). Per page 7 of the Exxon Valdez Oil Spill Trustee Council's Procedures, and based on advice from the Alaska Department of Law, individual Trustees were polled. Each Council member received the memo via fax then faxed back to me their vote (attachment B). The vote was unanimous on both motions.

This action will also be reflected in the record of the next Trustee Council meeting.

## Attachments

---

### Federal Trustees

U.S. Department of the Interior  
U.S. Department of Agriculture  
National Oceanic and Atmospheric Administration

### State Trustees

Alaska Department of Fish and Game  
Alaska Department of Environmental Conservation  
Alaska Department of Law



# Exxon Valdez Oil Spill Trustee Council

645 G Street, Suite 401, Anchorage, AK 99501-3451 907/278-8012 fax: 907/276-7178



## MEMORANDUM

TO: Trustee Council members

FROM: Molly McCammon *[Signature]* Executive Director

DATE: February 19, 1998

SUBJ: Alaska SeaLife Center Insurance Claim  
and Change in Archaeological Facility RFP Date

The purpose of this memorandum is to bring to your attention two items that require Trustee Council action. Because these matters are time sensitive and there is no scheduled Trustee Council meeting in the near future, I suggest that these action items be addressed through use of the emergency action provision provided for in the Trustee Council *Procedures* adopted on August 29, 1996.

While using the emergency action provision in the *Procedures* is clearly not the preferred approach, after consultation with federal and state legal counsel and in light of the specific actions being considered, it appears that both matters could reasonably be addressed through a polling of Council members.

**Alaska SeaLife Center insurance claim:** On November 8, 1997 a wind storm caused damage to the bird aviary canopy while it was under construction. Damages have been determined to be a covered loss under the builder's risk policy held by the Seward Association for the Advancement of Marine Science (SAAMS). Repair costs are estimated at \$350,000 - \$550,000. An insurance claim has been made and repairs are in progress to stay on the tight construction schedule necessary to allow for timely completion of the project. In order for SAAMS to access the insurance funds, SAAMS needs to have all named loss payees on the insurance policy release their respective interests in the payments. Under the terms of the Cooperative Agreement between ADF&G and the City of Seward, the Trustee Council along with a number of other parties including ADF&G and the U.S. Government are specifically required to be named as loss payees.

On February 17, a teleconference was held which included participation by Alex Swiderski/Department of Law, Claudia Slater/ADF&G, Lou Edwards/Alaska State Division of Risk Management, Darryl Schaefermeyer/SAAMS, Kim Sundberg/SAAMS, Barry Roth/DOI, and Gina Belt/Department of Justice as well as staff from the Restoration Office. The meeting produced two conclusions: 1. release of possible interest in the insurance claim by the various loss payees in order to allow SAAMS to proceed with the repairs expeditiously was appropriate; and 2. reconsideration and

possible amendment to the Cooperative Agreement provisions requiring that the Trustee Council and the U.S. Government be named as loss payees was in order.

While amending the Cooperative Agreement may take some time, the immediate concern involves allowing SAAMS access to the insurance funds in order to avoid possible delays in the construction schedule. Darryl Schaefermeyer has advised that, in order to avoid delays, SAAMS has already made an initial payment from non-insurance funds and that this is creating a cash flow problem for the project. In order to provide the required release, however, Trustee Council action is required in the view of Craig Tillery because the claim could be considered an asset and therefore require a unanimous vote of the Trustee Council to relinquish. Further, Mr. Tillery has indicated that use of the emergency polling method provided for in the Procedures would be reasonable in this instance. Accordingly, subject to a unanimous delegation of authority, releasing the Trustee Council interest in the aviary canopy claim can take the form of a letter to the insurance providers. A question concerning the grant of that authority is presented below.

**MOTION: By unanimous agreement of the Trustee Council, the Executive Director is hereby authorized to execute such documents as determined appropriate by the Alaska Department of Law to release any interest the Council may have in all insurance claims arising from damages to the aviary canopy at the Alaska SeaLife Center. This action is premised on the Council's understanding that ADF&G, as party to the Cooperative Agreement with the City of Seward, which implemented the Council's decision to fund the research portion of the facility, is responsible for ensuring that such proceeds are used in accordance with the purposes of the Cooperative Agreement.**

Deborah Williams	yea [ ]	nay [ ]
Steve Pennoyer	yea [ ]	nay [ ]
Jim Wolfe	yea [ ]	nay [ ]
Craig Tillery	yea [ ]	nay [ ]
Frank Rue	yea [ ]	nay [ ]
Michelle Brown	yea [ ]	nay [ ]

**Archaeological Facility RFP date change:** The Trustee Council adopted a resolution on December 18, 1997 directing the Executive Director to invite comprehensive proposals for archaeological restoration, including a single regional repository and display facilities and traveling exhibits for the eight communities in the Chugach and lower Cook Inlet regions. As contemplated at the time, the resolution specifically directed that proposals were to be submitted by April 15, 1998 (coincident with other FY 99 work plan proposals).

Since that time, staff at the Restoration Office has been working on the preparation of a Request for Proposals (RFP) to be issued by the Alaska Department of Natural Resources. Preparation of the RFP has been more complex and taken longer than initially anticipated. Further, in the course of developing the RFP, it now appears that

giving potential respondents more time than originally envisioned to craft proposals is warranted in light of the extensive information that will be required of proposers.

However, the resolution adopted by the Trustee Council was drafted in a manner that does not allow any discretion in terms of when proposals are to be submitted. At this time, I would envision that proposals be submitted in mid-June which would still allow for evaluation and action by the Trustee Council in a time frame consistent with the FY 99 work plan. Accordingly, the following motion is presented for your consideration.

**MOTION: By unanimous agreement of the Trustee Council, the Executive Director is hereby authorized to establish the appropriate due date for response to the RFP for comprehensive proposals concerning the establishment of a single regional archaeological repository and associated community display facilities and traveling exhibits within the Chugach and lower Cook Inlet regions.**

Deborah Williams	yea [ ]	nay [ ]
Steve Pennoyer	yea [ ]	nay [ ]
Jim Wolfe	yea [ ]	nay [ ]
Craig Tillery	yea [ ]	nay [ ]
Frank Rue	yea [ ]	nay [ ]
Michelle Brown	yea [ ]	nay [ ]

Please fax your responses back to the Restoration Office (attn: Rebecca Williams) as soon as possible. If you have questions about either of these matters, please do not hesitate to call me.

enclosure

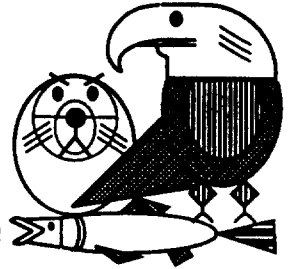
# **Exxon Valdez Oil Spill Trustee Council**

## **Restoration Office**

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

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

---



February 25, 1998

John C. Griffith II  
East Middle School  
25000 Middlebelt Road  
Farmington Hills, MI 48336

Dear Mr. Griffith:

Thank you for requesting a copy of the *Exxon Valdez* Oil Spill Research & Restoration Project CD. Unfortunately, response to the offer was much greater than we had anticipated, and the supply is depleted. However, a copy of the CD may be obtained through your local library via inter-library loan. Ask your local librarian to contact Alaska Resources Library & Information Services (ARLIS):

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Thank you again for your interest.

Sincerely,

A handwritten signature in cursive script that reads "Keri Hile".

Keri Hile  
Administrative Assistant

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### **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

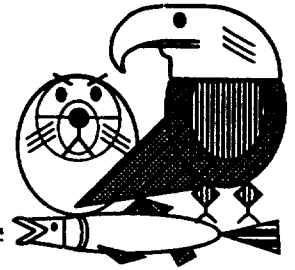
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February 25, 1998

Timothy M. Gerland  
Doure Hudson A/S  
Karenslyst Alle 9C  
N-9277 Oslo Norway.

Dear Mr. Gerland:

Thank you for requesting a copy of the *Exxon Valdez* Oil Spill Research & Restoration Project CD. Unfortunately, response to the offer was much greater than we had anticipated, and the supply is depleted. However, a copy of the CD may be obtained through your local library via inter-library loan. Ask your local librarian to contact Alaska Resources Library & Information Services (ARLIS):

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Keri Hile  
Administrative Assistant

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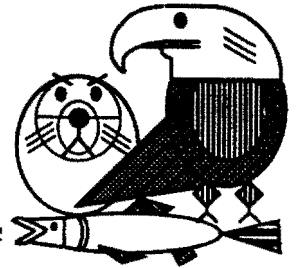
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February 25, 1998

Loh Chen Tze @ Loh Tze Yee  
University Teknologi Malaysia, Locked Bay 791  
80990 Johor Bahru  
Johor, Malaysia

Dear Loh Chen Tze:

Thank you for requesting a copy of the *Exxon Valdez* Oil Spill Research & Restoration Project CD. Unfortunately, response to the offer was much greater than we had anticipated, and the supply is depleted. However, a copy of the CD may be obtained through your local library via inter-library loan. Ask your local librarian to contact Alaska Resources Library & Information Services (ARLIS):

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Keri Hile  
Administrative Assistant

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Trustee Agencies

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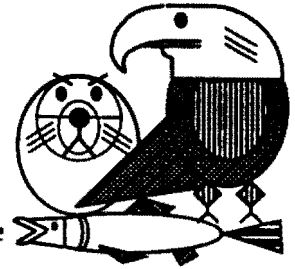
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---



February 25, 1998

Mitsuo TADA  
Yuge National College of Maritime Tech  
1000 Yuge-cho Simoyuge  
Ochi-gun Ehime pref.  
Japan 794-25

Dear Mitsuo Tada:

Thank you for requesting a copy of the *Exxon Valdez* Oil Spill Research & Restoration Project CD. Unfortunately, response to the offer was much greater than we had anticipated, and the supply is depleted. However, a copy of the CD may be obtained through your local library via inter-library loan. Ask your local librarian to contact Alaska Resources Library & Information Services (ARLIS):

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Sincerely,

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Keri Hile  
Administrative Assistant

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Trustee Agencies

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

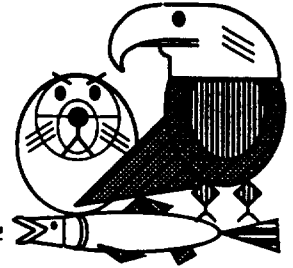
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---



February 25, 1998

Robert H. Day, PhD  
ABR, Inc.  
P.O. Box 80410  
Fairbanks, AK 99708

Dear Dr. Day:

Thank you for requesting a copy of the *Exxon Valdez* Oil Spill Research & Restoration Project CD. Unfortunately, response to the offer was much greater than we had anticipated, and the supply is depleted. However, a copy of the CD may be obtained through your local library via inter-library loan. Ask your local librarian to contact Alaska Resources Library & Information Services (ARLIS):

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Sincerely,

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Keri Hile  
Administrative Assistant

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Trustee Agencies

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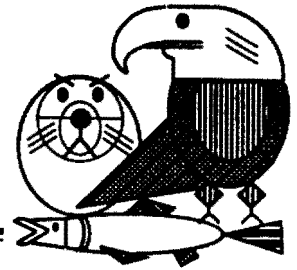
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February 25, 1998

Hiroshi Kameyama  
Kagawa University/College of Agriculture  
2393 Ikenobe Miki-cho Kita-gun  
Kagawa, Japan 761-07

Dear Mr. Kameyama:

Thank you for requesting a copy of the *Exxon Valdez* Oil Spill Research & Restoration Project CD. Unfortunately, response to the offer was much greater than we had anticipated, and the supply is depleted. However, a copy of the CD may be obtained through your local library via inter-library loan. Ask your local librarian to contact Alaska Resources Library & Information Services (ARLIS):

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Sincerely,

Keri Hile  
Administrative Assistant

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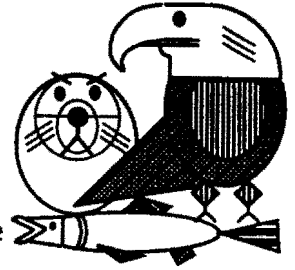
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February 25, 1998

Jeff Baranyi  
Erim International  
1975 Green Road  
Ann Arbor, MI 48113

Dear Mr. Baranyi:

Thank you for requesting a copy of the *Exxon Valdez* Oil Spill Research & Restoration Project CD. Unfortunately, response to the offer was much greater than we had anticipated, and the supply is depleted. However, a copy of the CD may be obtained through your local library via inter-library loan. Ask your local librarian to contact Alaska Resources Library & Information Services (ARLIS):

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Thank you again for your interest.

Sincerely,

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Keri Hile  
Administrative Assistant

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Trustee Agencies

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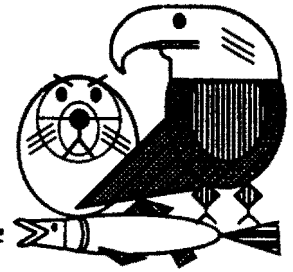
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---



February 25, 1998

Brian Fadely  
NMFS  
P.O. Box 21668  
Juneau, AK 99802

Dear Mr. Fadely:

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Sincerely,

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Administrative Assistant

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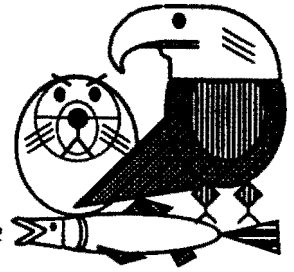
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February 25, 1998

Henry Williams  
95 Christ Church Lane  
Lichfield, Staffordshire  
WS13 8AL United Kingdom

Dear Mr. Williams:

Thank you for requesting a copy of the *Exxon Valdez* Oil Spill Research & Restoration Project CD. Unfortunately, response to the offer was much greater than we had anticipated, and the supply is depleted. However, a copy of the CD may be obtained through your local library via inter-library loan. Ask your local librarian to contact Alaska Resources Library & Information Services (ARLIS):

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Sincerely,

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Keri Hile  
Administrative Assistant

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Trustee Agencies

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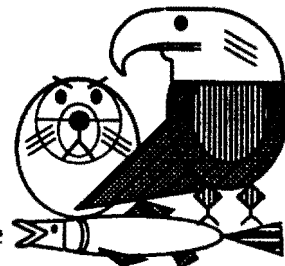
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---



February 25, 1998

Kenji Katsuragi  
Faculty of Economics, Toyama University  
3190 Gofuku, Toyama City  
930 Japan

Dear Kenji Katsuragi:

Thank you for requesting a copy of the *Exxon Valdez* Oil Spill Research & Restoration Project CD. Unfortunately, response to the offer was much greater than we had anticipated, and the supply is depleted. However, a copy of the CD may be obtained through your local library via inter-library loan. Ask your local librarian to contact Alaska Resources Library & Information Services (ARLIS):

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Administrative Assistant

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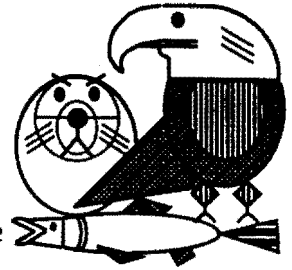
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---



February 25, 1998

Randy Stetzer  
University of Michigan, Nat'l Resources  
310 N Connecticut Avenue  
Royal Oak, MI 48067

Dear Mr. Stetzer:

Thank you for requesting a copy of the *Exxon Valdez* Oil Spill Research & Restoration Project CD. Unfortunately, response to the offer was much greater than we had anticipated, and the supply is depleted. However, a copy of the CD may be obtained through your local library via inter-library loan. Ask your local librarian to contact Alaska Resources Library & Information Services (ARLIS):

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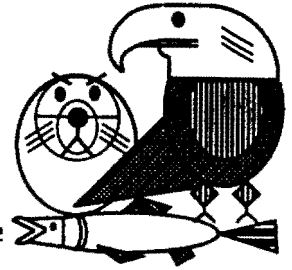
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---



February 25, 1998

Raul Pulido  
Louisiana State University  
4445 Alvin Dark Avenue #222  
Baton Rouge, LA 70820

Dear Mr. Pulido:

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Keri Hile  
Administrative Assistant

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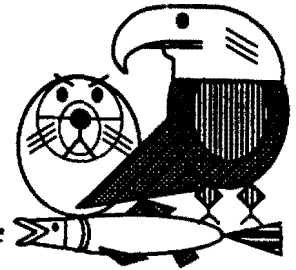
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February 25, 1998

Holly Wilson  
Cleveland Public Schools  
1260 Jackson  
Lakewood, Ohio 44107

Dear Ms. Wilson:

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Keri Hile  
Administrative Assistant

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Trustee Agencies

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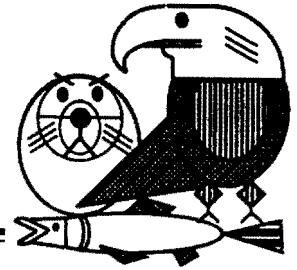
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---



February 25, 1998

Bobby Jo Kramer  
Lake End Peninsula Borough  
P.O. Box 495  
King Salmon, AK 99613

Dear Ms. Kramer:

Thank you for requesting a copy of the *Exxon Valdez* Oil Spill Research & Restoration Project CD. Unfortunately, response to the offer was much greater than we had anticipated, and the supply is depleted. However, a copy of the CD may be obtained through your local library via inter-library loan. Ask your local librarian to contact Alaska Resources Library & Information Services (ARLIS):

**ARLIS, 3150 C Street, Anchorage, Alaska 99503**

**Phone: 907-272-7547 Fax: 907-271-4742**

**E-mail: [carrie\\_holba@ios.doi.gov](mailto:carrie_holba@ios.doi.gov)**

We are considering the possibility of producing additional copies of the CD, although a final determination has not yet been made. We will keep your name on file and mail you a copy if a new edition of the CD is produced.

Thank you again for your interest.

Sincerely,

Keri Hile  
Administrative Assistant

---

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

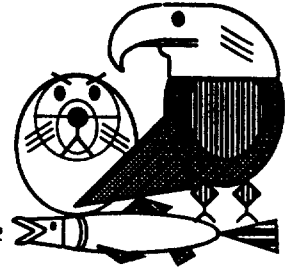
# **Exxon Valdez Oil Spill Trustee Council**

## **Restoration Office**

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

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

---



February 25, 1998

Ms. Lisa Reed  
C-11 Buhl Site RR#1 100 Mile House  
B.C. V0K 2E9 Canada

Dear Ms. Reed:

Thank you for requesting a copy of the *Exxon Valdez* Oil Spill Research & Restoration Project CD. Unfortunately, response to the offer was much greater than we had anticipated, and the supply is depleted. However, a copy of the CD may be obtained through your local library via inter-library loan. Ask your local librarian to contact Alaska Resources Library & Information Services (ARLIS):

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Administrative Assistant

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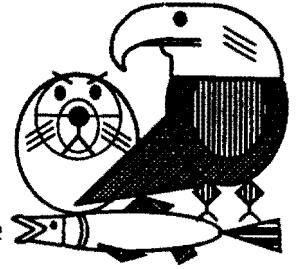
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**Phone: (907) 278-8012 Fax: (907) 276-7178**

---



February 25, 1998

Jim Sferra  
5900 Landerbrook Drive  
Cleveland, Ohio 44124

Dear Mr. Sferra:

Thank you for requesting a copy of the *Exxon Valdez* Oil Spill Research & Restoration Project CD. Unfortunately, response to the offer was much greater than we had anticipated, and the supply is depleted. However, a copy of the CD may be obtained through your local library via inter-library loan. Ask your local librarian to contact Alaska Resources Library & Information Services (ARLIS):

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Thank you again for your interest.

Sincerely,

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Keri Hile  
Administrative Assistant

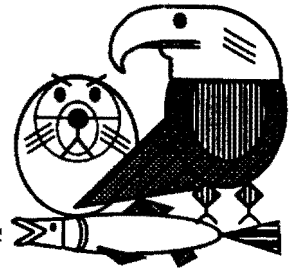
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**Phone: (907) 278-8012 Fax: (907) 276-7178**

---



February 25, 1998

Daniel Spalding  
OCMR Box 866  
Oberlin, OH 44074

Dear Mr. Spalding:

Thank you for requesting a copy of the *Exxon Valdez* Oil Spill Research & Restoration Project CD. Unfortunately, response to the offer was much greater than we had anticipated, and the supply is depleted. However, a copy of the CD may be obtained through your local library via inter-library loan. Ask your local librarian to contact Alaska Resources Library & Information Services (ARLIS):

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Keri Hile  
Administrative Assistant

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### **Trustee Agencies**

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

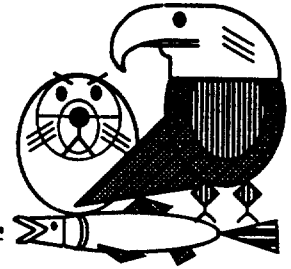
# **Exxon Valdez Oil Spill Trustee Council**

## **Restoration Office**

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

---



February 25, 1998

Jerald LaVelle  
P.O. Box 84392  
Seattle, WA 98124

Dear Mr. LaVelle:

Thank you for requesting a copy of the *Exxon Valdez* Oil Spill Research & Restoration Project CD. Unfortunately, response to the offer was much greater than we had anticipated, and the supply is depleted. However, a copy of the CD may be obtained through your local library via inter-library loan. Ask your local librarian to contact Alaska Resources Library & Information Services (ARLIS):

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Sincerely,

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Keri Hile  
Administrative Assistant

---

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

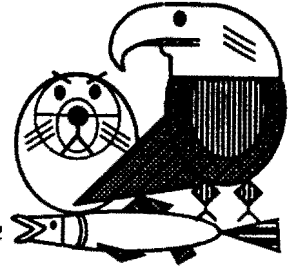
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**Restoration Office**

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

---



February 25, 1998

Dr. Thomas Detwyler  
Department of Geography/Geology  
University of Wisconsin-Stevens Point  
Stevens Point, WI 54481

Dear Dr. Detwyler:

Thank you for requesting a copy of the *Exxon Valdez* Oil Spill Research & Restoration Project CD. Unfortunately, response to the offer was much greater than we had anticipated, and the supply is depleted. However, a copy of the CD may be obtained through your local library via inter-library loan. Ask your local librarian to contact Alaska Resources Library & Information Services (ARLIS):

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Keri Hile  
Administrative Assistant

---

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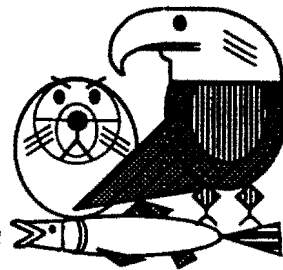
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---



February 25, 1998

Glenn Kitchen  
57 Woodrow Street  
St. Catharines, ON  
Canada L2P 2A4

Dear Mr. Kitchen:

Thank you for requesting a copy of the *Exxon Valdez* Oil Spill Research & Restoration Project CD. Unfortunately, response to the offer was much greater than we had anticipated, and the supply is depleted. However, a copy of the CD may be obtained through your local library via inter-library loan. Ask your local librarian to contact Alaska Resources Library & Information Services (ARLIS):

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Thank you again for your interest.

Sincerely,

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Keri Hile  
Administrative Assistant

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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

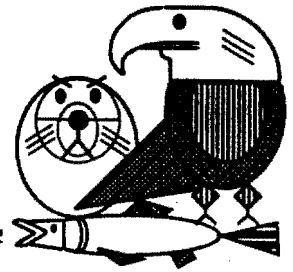
# **Exxon Valdez Oil Spill Trustee Council**

## **Restoration Office**

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

---



February 25, 1998

Rajeev Jain, Ph.D.  
J.E. Edinger Associates, Inc.  
37 West Avenue  
Wayne, PA 19087-3226

Dear Dr. Jain:

Thank you for requesting a copy of the *Exxon Valdez* Oil Spill Research & Restoration Project CD. Unfortunately, response to the offer was much greater than we had anticipated, and the supply is depleted. However, a copy of the CD may be obtained through your local library via inter-library loan. Ask your local librarian to contact Alaska Resources Library & Information Services (ARLIS):

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Keri Hile  
Administrative Assistant



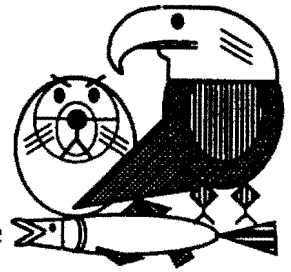
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**Restoration Office**

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

---



February 25, 1998

Jeff Sipko  
232 Sceptre Ct. NW  
Calgary, Alberta  
Canada T3L 1Y1

Dear Mr. Sipko:

Thank you for requesting a copy of the *Exxon Valdez* Oil Spill Research & Restoration Project CD. Unfortunately, response to the offer was much greater than we had anticipated, and the supply is depleted. However, a copy of the CD may be obtained through your local library via inter-library loan. Ask your local librarian to contact Alaska Resources Library & Information Services (ARLIS):

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Keri Hile  
Administrative Assistant

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Trustee Agencies

State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation  
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# Exxon Valdez Oil Spill Trustee Council

645 G Street, Suite 401, Anchorage, AK 99501-3451 907/278-8012 fax: 907/276-7178



February 25, 1998

Kathryn L. Mitchell, Project Manager  
MBC Applied Environmental Sciences  
3000 Redhill Avenue  
Costa Mesa, California 92626-4524

Dear Ms. Mitchell:

Thank you for sending me the questionnaire regarding the availability of socioeconomic literature. I don't feel I am in the best position to answer the questionnaire you sent. However, I would strongly recommend you be sure to send it to:

Jim Fall  
Subsistence Resources Program  
Manager  
Commission  
Alaska Department of Fish & Game  
333 Raspberry Road  
Anchorage, Alaska 99518-1599  
(907) 267.2359 (907) 349.4712

Patty Brown-Schwalenberg  
Executive Director  
Chugach Regional Resource  
4201 Tudor Centre Drive #300  
Anchorage, Alaska 99508  
(907) 562.6647 (907) 562.4939 fax

If you have any further questions, please contact me at the number above.

Sincerely,

Molly McCammon  
Executive Director

mm/raw

RECEIVED

FEB 17 1998

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL



10 February 1998

Ms. Molly McCannon, Executive Director  
Exxon Valdez Oil Spill Trustee Council  
645 G Street, Suite 401  
Anchorage, Alaska 99501

Dear Ms. McCannon:

Since 1973, the Minerals Management Service (MMS) Alaska Outer Continental Shelf Region (OCS) has supported and funded many socioeconomic studies. Considering the extent of MMS-funded studies, as well as studies funded by other agencies, the Alaska Environmental Studies Program has proposed a synthesis of these studies entitled, *Book/Synthesis of Information on Socioeconomic Effects of Oil and Gas Activities in Alaska*.

Two workshops were convened at which a list of questions that could be explored in the *Book/Synthesis* were developed. MMS is interested in determining if there is sufficient published information to address these questions. Therefore, MMS has asked MBC Applied Environmental Sciences (MBC) to contact authors of MMS reports and others knowledgeable in the field to determine the availability of literature specific to these questions.

On the attached list of questions, in the space below each, please indicate whether you feel there is sufficient information in the literature to address that question. In addition, if you know of specific literature that would address these questions or issues, also please list either below the question or on a separate sheet. Please return to MBC in the enclosed envelope by 1 March 1998.

If you have any questions, please contact Mr. Michael Baffrey, MMS, at (907) 271-6677 (michael.baffrey@mms.gov) or me at (714) 850-4830 (mitchellmbc@worldnet.att.net)

Both the MMS and MBC thank you for your assistance in this project.

Cordially,

**MBC Applied Environmental Sciences**

  
Kathryn L. Mitchell  
Project Manager

Attachment

Name: \_\_\_\_\_

Draft Final List of Potential Questions by Issue Category  
Roundtable Discussion  
January 22, 1998

**Introduction section explaining the human environment of Alaska.**

**Introduction section explaining the Federal and State of Alaska decision processes related to large-scale industrial development projects including OCS exploration, development, and production activities.**

**CULTURAL ISSUES:**

- 1) What are the causes and effects of the changing demographic profiles of coastal Alaskan communities and regions?**
- 2) What is the cultural relationship between wage employment and subsistence activities, and how is this relationship potentially affected by large-scale industrial development projects including OCS exploration, development, and production activities?**
- 3) What is the cultural relationship between commercial fishing and subsistence activities?**
- 4) What are the potential effects of large-scale industrial development projects including OCS exploration, development, and production activities on health and social services?**
- 5) How are cultural knowledge and values transmitted from generation to generation?**
- 6) What factors have influenced changes in the intergenerational transmission of knowledge and values?**

- 7) **What problems do coastal Alaskan communities have in addressing large-scale industrial development projects including OCS exploration, development, and production activities?**
- 8) **What are the post-World War II era historical events that have provided the impetus for the revitalization of tribal awareness and cultural enhancement in coastal Alaskan communities?**
- 9) **What are the cultural implications of changing funding of the government programs on health and social services?**
- 10) **Have attitudes of Native and environmental groups changed towards the protection of subsistence fisheries and marine mammal harvests as a result of large-scale industrial development projects including OCS exploration, development, and production activities?**
- 11) **What factors and attitudes affect human migration?**

#### **ECONOMIC ISSUES:**

- 12) **What are the causes and effects of the changing economic profiles of coastal Alaskan communities and regions?**
- 13) **What is the economic relationship between wage employment and subsistence activities, and how is this relationship potentially affected by OCS exploration, development, and production activities?**
- 14) **What is the economic relationship between commercial fishing and subsistence activities? (Same response as question # 3)**

- 15) **How are changing cash and non-cash transfers affecting community infrastructure, subsistence activities and wage employment?**
- 16) **What are the factors that contribute to sustainable development of coastal Alaskan communities?**
- 17) **How does oil and gas generated tax revenue affect local governments?**

**CUMULATIVE ISSUES:**

- 18) **How has large-scale industrial development projects including OCS exploration, development, and production activities changed subsistence practices, including:**
  - hunter effort
  - use area
  - hunting methods
  - means of access
  - processing and preservation
  - sharing
  - subsistence resources
  - harvest levels
  - competition for subsistence resources
  - competition for habitat
- 19) **Has there been a change in perception of the levels of contamination in subsistence foods?**
- 20) **What relationship exists that have contributed to improved communications and collaboration between coastal Alaskan communities and large-scale industrial development projects including OCS exploration, development, and production activities on the behavior of subsistence species?**

- 21) What are the risks created by large-scale industrial development projects including OCS exploration, development, and production activities that affect subsistence practices?

**DECISION MAKING, REGULATORY AND MONITORING ISSUES:**

- 22) How has public participation changed in addressing pre- and post-lease sale activities on the OCS?
- 23) How are different management approaches integrated with respect to:
- management decisions
  - regulations
  - monitoring
  - co-management
  - local and traditional knowledge
- 24) Have reviews been conducted assessing the predicted impacts of large-scale industrial development projects including OCS exploration, development, and production activities to what has actually occurred?
- 25) What are stakeholder concerns about synthesizing research materials and incorporating comments related to potential impacts from large-scale industrial development projects including OCS exploration, development, and production activities?
- 26) How can MMS improve it's processes to meet the needs of stakeholders and moving OCS activities forward with greater efficiency and effectiveness?

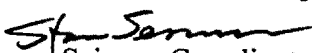
# Exxon Valdez Oil Spill Trustee Council

645 G Street, Suite 401, Anchorage, AK 99501-3451 907/278-8012 fax: 907/276-7178

## MEMORANDUM



**To:** Catherine Berg, Bill Hauser, Carrie Holba, Molly McCammon, Celia Rozen, Sandra Schubert, Claudia Slater, Bob Spies, Joe Sullivan, and Bruce Wright

**From:**   
Stan Senner, Science Coordinator

**Subject:** Unfinished NRDA Reports

**Date:** February 24, 1998

Here is where we are on the 22 unfinished NRDA reports:

- ☛ 4 are being left in binders with no further action [AW5, B14, FS9, TM2];
- ☛ 2 are being left in binders, but a Jeff Short memo about hydrocarbon data is being added to the binders at all library locations with sets of the binders [FS16, FS25];
- ☛ 4 require permission from a publisher to reproduce copies of a technical paper; permission has been requested for 2 of them from Academic Press [MM3, MM4]; still need to request permission for other 2 from American Fisheries Society [B1, FS19];
- ☛ 2 are being completed by contractors [TM6 by White et al. @ UAF; B5 by Sanger]
- ☛ 6 are covered by an RSA with ADFG and are in various states of completion [B10, B13, FS6, FS12, FS20, and MM4];
- ☛ 1 is awaiting action by NMFS [FS14]; and
- ☛ 4 are still being evaluated--we have not decided how to deal with them [FS26, TM1, TM4, TS2].

[Note: The above tallies 23, because one report, MM4, shows up in two categories.]

The following table gives more detail. The "Person Pending" column is intended to identify the person or persons on whom immediate progress depends. Most reports are in some stage of completion, but I am concerned that the "Timing" column is mostly question marks. We will need to keep on this aggressively if we expect work on these 22 reports to be fully completed by the end of FY 98. That is our goal and commitment.

Please help me with any corrections or additions. Thank you.

SS/kh  
encl. (1)



# Status of Unfinished NRDA Reports

24 February 1998

No.	Title	Agency	Product	Cost	Person Pending	Comment	Timing
AW5	air	ADEC	binder	\$0		done	
B1	beached birds	USFWS	final	\$?	Senner; Berg	Obtain permission from ASF to copy symposium paper (Senner); draft cover sheets (Berg)	?
B5	peregrine falcons	ADFG	ms	\$2,100	Sanger	Sanger is preparing an ms. as per contract with Rest. Office; add ADFG production cost (\$100+) to price	30-Mar for draft
B10	glaucous-winged gulls	ADFG	annual	\$535	Rozen	ADFG RSA; existing report will be formatted; plus cover sheets	?
B13	passerines	ADFG	annual	\$269	Rozen: Senner?	ADFG RSA; existing report will be formatted (Rozen); plus cover sheets (Senner?)	?
B14	North Slope crude	USFWS	binder	\$0		done	
FS6	sport fishing	ADFG	annual	\$1,478	Sullivan	ADFG RSA; minimal revision of existing draft	?
FS9	early marine injury outside PWS	ADFG	binder	\$0	Holba	done	
FS12	herring outside PWS	ADFG	ann/fin?	\$836	Sullivan	ADFG RSA; existing report will be revised/formatted as needed	?
FS14	crabs	NOAA	annual	\$?	Wright	existing draft will be formatted; plus cover sheets	?
FS16	oysters	ADFG	binder	\$0	Holba	add Short memo to binder; circulate to other libraries w/binders; done?	?

# Status of Unfinished NRDA Reports

24 February 1998

No.	Title	Agency	Product	Cost	Person Pending	Comment	Timing
FS19	larval fish	ADFG	final	\$?	Senner; ADFG	Obtain permission from ASF to copy symposium paper (Senner); needs cover sheets (ADFG)	?
FS20	underwater observations	ADFG	annual	\$616	Rozen	ADFG RSA; retype existing report, plus covers	?
FS25	scallop mariculture	ADFG	binder	\$0	Holba	add Short memo to binder; circulate to other libraries w/binders; done?	
FS26	sea urchins	ADFG	final	\$?	Sullivan	still need to figure out what we're doing; Joe needs to review 1st?	?
MM3	cetacean necropsy	NOAA	final	\$0	Senner	permission requested from Academic Press to reproduce; Wright has drafted cover sheets	?
MM4	sea lions	ADFG	final	\$269	Senner	ADFG RSA; permission requested from from Academic Press to reproduce; still needs cover sheets	?
TM1	Sitka black-tailed deer	ADFG	annual	\$?	?ADFG	PI retired & not available; what next?	?
TM2	black bear	ADFG	binder	\$0		done	
TM4	brown bear	ADFG	ms	\$?	Rozen	has report to NPS been submitted? Rozen was tracking	?
TM6	mink	ADFG	final & ms	\$6,096	Sullivan; White	need to complete RSA w/UAF (Joe); revise report plus submit two ms; add ADFG production cost (\$100+) to total	30-Mar for draft

# Status of Unfinished NRDA Reports

24 February 1998

No.	Title	Agency	Product	Cost	Person Pending	Comment	Timing
TS2	histopathology	ADFG	?	\$?	Sullivan	still need to figure out what we are doing	?
				\$12,199			

# Exxon Valdez Oil Spill Trustee Council

645 G Street, Suite 401, Anchorage, AK 99501-3451 907/278-8012 fax: 907/276-7178



February 23, 1998

Permissions Department  
Academic Press, Inc.  
6277 Sea Harbor Drive  
Orlando, Florida 32887

Dear Sir/Madam:

This letter is to request permission to reproduce, at no cost, 33 copies of each of two chapters from Marine Mammals and the Exxon Valdez, edited by Thomas R. Loughlin and published by Academic Press in 1994. The two chapters are #7, "Impacts on Steller Sea Lions" (pp. 119-139; Calkins et al.) and #20, "Tissue Hydrocarbon Levels and the Number of Cetaceans Found Dead after the Spill" (pp. 359-370; Loughlin).

The Exxon Valdez Oil Spill Trustee Council, which was the primary sponsor of these projects and the volume published by Academic Press, is seeking to complete final reports on several projects carried out as part of the Natural Resources Damage Assessment in 1989-1991, immediately following the oil spill. We propose to use copies of the two chapters cited above as the texts for two of the reports. The chapters would be reproduced exactly as they appear in Marine Mammals and the Exxon Valdez; each would be preceded by a standard title page and cover sheets, including project history, abstract, and citation. Appropriate credit would be given Academic Press for permission to reprint each chapter. The authors of these chapters have been contacted and have given their permission.

The 33 copies of each report would be distributed to the Exxon Valdez Restoration Office, the Alaska Resource Library and Information Service, and various public libraries, mostly in Alaska, where the reports would be available for public review and circulation. Requests for copies typically are referred to the National Technical Information Service and a local (Anchorage) printer, but, in our experience, very few copies are actually obtained through these commercial services.

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Page 2

Academic Press, Inc.

February 23, 1998

May we have Academic Press' permission to reproduce, at no cost, 33 copies each of chapters 7 and 20 from Marine Mammals and the Exxon Valdez? If you have questions, please call me at 907-278-8012 (e-mail <stans@oilspill.state.ak.us>) or Carrie Holba, Alaska Resources Library and Information Service, at 907-271-4511 (e-mail <carrie\_holba@ios.doi.gov>). I should appreciate your consideration of this request. Thank you.

Sincerely,



Stanley E. Senner  
Science Coordinator

SS/kh

cc: Carrie Holba, Alaska Resources Library and Information Service  
Donald B. Calkins(retired), Alaska Dept. of Fish and Game  
Thomas R. Loughlin, National Marine Fisheries Service  
Celia Rozen, Alaska Dept. of Fish and Game  
Bruce Wright, National Marine Fisheries Service

# Exxon Valdez Oil Spill Trustee Council

645 G Street, Suite 401, Anchorage, AK 99501-3451 907/278-8012 fax: 907/276-7178



February 25, 1998

The Honorable Ted Stevens  
Chairman  
U.S. Senate Appropriations Committee  
522 Hart Office Building  
Washington, D.C. 20510

Dear Senator Stevens:

I regret the damage sustained by the Seldovia Historical Museum over the winter. I would like to explain how *Exxon Valdez* oil spill trust funds may be used and describe the direction the Trustee Council has given me in this regard.

*Exxon Valdez* oil spill trust funds may be used to restore resources injured as a result of the oil spill, including archaeological resources. The *Exxon Valdez Oil Spill Restoration Plan* acknowledges the restoration value of providing appropriate facilities to store and display spill-related archaeological artifacts.

The Trustee Council recently adopted a resolution regarding funding for archaeological artifact repositories and display facilities in Prince William Sound and the lower Kenai Peninsula. Seldovia is one of the eight spill-affected communities in these regions. The resolution directs me to invite comprehensive proposals for a single regional repository in one of the eight communities, local display facilities in the remaining seven communities and traveling exhibits. I expect to issue a Request for Proposals soon. The Trustee Council is tentatively scheduled to make funding decisions on archaeological restoration on August 6, 1998. Funds would be available on October 1, 1998, at the earliest.

With regard to the \$300,000 endowment proposed by Mr. Kroll, I understand its primary purpose would be to provide long-term financial support for the museum. The Trustee Council has stressed that the long-term operation and maintenance of any facilities constructed with restoration funds would have to be supported by other funding sources.

---

#### Federal Trustees

U.S. Department of the Interior  
U.S. Department of Agriculture  
National Oceanic and Atmospheric Administration

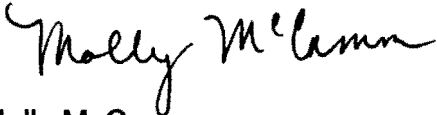
#### State Trustees

Alaska Department of Fish and Game  
Alaska Department of Environmental Conservation  
Alaska Department of Law

I have encouraged Mr. Kroll to work with the other organizations in Seldovia to ensure that a proposal for a facility in Seldovia reflects the community's interests and support.

Please let me know if you need additional information.

Sincerely,

A handwritten signature in black ink that reads "Molly McCammon". The script is fluid and cursive, with the first name "Molly" and last name "McCammon" clearly legible.

Molly McCammon  
Executive Director

cc: Henry Kroll, Director  
Seldovia Historical Museum

mm/raew

TED STEVENS, ALASKA, CHAIRMAN

THAD COCHRAN, MISSISSIPPI  
ARLEN SPECTER, PENNSYLVANIA  
PETE V. DOMENICI, NEW MEXICO  
CHRISTOPHER S. BOND, MISSOURI  
SLADE GORTON, WASHINGTON  
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JAMES H. ENGLISH, MINORITY STAFF DIRECTOR

## United States Senate

COMMITTEE ON APPROPRIATIONS  
WASHINGTON, DC 20510-6025

February 4, 1998

RECEIVED

FEB 24 1998

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

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

Dear Molly:

Enclosed is a copy of a letter from Henry Kroll with the Seldovia Historical Museum, regarding his request for financial assistance for repairs at the museum. I would appreciate it if you could look into this situation and consider his request.

Thank you for your time and attention to this matter.

With best wishes,

Cordially,



TED STEVENS



Seldovia Historical Museum  
P.O. Box 181  
Seldovia, Alaska 99663

1/20/98

Exxon Valdez Trustee Council  
Molly McCannon. Executive Director  
645 G Street  
Anchorage, AK 99501-3451

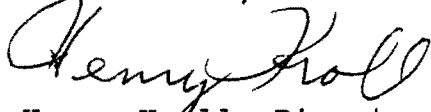
Dear Ms. McCannon:

The winter has not been kind to the Seldovia Museum. Currently there are puddles of ice on the floor. Obviously the existing structure needs a metal roof.

The metal will cost about a thousand dollars and the museum does not have the money. I have had no correspondence from the Trustee Council other than copies of letters given to me by the Seldovia Native Association. It's as if you refuse to recognize our existence. You have our application. At one time there was talk of a permanent endowment of \$300,000.

When is the Trustee Council going to cut loose with some funds?

Best Wishes,

  
Henry Kröll, Director

# SELDOVIA NATIVE ASSOCIATION, INC.

P.O. DRAWER L

SELDOVIA, ALASKA 99663

(907) 234-7625 • 234-7890

February 2, 1996

Seldovia Historical Museum  
Henry Kroll, Director  
PO Box 181  
Seldovia , Ak. 99663

Dear Mr. Kroll,

Thank you for the letter informing us about your museum and your plans for displays. Seldovia Native Association, Inc., agrees with the concept of preserving and sharing of all historical and cultural heritages.

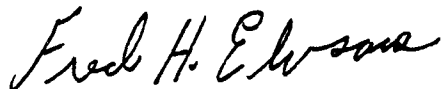
As more and more tourists and other people visit Seldovia, whether to stay, visit or just passing through the area, a historical museum is one way of telling and showing our history and past.

The Seldovia Village Tribe also has a small display (museum) available to the public. The Tribal display and the Seldovia History Museum will complement each other very well.

We are very happy to express our approval and support of the Seldovia Historical Museum.

Keep up the good work.

Sincerely,



Fred H. Elvsaas, President  
Seldovia Native Association, Inc.

# City Of Seldovia

P.O. Drawer B

Seldovia, Alaska 99663

Phone (907) 234-7643

Fax (907) 234-7430

October 16, 1995

Exxon Valdez Trustee Council  
Molly McGannon, Ex Director  
645 G Street  
Anchorage, AK 99501-3451

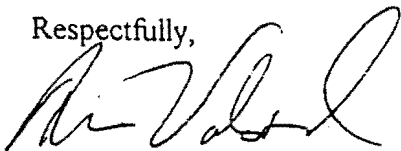
Dear Molly,

The Seldovia City Council would like to send this letter of support for the Seldovia Historical Museum.

The Museum's Director, Henry Kroll, approached the Council with the idea and was given unanimous support for the letter. Mr. Kroll is a life-long resident of Seldovia and by the looks of the start he has on the museum he would be a good steward of the grant if given to him for this purpose.

We would appreciate it if Exxon Valdez Trustee Council would consider Mr. Kroll's request for the grant of \$550,000 to construct a first class museum.

Respectfully,

A handwritten signature in black ink, appearing to read 'Tim Volstad', written in a cursive style.

Tim Volstad, Mayor

# Exxon Valdez Oil Spill Trustee Council

645 G Street, Suite 401, Anchorage, AK 99501-3451 907/278-8012 fax: 907/276-7178



February 23, 1998

The Honorable Gail Phillips  
Alaska State Legislature  
State Capitol  
Juneau, Alaska 99801-1182

Dear Representative Phillips:

In your letter of February 4, 1998, you asked me if *Exxon Valdez* oil spill trust funds may be used to improve, renovate or rebuild the Seldovia Museum. The trust fund may be used to restore resources injured as a result of the oil spill, including archaeological resources. The *Exxon Valdez Oil Spill Restoration Plan* acknowledges the restoration value of providing appropriate facilities to store and display spill-related archaeological artifacts.

The Trustee Council recently adopted a resolution regarding funding for archaeological artifact repositories and display facilities in Prince William Sound and the lower Kenai Peninsula. Seldovia is one of the eight spill-affected communities in these regions. The resolution directs me to invite comprehensive proposals for a single regional repository in one of the eight communities, local display facilities in the remaining seven communities and traveling exhibits. I expect to issue a Request for Proposals soon and encourage Mr. Kroll to continue working with organizations in Seldovia and the other communities to develop a responsive proposal.

With regard to the endowment proposed by Mr. Kroll, I understand its primary purpose would be to provide long-term financial support for the museum. The Trustee Council has stressed that the long-term operation and maintenance of any facilities constructed with restoration funds would have to be supported by other funding sources. Please, let me know if I can provide any additional information.

Sincerely,

Molly McCammon  
Executive Director

cc: Henry Kroll, Director  
Seldovia Historical Museum

mm/raw

#### Federal Trustees

U.S. Department of the Interior  
U.S. Department of Agriculture  
National Oceanic and Atmospheric Administration

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Alaska Department of Fish and Game  
Alaska Department of Environmental Conservation  
Alaska Department of Law

# Alaska State Legislature



Official Business  
Fax: (907) 465-3472

State Capitol  
Juneau, AK 99801-1182  
(907) 465-3720  
(907) 465-2689

Speaker of the House of Representatives

February 4, 1998

Ms. Molly McCammon  
Executive Director  
Exxon Valdez Trustee Council  
645 G Street, #401  
Anchorage, AK 99501-3451

RECEIVED

FEB 09 1998

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

Dear Ms. McCammon:

On behalf of the community of Seldovia, I'm writing to inquire whether or not EVOS funds can be accessed to improve/renovate or rebuild the Seldovia museum. As we all know, Seldovia is fast becoming a popular tourist destination, thus adding to the economic stability of its year-round citizens. The present museum is quite decapitated and in need of so many repairs; it would just make sense to rebuild with future needs in mind.

Please give me an update on Seldovia's earlier request to you for an endowment. Apparently, the Museum Board has not received any response from you to their requests for EVOS funding.

Sincerely,

A handwritten signature in cursive script that reads "Gail Phillips".

Gail Phillips  
SPEAKER OF THE HOUSE

GP:ps

cc: Henry Kroll, Director  
Seldovia Historical Museum

# Exxon Valdez Oil Spill Trustee Council

645 G Street, Suite 401, Anchorage, AK 99501-3451 907/278-8012 fax: 907/276-7178



February 23, 1998

Henry Kroll, Director  
Seldovia Historical Museum  
POB 181  
Seldovia, Alaska 99663

Dear Mr. Kroll:

The Trustee Council is tentatively scheduled to make the next round of funding decisions on archaeological restoration on August 6. Funds would be available on October 1, 1998, at the earliest. Funding for museum improvements will be made after the evaluation of proposals received in response to a Request for Proposals. As I mentioned in an earlier letter, I expect to issue the Request for Proposals soon and will be sure to send you a copy.

I strongly encourage you to work with the other organizations in Seldovia to ensure that a proposal for a facility in Seldovia reflects the community's interests and support.

Sincerely,

Molly McCammon  
Executive Director

cc: The Honorable Gail Phillips  
Alaska House of Representatives

mm/raew

---

**Federal Trustees**

U.S. Department of the Interior  
U.S. Department of Agriculture  
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**State Trustees**

Alaska Department of Fish and Game  
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Alaska Department of Law

RECEIVED

FEB 10 1998

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

Seldovia Historical Museum  
Henry Kroll, Director  
P.O. Box 181  
Seldovia, Alaska 99663

2/8/98

Molly McCammon Executive Director  
Exxon Valdez Trustee Council  
645 G Street, suite 401  
Anchorage, Alaska 99501-3451

RE: Your February 98 letter.

Dear Mrs. McCammon:

The endowment mentioned in my previous letter was the money mentioned in your April 2, letter to Fred Elvsaas of the Seldovia Village Tribe. I quote:

"Cost of construction: If your proposal entails a facility, what is the estimate cost of construction and how do you plan to secure the necessary funds? Consider two levels of funding from the Trustee Council for local repositories, \$225,000 and \$500,000. The Trustee Council has not decided to specify a maximum amount of funding, but I am including these figures in this request to help you formulate your response." I responded to this request and you have my letter on file.

I don't see why the decision as to how this money should be dispursed should fall on me. If I go down to the Seldovia Village Tribe and ask them to split the money fifty-fifty they are going to laugh at me and send me away. You are putting me in a catch-22 situation.

1. Seldovia Village Tribe is a legal, non-profit corporation but there are shared officers and directors as well as offices with the Seldovia Native Association.

2. The Seldovia Historical Museum is a legal 501-C public corporation under the laws of the State of Alaska and the IRS. The Seldovia Historical Museum's three city lots are not taxed by the Kenai Peninsula Borough. We are legal in all respects.

3. Veronica Christman informed us that the Exxon Valdez Trustee Council used the Seldovia Historical Museum's grant application as a model for it's other submissions.

4. The Seldovia Historical Museum's grant application was submitted before anyone else.

5. The Seldovia Historical Museum already has two archeological collections on display.

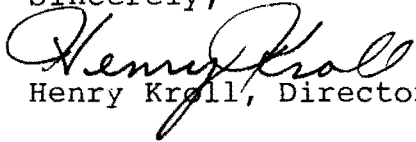
6. The Seldovia Historical Museum already has clear, community support from the City of Seldovia and the Seldovia Native Association. (See enclosed letters of support.)

It is perceived by some that past decisions made by the Trustee Councils may have been politically influenced.

We hope that a decision can be made to repair the roof

of the museum and start construction of a bigger and better facility.

Sincerely,

  
Henry Krøll, Director

CC: Veronica L. Christman  
Mayor, Tim Volstad



# City Of Seldovia

P.O. Drawer B

Seldovia, Alaska 99663

Phone (907) 234-7643

Fax (907) 234-7430

October 16, 1995

Exxon Valdez Trustee Council  
Molly McGannon, Ex Director  
645 G Street  
Anchorage, AK 99501-3451

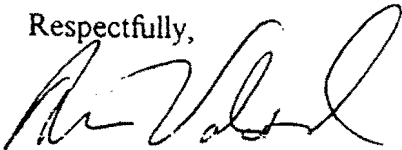
Dear Molly,

The Seldovia City Council would like to send this letter of support for the Seldovia Historical Museum.

The Museum's Director, Henry Kroll, approached the Council with the idea and was given unanimous support for the letter. Mr. Kroll is a life-long resident of Seldovia and by the looks of the start he has on the museum he would be a good steward of the grant if given to him for this purpose.

We would appreciate it if Exxon Valdez Trustee Council would consider Mr. Kroll's request for the grant of \$550,000 to construct a first class museum.

Respectfully,

A handwritten signature in black ink, appearing to read 'Tim Volstad', written in a cursive style.

Tim Volstad, Mayor

# **SELDOVIA NATIVE ASSOCIATION, INC.**

P.O. DRAWER L

SELDOVIA, ALASKA 99663

(907) 234-7625 • 234-7890

February 2, 1996

Seldovia Historical Museum  
Henry Kroll, Director  
PO Box 181  
Seldovia , Ak. 99663

Dear Mr. Kroll,

Thank you for the letter informing us about your museum and your plans for displays. Seldovia Native Association, Inc., agrees with the concept of preserving and sharing of all historical and cultural heritages.

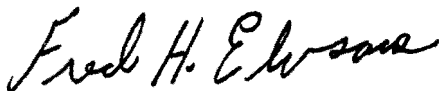
As more and more tourists and other people visit Seldovia, whether to stay, visit or just passing through the area, a historical museum is one way of telling and showing our history and past.

The Seldovia Village Tribe also has a small display (museum) available to the public. The Tribal display and the Seldovia History Museum will complement each other very well.

We are very happy to express our approval and support of the Seldovia Historical Museum.

Keep up the good work.

Sincerely,



Fred H. Elvsaas, President  
Seldovia Native Association, Inc.

# Exxon Valdez Oil Spill Trustee Council

645 G Street, Suite 401, Anchorage, AK 99501-3451 907/278-8012 fax: 907/276-7178



## MEMORANDUM

TO: Kathy Frost / ADFG

FROM: Molly McCammon  
Executive Director

RE: Extension of Due Date: FY 97 Annual Report  
*Project 97064 / Monitoring, Habitat Use, and Trophic Interactions of Harbor Seals in Prince William Sound*

DATE: February 23, 1998

This memo is to confirm an extended due date of June 22, 1998 for your annual report on Project 97064/Monitoring, Habitat Use, and Trophic Interactions of Harbor Seals in Prince William Sound. I understand that this extension is needed due to unavoidable personnel absences in your office.

cc: Bob Spies, Chief Scientist  
Claudia Slater/ADFG Liaison

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U.S. Department of Agriculture  
National Oceanic and Atmospheric Administration

### State Trustees

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Alaska Department of Law

# Exxon Valdez Oil Spill Trustee Council

645 G Street, Suite 401, Anchorage, AK 99501-3451 907/278-8012 fax: 907/276-7178



February 23, 1998

Greenwich Insurance Company  
c/o Mr. Brian Aston  
Commonwealth Insurance Company  
595 Burrard Street, Suite 1500  
Box 49115  
Bentall Tower Three  
Vancouver, BC  
CANADA V7X 1G4

Affiliated FM Insurance Company  
c/o Mr. Robert D. Stone, ARM  
Maxson Young Associates, Inc.  
11808 Northup Way, Suite W-320  
Bellevue, WA 98005

Re: Policy GIC 2134  
DOL: November 8, 1997

Re: Policy TX 550  
DOL: November 9, 1997

Seward Association for the Advancement of Marine  
Science, d/b/a The Alaska SeaLife Center ("SAAMS")

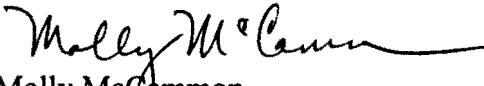
Gentlemen:

The *Exxon Valdez* Oil Spill Trustee Council is named a loss payee pursuant to endorsement of the above policies which cover risk of loss occurring to the Alaska SeaLife Center, a project presently under construction in Seward.

We understand that on the evening of November 8, 1997, wind was the immediate cause of damage to the large canopy covering the aviary and of possible damage to the space frame that supported the canopy. Claim has been made on the above builder's risk policies, coverage pursuant to the policies has been acknowledged by your principals, and we understand repairs will proceed and be paid for on a time and materials basis.

Please be advised that notwithstanding having been named a loss payee pursuant to endorsement on each policy, the *Exxon Valdez* Oil Spill Trustee Council hereby requests and directs that full payment by the insurer (including any series of interim or partial payments) with respect to this loss be made directly to Seward Association for the Advancement of Marine Science. By this document and the Certificate of Authority that appears below, the *Exxon Valdez* Oil Spill Trustee Council hereby releases the insurers named above and waives any claim it might have to present or future payments from them pursuant to the policies and on account of the loss occurrence identified above.

Very truly yours,

  
Molly McCammon  
Executive Director

---

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U.S. Department of the Interior  
U.S. Department of Agriculture  
National Oceanic and Atmospheric Administration

**State Trustees**

Alaska Department of Fish and Game  
Alaska Department of Environmental Conservation  
Alaska Department of Law

**Certificate of Authority**

I, Molly McCammon, represent that I am the Executive Director of *Exxon Valdez* Oil Spill Trustee Council, and have full authority to execute the release contained in the above document; to fully bind my employer and principal to the release above; and that I do so on behalf of the named loss payee the *Exxon Valdez* Oil Spill Trustee Council, freely and voluntarily.

DATED: 2/23/98

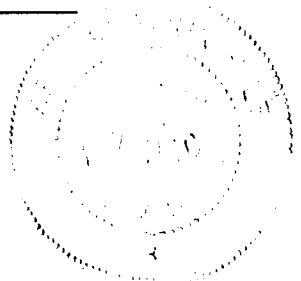
By: Molly McCammon

STATE OF ALASKA                    )  
  ) ss:  
Third Judicial District            )

THIS IS TO CERTIFY that on this 23rd day of February, 1998, before me, the undersigned, a Notary Public in and for the State of Alaska, duly commissioned and sworn as such, personally appeared Molly McCammon, known to me to be the Executive Director of the *Exxon Valdez* Oil Spill Trustee Council, which has executed the foregoing instrument, and acknowledged that he/she executed said instrument as the free and voluntary act and deed of said entity for the uses and purposes therein mentioned, and that he/she was authorized to execute said instrument.

WITNESS my official hand and seal the day and year in this certificate first above written.

Keri G. Matney-Diller 2/23/98  
Notary Public for Alaska  
My Commission expires: 1-19-99



# Exxon Valdez Oil Spill Trustee Council

645 G Street, Suite 401, Anchorage, AK 99501-3451 907/278-8012 fax: 907/276-7178



February 23, 1998

Greenwich Insurance Company  
c/o Mr. Brian Aston  
Commonwealth Insurance Company  
595 Burrard Street, Suite 1500  
Box 49115  
Bentall Tower Three  
Vancouver, BC  
CANADA V7X 1G4

Affiliated FM Insurance Company  
c/o Mr. Robert D. Stone, ARM  
Maxson Young Associates, Inc.  
11808 Northup Way, Suite W-320  
Bellevue, WA 98005

Re: Policy GIC 2134  
DOL: November 8, 1997

Re: Policy TX 550  
DOL: November 9, 1997

Seward Association for the Advancement of Marine  
Science, d/b/a The Alaska SeaLife Center ("SAAMS")

Gentlemen:

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Very truly yours,

Molly McCammon  
Executive Director

---

**Federal Trustees**

U.S. Department of the Interior  
U.S. Department of Agriculture  
National Oceanic and Atmospheric Administration

**State Trustees**

Alaska Department of Fish and Game  
Alaska Department of Environmental Conservation  
Alaska Department of Law

**Certificate of Authority**

I, Molly McCammon, represent that I am the Executive Director of *Exxon Valdez* Oil Spill Trustee Council, and have full authority to execute the release contained in the above document; to fully bind my employer and principal to the release above; and that I do so on behalf of the named loss payee the *Exxon Valdez* Oil Spill Trustee Council, freely and voluntarily.

DATED: 2/23/98

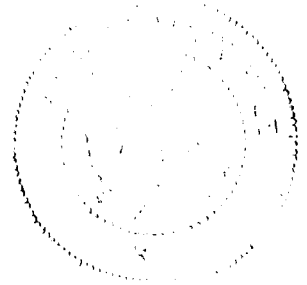
By: Molly McCammon

STATE OF ALASKA                     )  
  ) ss:  
Third Judicial District             )

THIS IS TO CERTIFY that on this 23rd day of February, 1998, before me, the undersigned, a Notary Public in and for the State of Alaska, duly commissioned and sworn as such, personally appeared Molly McCammon, known to me to be the Executive Director of the *Exxon Valdez* Oil Spill Trustee Council, which has executed the foregoing instrument, and acknowledged that he/she executed said instrument as the free and voluntary act and deed of said entity for the uses and purposes therein mentioned, and that he/she was authorized to execute said instrument.

WITNESS my official hand and seal the day and year in this certificate first above written.

Keri Grady-Dale 2/23/98  
Notary Public for Alaska  
My Commission expires: 1-19-99



# Exxon Valdez Oil Spill Trustee Council

645 G Street, Suite 401, Anchorage, AK 99501-3451 907/278-8012 fax: 907/276-7178



February 20, 1998

The Honorable Bill Hudson  
House of Representatives  
Alaska State Legislature  
State Capitol, M/S 3100  
Juneau, Alaska 99801-1182

Dear Representative ~~Hudson~~ <sup>Bill</sup>:

I appreciated the opportunity to speak before the House Resources Committee last week. I hope the information provided by myself and the State Trustees was useful. As you requested, I am enclosing a list of the slides used in my presentation, and their location, if known. I have also added both yourself and co-chair Representative Scott Ogan to our mailing list for newsletters and annual reports, as well as notification regarding the planning process for the Restoration Reserve.

Please let me know if I can be of any further assistance.

Sincerely,

Molly McCommon  
Executive Director

Enclosure

cc: Co-chair Representative Scott Ogan

mm/raw

#### Federal Trustees

U.S. Department of the Interior  
U.S. Department of Agriculture  
National Oceanic and Atmospheric Administration

#### State Trustees

Alaska Department of Fish and Game  
Alaska Department of Environmental Conservation  
Alaska Department of Law



# Exxon Valdez Oil Spill Trustee Council

645 G Street, Suite 401, Anchorage, AK 99501-3451 907/278-8012 fax: 907/276-7178



*Exxon Valdez* Oil Spill Trustee Council slides presented to the House Resources Committee, February 12, 1998.

## Slide descriptions and locations

- 1) Otolith marking from Prince William Sound pink salmon.
- 2) Coded wire tags imbedded in snouts of salmon fry. ADF&G file photo.
- 3) ADF&G biologist taking genetic samples from Kenai River.
- 4) Hydroacoustic surveys in Prince William Sound.
- 5) Alaska SeaLife Center in Seward.
- 6) Port Dick Creek (before and after reconstruction) taken at Port Dick, southern Kenai Peninsula.
- 7) Harbor seal sampling, ADF&G file photo, location unknown.
- 8) Sport fisherman, ADNR file photo, Kenai River.
- 9) Gratewalks or fishwalks, ADNR file photo, Kenai River.
- 10) Outside Alutiiq Museum, Kodiak.
- 11) Inside Alutiiq Museum, Kodiak.
- 12) 1997 oil spill cleanup, Sleepy Bay, Latouche Island, Prince William Sound.

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# Exxon Valdez Oil Spill Trustee Council

645 G Street, Suite 401, Anchorage, AK 99501-3451 907/278-8012 fax: 907/276-7178



February 20, 1998

Brenda Schwantes  
Kodiak Area Native Association  
3449 Rezanof Drive E.  
Kodiak, Alaska 99615

Dear Brenda:

Thank you for your input to Eric Myers regarding the community meeting schedule for discussion of the Restoration Reserve. As you suggested, we are now looking into the possibility of having a booth at the ComFish Alaska exposition as a way to reach more people than might otherwise be possible. We will also plan to have a public meeting in Kodiak on the evening of Saturday, March 28<sup>th</sup>.


I think the idea of having the Restoration Reserve public meetings in the smaller Kodiak Island communities (Port Lions, Ouzinke, Karluk, Larsen Bay, Old Harbor and Akhiok) at the same time as the KWMP meetings makes a good deal of sense. The time frame for the KWMP meetings that you noted -- by the end of April -- is also the time frame that we're working within. As you know, getting people to turn out for any meeting is not easy and we'd like to make sure we get the most input possible. Additionally, holding the meetings together would allow for a sharing of costs.

Your participation in the meetings would also be greatly appreciated. As a member of the PAG, you can provide a great deal of information about the restoration program. I anticipate that two people would be traveling from the Restoration Office and that the Restoration Reserve discussion would probably take about 1 ½ hours.

Please keep us informed regarding your planning. It would help to nail down the meeting dates as soon as possible. Also, if it is possible to cluster the village trips to make travel efficient, that would help to keep costs down.

Again, thank you for your assistance.

Sincerely,

  
Molly McCammon  
Executive Director

---

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# Exxon Valdez Oil Spill Trustee Council

645 G Street, Suite 401, Anchorage, AK 99501-3451 907/278-8012 fax: 907/276-7178



February 20, 1998

The Honorable Joe Green  
House of Representatives  
Alaska State Legislature  
State Capitol, M/S 3100  
Juneau, Alaska 99801-1182

Dear Representative Green:

As you requested, I am enclosing information regarding sockeye escapement on the Kenai River. This information was provided by the Alaska Department of Fish and Game. If you have any additional questions on this issue, I would suggest you contact the department directly. If you would like any additional information regarding the Exxon Valdez Oil Spill Trustee Council, please do not hesitate to contact me.

Sincerely,

Molly McCammon  
Executive Director

Enclosure

cc: Co-chair Representative Bill Hudson  
Co-chair Representative Scott Ogan  
Commissioner Frank Rue

mm/raw

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(A1)

**MEMORANDUM****STATE OF ALASKA**

To: Bob Clasby  
Director  
Commercial Fisheries Division  
Juneau

DATE: August 20, 1997

Through: Paul Ruesch  
Area Management Biologist  
Commercial Fisheries Division  
Soldotna

From: Jeff Fox  
Asst. Area Management Biologist  
Commercial Fisheries Division  
Soldotna

Telephone: 260-2916

Subject: 1997 UCI Salmon  
Summary

The 1997 commercial salmon season in all of Upper Cook Inlet ended by emergency order on August 7<sup>th</sup>, due to poor coho salmon run strength. All harvest numbers in this summary are preliminary harvest figures based on inseason catch reports.

The harvest of 4.4 million salmon is slightly above the 1954-1997 average of 4.05 million (Table 1). Roughly 93 percent of the total salmon harvest was comprised of higher value sockeye salmon which resulted in an exvessel value of \$ 30.5 million, the eleventh highest exvessel value since 1960.

**Sockeye Salmon** The Upper Cook Inlet harvest of 4.1 million sockeye salmon represents the eighth highest catch on record and is approximately 1.7 million fish higher than the long-term average. The harvest was 1.2 million fish below the forecast of 5.3 million due primarily to Kenai River stocks that were weaker than forecast. Sockeye prices at the beginning of the season were \$ 0.65 to \$ 0.75 per pound but by the end of the season most processors were paying \$ 1.10 to \$ 1.15 per pound, paid retroactively to the beginning of the season. This resulted in an exvessel value for sockeye of \$ 29.6 million which was 97 % of the total exvessel value.

(A2)

In recent years the management strategy employed has been to restrict the drift gillnet fleet to the three mile corridor for one and sometimes two regular periods to lower the exploitation rate of northern bound sockeye. In addition extra fishing time is restricted to the three mile corridor used in conjunction with the eastside set gillnets to harvest surplus Kenai or Kasilof stocks. Prior to the start of the 1997 season the drift fleet was advised that there would likely be two restricted regular periods to permit passage of northern bound stocks that were returning from a weak parent year escapement that occurred in 1992. The first restriction occurred on the regular period scheduled for July 11<sup>th</sup>. Escapements in the Yentna River responded favorably after several days with counts approaching ten thousand sockeye per day. The duration of acceptable daily counts lasted for a scant three days. A second drift restriction occurred on July 18<sup>th</sup>. With escapements still lagging a third restriction was necessary for the period scheduled on July 21<sup>st</sup>. In addition the Board of Fisheries also restricted by regulation the drift period on July 28<sup>th</sup> for coho conservation allowing significant numbers of sockeye into the Northern District as well. In addition to the drift gillnet restrictions the Northern District set gillnet fishery was closed for the regular periods scheduled on July 18<sup>th</sup> and July 21<sup>st</sup>. As a result of these restrictions and a protracted run timing escapements into the Yentna crept over the upper end of the escapement goal with a total count of nearly 158,000, the largest escapement since the Department began using this site in 1986 (Table 2).

\* The fishery along the Central District east side targeting Kasilof River stocks (Kasilof Section) opened early on June 27<sup>th</sup> for regular Monday and Friday fishing periods. With a strong run to the Kasilof River considerable additional fishing time in the Kasilof Section was required to control escapements into the Kasilof River. The Kenai and East Forelands sections opened as scheduled on July 11<sup>th</sup>. The Kenai return was below forecast but still required considerable additional fishing time in the entire Upper Subdistrict to control escapement levels. Even with a relatively intense fishery in the Upper Subdistrict, escapements into both the Kenai and Kasilof rivers exceeded the upper end of the escapement range in 1997 (Table 2). The late Russian River component of the Kenai River return appeared quite weak, requiring a closure of the popular sport fishery at that location in early August in order to assure the 30,000 fish escapement goal. As a result of this closure, the complete commercial closure and a much protracted run timing this goal was exceeded and currently the escapement is nearly 60,000 sockeye.

Since 1990 the Crescent River on the west side of Cook Inlet, has been producing at a lower level than is required to allow the harvest of this stock during regular fishing periods in the Western Subdistrict with set gillnets and by drift gillnets west of 152 degrees 25 minutes West Longitude. Starting in 1990 numerous restrictions of the Western Subdistrict for both drift and set gillnets were required usually beginning about the 10<sup>th</sup> of July and continuing until early August when the sockeye return is essentially over. In roughly half of those years even with these restrictions escapements fell below the minimum goal by significant numbers. In 1997 we intended to bolster these results with a closure of set gillnets in the Western Subdistrict south of Redoubt Point, and drift gillnets west of 152 degrees 25 minutes W. Long. if the initial rate of

(A3)

escapement into the Crescent River was not adequate. This closure was effective on June 30 and was rescinded beginning July 14<sup>th</sup>. The final escapement into the Crescent River was very near the midpoint of the desired range.

The commercial fishery targeting Fish Creek stocks in Knik Arm was closed after two periods when escapements were less than what was needed to meet the escapement goal of 50,000. In addition the personal use dip net fishery was also curtailed. The final escapement into Fish Creek was 54,000, and the commercial harvest was only 14,000 sockeye. The escapement of sockeye into Packers Creek on Kalgin Island is still progressing but is currently at 20,000, the midpoint of the desired escapement range (15,000 to 25,000). The 1997 return to Packers Creek was weak but has allowed a modest harvest in the Kalgin Island Subdistrict and a modest amount for cost recovery by Cook Inlet Aquaculture Association.

**Chum Salmon** The 1997 harvest of 89,480 chum salmon was the lowest harvest on record. Management actions restricting the drift fleet and Northern District fisheries for Yentna sockeye are a contributing factor to this poor harvest, however since the flood of 1986 chum production in much of south central Alaska has been poor. In addition the chum salmon return to Chinitna Bay judged subjectively to be fairly strong was essentially unexploited as the local set gillnet fishery was inactive due to poor prices and no tendering service from any processor. Fishermen were paid \$.15 to \$.25 per pound for chum salmon, producing an exvessel value of \$ 120,000 or just 0.4% of the overall fishery value.

**Pink Salmon** The 1997 harvest of 70,500 pink salmon is about half the long term average for an odd year in Upper Cook Inlet. As with chum salmon management actions restricting the drift fleet and Northern District fisheries for Yentna sockeye are a contributing factor to this poor pink harvest. Pink salmon escapements are not monitored in Upper Cook Inlet however it appears that escapements to most river systems were normal for odd year run strengths. Prices paid for pink salmon were \$.06 to \$.09 per pound resulting in an exvessel value for this species of \$12,500.

**Coho Salmon** The 1997 coho harvest of 144,043 was about half of the average long term harvest in Upper Cook Inlet and the lowest harvest in 23 years. With few exceptions the coho harvest throughout Upper Cook Inlet was poor, period after period, with little improvement as the season progressed. Escapements into monitored systems were also lagging far behind desired levels. Coho run strength remained so weak that after the commercial period on August 4<sup>th</sup> the entire commercial fishery in all of Upper Cook Inlet was closed for the remainder of the 1997 season for coho conservation. In conjunction with this commercial closure bag limits in the recreational fishery were reduced from three fish to one fish with a prohibition on the use of bait.

(A4)

**Chinook Salmon** The 1997 harvest of 13,013 chinook salmon was 3,000 fish below the long-term average and was valued at \$325,000. Consistent with the management strategy outlined for the Board, the directed chinook fishery in the Northern District was initially limited to a single period to aid in rebuilding a number of stocks where escapement levels had been below desired levels in recent years. As a result of escapement goals being achieved or exceeded in most of the monitored systems the last period in this fishery was reinstated along with reopening of sport fisheries in the affected areas. The resulting catch of 1,000 fish from the first period was by far the lowest in the twelve-year history of the fishery. Effort for the second period was much reduced and the harvest was just 50 fish.

The Central District east side set gillnet fishery harvest of 10,940 chinook salmon was slightly above the long-term average harvest. The sonar count into the Kenai River was 54,000 with an estimated 10,000 fish harvested in the recreational fishery leaving an escapement of 44,000, well in excess of the optimum goal of 22,300.

A5

Table 1. Upper Cook Inlet commercial salmon harvest by species, 1954-1997.

Year	Chinook	Sockeye	Coho	Pink	Chum	Total
1954	63,780	1,207,046	321,525	2,189,207	510,068	4,291,626
1955	45,926	1,027,528	170,777	101,680	248,343	1,594,254
1956	64,977	1,258,789	198,189	1,595,375	782,051	3,899,381
1957	42,158	643,712	125,434	21,228	1,001,470	1,834,002
1958	22,727	477,392	239,765	1,648,548	471,697	2,860,129
1959	32,651	612,676	106,312	12,527	300,319	1,064,485
1960	27,512	923,314	311,461	1,411,605	659,997	3,333,889
1961	19,737	1,162,303	117,778	34,017	349,628	1,683,463
1962	20,210	1,147,573	350,324	2,711,689	970,582	5,200,378
1963	17,536	942,980	197,140	30,436	387,027	1,575,119
1964	4,521	970,055	452,654	3,231,961	1,079,084	5,738,285
1965	9,741	1,412,350	153,619	23,963	316,444	1,916,117
1966	8,544	1,852,114	289,837	2,005,745	532,756	4,688,996
1967	7,859	1,380,062	177,729	32,229	296,837	1,894,716
1968	4,536	1,104,904	469,850	2,278,197	1,119,114	4,976,601
1969	12,397	692,175	100,777	33,383	269,847	1,108,579
1970	8,336	732,605	275,399	814,895	776,229	2,607,464
1971	19,765	636,303	100,636	35,624	327,029	1,119,357
1972	16,086	879,824	80,933	628,574	630,103	2,235,520
1973	5,194	670,098	104,420	326,184	667,573	1,773,469
1974	6,596	497,185	200,125	483,730	396,840	1,584,476
1975	4,787	684,752	227,379	336,333	951,796	2,205,047
1976	10,865	1,664,150	208,695	1,256,728	469,802	3,610,240
1977	14,790	2,052,291	192,599	553,855	1,233,722	4,047,257
1978	17,299	2,621,421	219,193	1,688,442	571,779	5,118,134
1979	13,738	924,415	265,166	72,982	650,357	1,926,658
1980	13,798	1,573,597	271,418	1,786,430	390,675	4,035,918
1981	12,240	1,439,277	484,411	127,164	833,542	2,896,634
1982	20,870	3,259,864	793,937	790,648	1,433,866	6,299,185
1983	20,634	5,049,733	516,322	70,327	1,114,858	6,771,874
1984	10,062	2,106,714	449,993	617,452	680,726	3,864,947
1985	24,088	4,060,429	667,213	87,828	772,849	5,612,407
1986	39,240	4,787,982	756,830	1,299,360	1,134,173	8,017,585
1987	39,661	9,500,186	451,404	109,801	349,139	10,450,191
1988	29,060	6,834,342	560,022	469,972	708,573	8,601,969
1989	26,742	5,010,698	339,201	67,430	122,027	5,566,098
1990	16,105	3,604,064	500,634	603,630	351,197	5,075,630
1991	13,535	2,177,576	425,724	14,663	280,223	2,911,721
1992	17,171	9,108,340	468,911	695,859	274,303	10,564,584
1993	18,719	4,754,698	306,822	100,918	122,767	5,303,924
1994	20,260	3,567,392	580,567	520,481	299,300	4,988,000
1995	17,857	2,951,827	446,954	133,575	529,422	4,079,635
1996	15,165	3,882,132	320,713	242,775	158,067	4,618,852
1997	13,013	4,086,536	144,043	70,521	89,480	4,403,593
Average	20,239	2,407,577	321,428	712,908	582,175	4,044,327

\* Harvest values for 1997 are inseason preliminary numbers through 8/04.



Table 2. Enumeration goals and counts of sockeye salmon in selected streams of Upper Cook Inlet, 1968-1997

(A6)

Year	Kenai River		Kasilof River		Fish Creek	
	Enumeration Goal	Enumeration Estimate <sup>1</sup>	Enumeration Goal	Enumeration Estimate	Enumeration Goal	Enumeration Estimate <sup>2</sup>
1968	0	88,000	0	93,000	0	19,616
1969	150,000	53,000	75,000	46,000	0	12,456
1970	150,000	73,000	75,000	37,000	0	25,000
1971	150,000	--	75,000	--	0	31,900
1972	150,000-250,000	318,000	75,000-150,000	112,000	0	6,981
1973	150,000-250,000	367,000	75,000-150,000	40,000	0	2,705
1974	150,000-250,000	161,000	75,000-150,000	64,000	0	16,225
1975	150,000-250,000	142,000	75,000-150,000	48,000	0	29,882
1976	150,000-250,000	380,000	75,000-150,000	140,000	0	14,032
1977	150,000-250,000	708,000	75,000-150,000	155,000	0	5,183
1978	350,000-500,000	399,000	75,000-150,000	117,000	0	3,555
1979	350,000-500,000	285,000	75,000-150,000	152,000	0	68,739
1980	350,000-500,000	464,000	75,000-150,000	187,000	0	62,828
1981	350,000-500,000	408,000	75,000-150,000	257,000	0	50,479
1982	350,000-500,000	620,000	75,000-150,000	180,000	50,000	28,164
1983	350,000-500,000	630,000	75,000-150,000	210,000	50,000	118,797
1984	350,000-500,000	345,000	75,000-150,000	232,000	50,000	192,352
1985	350,000-500,000	501,000	75,000-150,000	503,000	50,000	68,577
1986	350,000-500,000	501,000	150,000-250,000	276,000	50,000	29,800
1987	400,000-700,000	1,597,000	150,000-250,000	249,000	50,000	91,215
1988	400,000-700,000	1,021,500	150,000-250,000	202,000	50,000	71,603
1989	400,000-700,000	1,599,959	150,000-250,000	158,206	50,000	67,224
1990	400,000-700,000	658,908	150,000-250,000	144,289	50,000	50,000
1991	400,000-700,000	645,000	150,000-250,000	238,000	50,000	50,500
1992	400,000-700,000	994,760	150,000-250,000	183,178	50,000	71,385
1993	400,000-700,000	813,617	150,000-250,000	149,939	50,000	117,619
1994	400,000-700,000	1,003,446	150,000-250,000	205,117	50,000	95,107
1995	450,000-700,000	628,760	150,000-250,000	205,902	50,000	115,000
1996	550,000-800,000	794,335	150,000-250,000	249,944	50,000	61,902
1997	550,000-825,000	1,064,372	150,000-250,000	266,025	50,000	55,035

Year	Susitna River		Crescent River		Packers Creek	
	Enumeration Goal	Enumeration Estimate <sup>1</sup>	Enumeration Goal	Enumeration Estimate	Enumeration Goal	Enumeration Estimate <sup>2</sup>
1978	200,000	94,000	0	N/C	0	N/C
1979	200,000	157,000	50,000	87,000	0	N/C
1980	200,000	191,000	50,000	91,000	0	16,477
1981	200,000	340,000	50,000	41,000	0	13,024
1982	200,000	216,000 <sup>3</sup>	50,000	59,000	0	15,687
1983	200,000	112,000 <sup>3</sup>	50,000	92,000	0	18,403
1984	200,000	194,000 <sup>3</sup>	50,000	118,000	0	30,684
1985	200,000	228,000 <sup>3</sup>	50,000	129,000	0	36,850
1986	100,000-150,000 <sup>6</sup>	92,000 <sup>6</sup>	50,000-100,000	N/A	0	29,604
1987	100,000-150,000 <sup>6</sup>	66,000 <sup>6</sup>	50,000-100,000	119,000	0	35,401
1988	100,000-150,000 <sup>6</sup>	52,347 <sup>6</sup>	50,000-100,000	57,716	15,000-25,000	18,607
1989	100,000-150,000 <sup>6</sup>	96,269 <sup>6</sup>	50,000-100,000	71,064	15,000-25,000	22,304
1990	100,000-150,000 <sup>6</sup>	140,379 <sup>6</sup>	50,000-100,000	52,180	15,000-25,000	31,868
1991	100,000-150,000 <sup>6</sup>	105,000 <sup>6</sup>	50,000-100,000	44,500	15,000-25,000	41,275
1992	100,000-150,000 <sup>6</sup>	66,057 <sup>6</sup>	50,000-100,000	58,227	15,000-25,000	28,361
1993	100,000-150,000 <sup>6</sup>	141,694 <sup>6</sup>	50,000-100,000	37,556	15,000-25,000	40,869
1994	100,000-150,000 <sup>6</sup>	128,032 <sup>6</sup>	50,000-100,000	30,355	15,000-25,000	30,788
1995	100,000-150,000 <sup>6</sup>	121,479 <sup>6</sup>	50,000-100,000	52,250	15,000-25,000	29,473
1996	100,000-150,000 <sup>6</sup>	90,781 <sup>6</sup>	50,000-100,000	28,647	15,000-25,000	17,767
1997	100,000-150,000 <sup>6</sup>	157,797 <sup>6</sup>	50,000-100,000	70,806	15,000-25,000	19,364

<sup>1</sup> Derived from sonar counters unless otherwise noted.<sup>2</sup> Weir counts.<sup>3</sup> Poor field conditions make this a minimum estimate; mark/recapture estimate from Su-Hydro studies was 265,000.<sup>4</sup> Minimum estimate. Combining Yentna sonar with Sunshine Station mark/recapture estimate yields 176,000.<sup>5</sup> Yentna River sonar count combined with Sunshine Station mark/recapture estimate.<sup>6</sup> Yentna River only.

(B1)

STATE OF ALASKA  
DEPARTMENT OF FISH AND GAME  
Frank Rue, Commissioner

Division of Sport Fish  
Kevin Delaney, Director

Contact: Dave Nelson  
Area Management Biologist  
Division of Sport Fish  
Soldotna 262-9368

News Release

Immediate Release  
January 30, 1998

**NEW MANAGEMENT APPROACH FOR THE 1998 KENAI RIVER  
KING SALMON FISHERY ANNOUNCED BY FISH AND GAME**

The Division of Sport Fish of the Alaska Department of Fish and Game announced today that there would be a new approach to managing the 1998 Kenai River king salmon fishery. During 1998, the department will rely less heavily on sonar data and will utilize all measures of run strength including sport and commercial fishery performance. Changes in managing the fishery and estimating the number of early and late run king salmon to enter the river are required as there is uncertainty regarding the accuracy of the sonar. This uncertainty is greater during the late run than during the early run. The problem is the sonar can not perfectly distinguish between king salmon and sockeye salmon when large numbers of sockeye salmon are present.

Additionally, a test netting program will be established to enhance the ability to determine run strength. To establish the test gill net program will require the test netting crew be able to deploy their nets in a consistent manner in the same area from day to day. To accomplish this a one half to three quarter mile area in the lower river will be closed to all fishing from boats. Although the exact location of this area has not been selected, it will probably be in the vicinity of the king salmon sonar counter at Rivermile 8. Since the netting crew will be restricted to the closed area, consistency in sampling will be assured and competition for space between sampling crews and recreational anglers will not occur. This will benefit both the department's program and recreational anglers.

(B2)

2

The Kenai River early and late run king salmon fisheries will continue to be managed to achieve the established spawning escapement goals. The king salmon fisheries will also be conservatively managed and anglers should expect the normal closures on Mondays in July.

The status of the fishery will continue to be available to anglers on a recorded message phone (262-9097). The recorded message will provide the sonar estimate, an evaluation of the other indicators used to manage the fishery and the department's best determination as to whether or not management actions in the fishery will occur in the immediate future.

End

# Exxon Valdez Oil Spill Trustee Council

645 G Street, Suite 401, Anchorage, AK 99501-3451 907/278-8012 fax: 907/276-7178

February 19, 1998



Senator Burt Sharp  
Co-Chair  
Alaska State Legislature  
State Capitol  
Juneau, Alaska 99801-1182

Dear Senator Sharp:

The purpose of this letter is to provide additional information requested by the Senate Finance Committee at the meeting held on January 28, 1998. It is my understanding that the Finance Committee requested a five to six year history of project costs and additional information regarding the habitat protection program.

To answer the first request regarding a five to six year history of project costs, please find enclosed a copy of the *Invitation to Submit Restoration Proposals for Federal Fiscal Year 1999*. The cost of restoration projects undertaken since the civil settlement is located in Appendix B. This appendix presents actual and projected costs for projects that have been funded in the past. This table does not list new projects that may be proposed for Fiscal Year 1999. The appendix also includes an estimate of future costs of ongoing projects.

Regarding the habitat protection program, I have enclosed the most recent Large and Small Parcel Status Reports. These reports are routinely updated to summarize the status of activities related to the protection of habitat within the spill affected region.

If you have any questions regarding the information provided or have additional questions, please do not hesitate to give me a call.

Sincerely,

Molly McCammon  
Executive Director

enclosures

cc: Senator Adams  
Senator Donley  
Senator Parnell  
Senator Phillips  
Senator Torgerson  
Annalee McConnell

# Exxon Valdez Oil Spill Trustee Council

645 G Street, Suite 401, Anchorage, AK 99501-3451 907/278-8012 fax: 907/276-7178



## Habitat Protection Program: Large Parcels Status Report

February 5, 1998

The *Exxon Valdez* Oil Spill Trustee Council funds the acquisition of land to protect the habitat of resources and services injured by the spill. Since 1993, the Council has spent \$211.2 million to protect 454,000 acres of habitat. Most of the habitat that has been acquired is in large tracts (over 1,000 acres) that help protect ecosystems, but some is in smaller tracts with unique habitat or strategic value. This report describes the status of the Large Parcel Habitat Protection Program.

In 1992, the Restoration Office evaluated 16 large parcels that were imminently threatened by development. In March 1993, the Restoration Office contacted 90 owners of large parcels in the spill area and subsequently evaluated 850,000 acres nominated by their owners. Table 1 summarizes the status of activities related to the acquisition of these lands.

**Acquisitions Completed.** The Council has spent \$198.4 million to protect 450,276 acres of land in large parcels, including inholdings in Kachemak Bay State Park, land adjacent to Seal Bay/Tonki Cape on Afognak Island, commercial timber rights on land along Orca Narrows, a parcel on Shuyak Island, and lands formerly owned by Akhiok-Kaguyak, Inc., Old Harbor Native Corporation, Koniag, Inc., Chenega Corporation and English Bay Corporation.

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## Habitat Protection Program: Small Parcels Status Report

February 5, 1998

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**Nominations (Table 3)** lists 33 recently nominated parcels on which the Council has taken no action. Three parcels were removed from this table because they were purchased with criminal settlement funds: the 27-acre Grubba Parcel (KEN 1059), the 160-acre Christiansen Parcel (KAP 1054) and the 63-acre Arneson Parcel (KAP 1065).

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KEN 1049	Mansholt Parcel (Kenai River)	1.6	\$55,000	
KAP 91	Adonga Parcel (Sitkalidak Strait)	137.0	\$137,000	
KAP 98	Pestrikoff Parcel (Sitkalidak Strait)	80.0	\$128,000	
KAP 99	Shugak Parcel (Kiliuda Bay)	160.0	\$155,200	
KAP 101	Haakanson Parcel (Sitkalidak Strait)	80.0	\$52,000	
KAP 103	Kahutak Parcel (Sitkalidak Strait)	40.0	\$66,000	
KAP 105/142	Three Saints Bay	88.0	\$168,000	
KAP 114	Johnson Parcel (Uyak Bay)	55.0	\$154,000	
KAP 115	Johnson Parcel (Uyak Bay)	65.0	\$110,500	
KAP 131	Matfay Parcel (Kiliuda Bay)	40.0	\$68,000	
KAP 132	Peterson Parcel (Sitkalidak Strait)	160.0	\$256,000	
KAP 135	Capjohn Parcel (Kiliuda Bay)	70.0	\$73,500	
<b>Purchase Agreements Signed</b>		<b>3,435.1</b>	<b>\$4,464,300</b>	
<i>Kenai Natives Assoc. Package (Stephanka/Moose R.)</i>		3,254.0	\$4,000,000	Add'l \$430,000 from fed. restitution fund; on hold(shareholder lawsuit).
KEN 1051/52	Salamatof Native Assn.(Kenai NWR)	21.1	\$183,000	
KAP 1055	Abston Parcel (Uyak Bay)	160.0	\$281,300	
<b>Offers Under Review</b>		<b>324.7</b>	<b>\$3,239,100</b>	
KEN 12	Baycrest	90.0	\$500,000	
KEN 1009	Cooper Parcel	30.0	\$48,000	
KEN 1034	Patson Parcel	76.3	\$375,000	Discussions continue.
KEN 1060A-D	Mud Bay (Homer Spit)	68.7	\$422,100	
KEN 1061	Beluga Slough (Homer Spit)	38.0	\$574,000	City of Homer to add \$41,000.
KAP 220	Mouth of Ayakulik River	5.4	\$80,000	
KAP 226	Karluk River Lagoon	16.3	\$240,000	
<i>Kodiak Island Borough Tax Parcels</i>			\$1,000,000	Appraisals being reviewed.
<b>TOTAL:</b>		<b>7,320.0</b>	<b>\$20,581,100</b>	



Table 3. Small Parcel Nominations (July 1995 to February 1998)

Parcel ID	Description	Acres	Sponsor	Rank
<b>Prince William Sound (PWS)</b>		<b>40.0</b>		
PWS 1045	Dennis Parcel (Valdez Duck Flats)	4.3	No sponsor	Below threshold criteria.
PWS 1068	Lowe Parcel (Latouche Island)	2.7	No sponsor	Below threshold criteria.
PWS 1072	Willis Parcel (S. of Cordova)	15.0	No sponsor	Below threshold criteria.
PWS 1077	Stalling Parcel (Fish Bay)	1.5	No sponsor	Below threshold criteria.
PWS 1081	Evans/Lawn Parcel (Port Valdez)	16.5		
<b>Kenai Peninsula (KEN)</b>		<b>1,395.0</b>		
KEN 1030	Anchor River	127.8	No sponsor	Below threshold criteria.
KEN 1032	Matson Parcel (Ninilchik River)	7.4	ADFG	Low
KEN 1035	Mullen Parcel (Kenai River)	8.5	ADNR/ADFG	Low
KEN 1036	Weilbacher Parcel (Kenai River)	28.7	ADNR/ADFG	Low
KEN 1037	Coyle Parcel (Kenai City Boat Dock)	26.0	No sponsor	Below threshold criteria.
KEN 1042	College Estates (Kenai River)	56.0	ADNR/ADFG	Low
KEN 1043	College Estates (Kenai River)	77.9	ADNR/ADFG	Low
KEN 1044	Breeden Parcel (Kenai River Flats)	25.0	ADNR/ADFG	Low
KEN 1046	Pollard Parcel (Kasilof River)	155.0	ADFG	Low
KEN 1047	Calvin Parcel (Kasilof River)	76.8	ADFG	Below threshold criteria.
KEN 1057	Lowe Parcel (Kenai River)	22.0	ADNR	Low
KEN 1063	Eaton Parcel (Ninilchik Boat Harbor)	11.0	No sponsor	Low
KEN 1064	Lindle Parcel (Lower Kasilof River)	10.0	ADFG	Low
KEN 1066	Moore Parcel (Killey River)	30.0	ADFG	Low
KEN 1067	Fiore Parcel (Kenai River)	7.2	ADFG/ADNR	Low
KEN 1069	Wards Cove Parcel (Chisik Is.)	29.7	No sponsor	Below threshold criteria.
KEN 1070	Homer Spit, W. side	2.6	ADNR	Low
KEN 1071	Ellis Parcel (Kenai River/Cook Inlet)	43.0	No sponsor	Below threshold criteria.
KEN 1073	Cufley Parcel (near Baycrest, Homer)	9.3	No sponsor	Below threshold criteria.
KEN 1074	Gatz Parcel (Anchor River)	80.0	ADFG	Low
KEN 1075	Meridian Park Parcel (Bear Creek)	3.9		
KEN 1076	Heus Parcel (Kenai River)	16.2		
KEN 1078	Simonds Parcel (Sterling Hwy.)	40.0		
KEN 1079	Seldovia Native Assn. Parcel (China Poot Bay/Kachemak Bay State Park)	500.0		
KEN 1080	Rhodes Parcel (Kenai River)	1.0		
<b>Kodiak/Alaska Peninsula (KAP)</b>		<b>1,621.0</b>		
KAP 1050	Christiansen Parcel (Sitkalidak Str.)	159.0	USFWS	Low
KAP 1058	Leisnoi Parcel (Long Island)	1,462.0	ADNR	Moderate
KAP 1082	Bay View, Inc., Parcel (Ivanof Bay/AK Peninsula National Wildlife Refuge)	1,920.0		

**TOTAL: 3,056.0**

(a) These parcels have been nominated since publication of *Comprehensive Habitat Protection Process: Small Parcel Evaluation & Ranking, Volume III*, Supplement July 15, 1995.

Table 2. Parcels Under Consideration (February 5, 1998)

Parcel ID	Description	Acres	Comments
PWS 05	Valdez Duck Flats (USS 349 & 448)	42.0	Appraisal submitted to landowner.
PWS 06	Valdez Duck Flats (USS 447)	24.7	Appraisal submitted to landowner.
PWS 1010	Jack Bay	942.0	
PWS 1056	Blondeau Parcel (Valdez)	100.0	
<i>Two Moon Bay and Snug Corner Cove Homesite Lots</i>		132.0	Designated "Parcels Meriting Special Consideration" in the large parcel offer to Tatitlek Corporation.
KEN 1039	Oberts Parcel (Big Eddy)	31.7	Appraisal approved.
KEN 1040	Oberts Parcel (Honeymoon Cove)	4.2	Appraisal approved.
KEN 1041	Oberts Parcel (Peterkin Hmstd.)	30.0	Appraisal approved.
KAP 145	Termination Point	1,028.0	Landowner's comments on appraisal are being reviewed.

**TOTAL: 2,334.6**

(a) The owners of The Triplets (KAP 22), Cusack Parcel (KAP 118), Karluk (KAP 150) and Deep Creek (KEN 1001) are unwilling to sell their parcels.

(b) The Trustee Council is no longer actively considering two small parcels on Homer Spit, KEN 1062A-C and KEN 1070, because of their low value for restoration.

# Exxon Valdez Oil Spill Trustee Council

645 G Street, Suite 401, Anchorage, AK 99501-3451 907/278-8012 fax: 907/276-7178

February 19, 1998



Senator Drue Pearce  
Co-Chair  
Alaska State Legislature  
State Capitol  
Juneau, Alaska 99801-1182

Dear Senator Pearce:

The purpose of this letter is to provide additional information requested by the Senate Finance Committee at the meeting held on January 28, 1998. It is my understanding that the Finance Committee requested a five to six year history of project costs and additional information regarding the habitat protection program.

To answer the first request regarding a five to six year history of project costs, please find enclosed a copy of the *Invitation to Submit Restoration Proposals for Federal Fiscal Year 1999*. The cost of restoration projects undertaken since the civil settlement is located in Appendix B. This appendix presents actual and projected costs for projects that have been funded in the past. This table does not list new projects that may be proposed for Fiscal Year 1999. The appendix also includes an estimate of future costs of ongoing projects.

Regarding the habitat protection program, I have enclosed the most recent Large and Small Parcel Status Reports. These reports are routinely updated to summarize the status of activities related to the protection of habitat within the spill affected region.

If you have any questions regarding the information provided or have additional questions, please do not hesitate to give me a call.

Sincerely,

Molly McCammon  
Executive Director

enclosures

cc: Senator Adams  
Senator Donley  
Senator Parnell  
Senator Phillips  
Senator Torgerson  
Annalee McConnell

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KEN 1038	Roberts Parcel	3.3	\$698,000	
KEN 1049	Mansholt Parcel (Kenai River)	1.6	\$55,000	
KAP 91	Adonga Parcel (Sitkalidak Strait)	137.0	\$137,000	
KAP 98	Pestrikoff Parcel (Sitkalidak Strait)	80.0	\$128,000	
KAP 99	Shugak Parcel (Kiliuda Bay)	160.0	\$155,200	
KAP 101	Haakanson Parcel (Sitkalidak Strait)	80.0	\$52,000	
KAP 103	Kahutak Parcel (Sitkalidak Strait)	40.0	\$66,000	
KAP 105/142	Three Saints Bay	88.0	\$168,000	
KAP 114	Johnson Parcel (Uyak Bay)	55.0	\$154,000	
KAP 115	Johnson Parcel (Uyak Bay)	65.0	\$110,500	
KAP 131	Matfay Parcel (Kiliuda Bay)	40.0	\$68,000	
KAP 132	Peterson Parcel (Sitkalidak Strait)	160.0	\$256,000	
KAP 135	Capjohn Parcel (Kiliuda Bay)	70.0	\$73,500	
<b>Purchase Agreements Signed</b>		<b>3,435.1</b>	<b>\$4,464,300</b>	
<i>Kenai Natives Assoc. Package (Stephanka/Moose R.)</i>		3,254.0	\$4,000,000	Add'l \$430,000 from fed. restitution fund; on hold(shareholder lawsuit).
KEN 1051/52	Salamatof Native Assn.(Kenai NWR)	21.1	\$183,000	
KAP 1055	Abston Parcel (Uyak Bay)	160.0	\$281,300	
<b>Offers Under Review</b>		<b>324.7</b>	<b>\$3,239,100</b>	
KEN 12	Baycrest	90.0	\$500,000	
KEN 1009	Cooper Parcel	30.0	\$48,000	
KEN 1034	Patson Parcel	76.3	\$375,000	Discussions continue.
KEN 1060A-D	Mud Bay (Homer Spit)	68.7	\$422,100	
KEN 1061	Beluga Slough (Homer Spit)	38.0	\$574,000	City of Homer to add \$41,000.
KAP 220	Mouth of Ayakulik River	5.4	\$80,000	
KAP 226	Karluk River Lagoon	16.3	\$240,000	
<i>Kodiak Island Borough Tax Parcels</i>			\$1,000,000	Appraisals being reviewed.
<b>TOTAL:</b>		<b>7,320.0</b>	<b>\$20,581,100</b>	

**Table 3. Small Parcel Nominations (July 1995 to February 1998)**

Parcel ID	Description	Acres	Sponsor	Rank
<b>Prince William Sound (PWS)</b>		<b>40.0</b>		
PWS 1045	Dennis Parcel (Valdez Duck Flats)	4.3	No sponsor	Below threshold criteria.
PWS 1068	Lowe Parcel (Latouche Island)	2.7	No sponsor	Below threshold criteria.
PWS 1072	Willis Parcel (S. of Cordova)	15.0	No sponsor	Below threshold criteria.
PWS 1077	Stalling Parcel (Fish Bay)	1.5	No sponsor	Below threshold criteria.
PWS 1081	Evans/Lawn Parcel (Port Valdez)	16.5		
<b>Kenai Peninsula (KEN)</b>		<b>1,395.0</b>		
KEN 1030	Anchor River	127.8	No sponsor	Below threshold criteria.
KEN 1032	Matson Parcel (Ninilchik River)	7.4	ADFG	Low
KEN 1035	Mullen Parcel (Kenai River)	8.5	ADNR/ADFG	Low
KEN 1036	Weilbacher Parcel (Kenai River)	28.7	ADNR/ADFG	Low
KEN 1037	Coyle Parcel (Kenai City Boat Dock)	26.0	No sponsor	Below threshold criteria.
KEN 1042	College Estates (Kenai River)	56.0	ADNR/ADFG	Low
KEN 1043	College Estates (Kenai River)	77.9	ADNR/ADFG	Low
KEN 1044	Breeden Parcel (Kenai River Flats)	25.0	ADNR/ADFG	Low
KEN 1046	Pollard Parcel (Kasilof River)	155.0	ADFG	Low
KEN 1047	Calvin Parcel (Kasilof River)	76.8	ADFG	Below threshold criteria.
KEN 1057	Lowe Parcel (Kenai River)	22.0	ADNR	Low
KEN 1063	Eaton Parcel (Ninilchik Boat Harbor)	11.0	No sponsor	Low
KEN 1064	Lindle Parcel (Lower Kasilof River)	10.0	ADFG	Low
KEN 1066	Moore Parcel (Killey River)	30.0	ADFG	Low
KEN 1067	Fiore Parcel (Kenai River)	7.2	ADFG/ADNR	Low
KEN 1069	Wards Cove Parcel (Chisik Is.)	29.7	No sponsor	Below threshold criteria.
KEN 1070	Homer Spit, W. side	2.6	ADNR	Low
KEN 1071	Ellis Parcel (Kenai River/Cook Inlet)	43.0	No sponsor	Below threshold criteria.
KEN 1073	Cufley Parcel (near Baycrest, Homer)	9.3	No sponsor	Below threshold criteria.
KEN 1074	Gatz Parcel (Anchor River)	80.0	ADFG	Low
KEN 1075	Meridian Park Parcel (Bear Creek)	3.9		
KEN 1076	Heus Parcel (Kenai River)	16.2		
KEN 1078	Simonds Parcel (Sterling Hwy.)	40.0		
KEN 1079	Seldovia Native Assn. Parcel (China Poot Bay/Kachemak Bay State Park)	500.0		
KEN 1080	Rhodes Parcel (Kenai River)	1.0		
<b>Kodiak/Alaska Peninsula (KAP)</b>		<b>1,621.0</b>		
KAP 1050	Christiansen Parcel (Sitkalidak Str.)	159.0	USFWS	Low
KAP 1058	Leisnoi Parcel (Long Island)	1,462.0	ADNR	Moderate
KAP 1082	Bay View, Inc., Parcel (Ivanof Bay/AK Peninsula National Wildlife Refuge)	1,920.0		

**TOTAL: 3,056.0**

(a) These parcels have been nominated since publication of *Comprehensive Habitat Protection Process: Small Parcel Evaluation & Ranking, Volume III*, Supplement July 15, 1995.



Table 2. Parcels Under Consideration (February 5, 1998)

Parcel ID	Description	Acres	Comments
PWS 05	Valdez Duck Flats (USS 349 & 448)	42.0	Appraisal submitted to landowner.
PWS 06	Valdez Duck Flats (USS 447)	24.7	Appraisal submitted to landowner.
PWS 1010	Jack Bay	942.0	
PWS 1056	Blondeau Parcel (Valdez)	100.0	
<i>Two Moon Bay and Snug Corner Cove Homesite Lots</i>		132.0	Designated "Parcels Meriting Special Consideration" in the large parcel offer to Tatitlek Corporation.
KEN 1039	Oberts Parcel (Big Eddy)	31.7	Appraisal approved.
KEN 1040	Oberts Parcel (Honeymoon Cove)	4.2	Appraisal approved.
KEN 1041	Oberts Parcel (Peterkin Hmstd.)	30.0	Appraisal approved.
KAP 145	Termination Point	1,028.0	Landowner's comments on appraisal are being reviewed.

**TOTAL: 2,334.6**

(a) The owners of The Triplets (KAP 22), Cusack Parcel (KAP 118), Karluk (KAP 150) and Deep Creek (KEN 1001) are unwilling to sell their parcels.

(b) The Trustee Council is no longer actively considering two small parcels on Homer Spit, KEN 1062A-C and KEN 1070, because of their low value for restoration.

# Exxon Valdez Oil Spill Trustee Council

645 G Street, Suite 401, Anchorage, AK 99501-3451 907/278-8012 fax: 907/276-7178



February 19, 1998

Elgee, Rehfeld & Funk, CPAs  
9309 Glacier Highway, Suite B-200  
Juneau, Alaska 99801

On behalf of the Trustee Council, I am submitting responses to the general comments and the Court Registry Investment System - Joint Trust Account comments contained in the *Exxon Valdez Oil Spill Trustee Council, Internal Control and Operating Comments* dated January 29, 1998. Specific agency comments are addressed separately by the affected agency.

## GENERAL COMMENTS

**Comment:** Improve Contract Management

**Response:** We concur and will facilitate a special class for all agency liaisons and project managers. The class will include development of contracts and agreements to ensure that sufficient documentation is provided with each invoice, as well as invoice approval procedures.

**Comment:** Indirect Cost Allocation Guidance in the Operating Procedures

**Response:** We concur that the Operating Procedures are silent regarding whether the allowable general administration is limited to the total general administration budgeted for a project or is based on actual direct project costs and encumbrances/obligations. We will review the procedures with the Restoration Work Force and develop language to provide more explicit guidance regarding the recovery of general administration costs. Once developed, the language will be submitted to the Trustee Council for their consideration.

## COURT REGISTRY INVESTMENT SYSTEM - JOINT TRUST ACCOUNT

**Comment:** Reserve Fund Registry Fees

**Response:** On behalf of the Trustee Council, the Alaska Department of Law and the United States Department of Justice submitted a letter to the Clerk of the Court on this issue February 5, 1998. A response from the Clerk of the Court has yet to be received.

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### Federal Trustees

U.S. Department of the Interior  
U.S. Department of Agriculture  
National Oceanic and Atmospheric Administration

### State Trustees

Alaska Department of Fish and Game  
Alaska Department of Environmental Conservation  
Alaska Department of Law

**Comment: Reduce Registry Fee**

**Response:** We concur. It is the Trustee Council's belief that the fees charged by the United States Court System are disproportionate to the costs incurred by the Court for this service. As such, we continue to explore other options.

**Comment: Registry Fee Overcharge**

**Response:** We concur and will contact the Clerk of the Court regarding the Registry fee overcharge.

**Comment: Improve Disbursement Process**

**Response:** We concur. The time lag between when funds are liquidated in the Court Registry Investment System and again reinvested in the interest-bearing trust funds maintained by the State and Federal Governments is unacceptable. Clearly the current practice of issuing a warrant results in lost earnings on recoveries. In addition, since the registry funds are maintained within the Treasury General Account, it could be argued that the Federal Government has the use of the funds until the warrant is presented for payment. Wiring the registry funds directly to the interest-bearing trust accounts would ensure that interest accrued on recoveries is used for the joint purposes as outlined in the Memorandum of Agreement and Consent Decree.

Sincerely,

A handwritten signature in black ink, reading "Molly McCammon". The signature is fluid and cursive, with the first name "Molly" and last name "McCammon" clearly distinguishable.

Molly McCammon  
Executive Director

# Exxon Valdez Oil Spill Trustee Council

645 G Street, Suite 401, Anchorage, AK 99501-3451 907/278-8012 fax: 907/276-7178



## MEMORANDUM

TO: Joe Sullivan, ADF&G  
EVOS Project Manager

FROM: Molly McCammon  
Executive Director

RE: Reprogramming of Funds: Project 98225/Port Graham Pink Salmon  
Subsistence Project

DATE: February 18, 1998

Thank you for informing me of the proposed reprogramming of funds under Project 98225 made necessary by the recent fire at the Port Graham hatchery. I have reviewed the revised Detailed Project Description (dated February 18, 1998) and budget (dated February 17, 1998) and agree that the changes proposed are within the original scope of the project and allowable under the Trustee Council's financial procedures.

cc: Patty Brown-Schwalenberg, CRRC

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### Federal Trustees

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U.S. Department of Agriculture  
National Oceanic and Atmospheric Administration

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Alaska Department of Law

# Exxon Valdez Oil Spill Trustee Council

645 G Street, Suite 401, Anchorage, AK 99501-3451 907/278-8012 fax: 907/276-7178



## MEMORANDUM

**To:** John Piatt and Martin Robards  
**From:** Stan Senner, Science Coordinator  
**Subject:** Project 97306 and the sand lance bibliography  
**Date:** February 18, 1998

One of the specific objectives of Project 97306, Ecology and Demographics of Pacific Sand Lance, *Ammodytes hexapterus* Pallas, in Lower Cook Inlet, Alaska, was to "compile all literature available as of fall, 1997 and produce an annotated bibliography" (p. 8 of the 07/08/96 version of the 97306 DPD). In fact, funds were specifically added to the 97306 budget to accomplish this objective.

This memorandum is to document that you have compiled a bibliography as per the 97306 objectives and that this bibliography is indeed available and appropriate for circulation to interested researchers (e.g., in the APEX project) and others. However, I request that you label this version as a draft in your documentation file and that you submit a final version (including any updates at your discretion) on diskette as part of the draft final report on the \306 project in the year 2000, the final year of the project. The bibliography will be peer reviewed along with the rest of the report at that time, although based on my review of the bibliography, I see no reason why changes would be required. This approach has the benefit of giving anyone in the public the chance to see all of the results of the \306 project in a single, peer-reviewed final report.

Again, however, I want to clearly acknowledge that you have done your job in terms of the bibliography objective in the 97306 DPD. Thank you for your patience and hard work.

cc: Lisa Thomas  
Carrie Holba  
Sandra Schubert  
Robert Spies

SS/kh

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### Federal Trustees

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Alaska Department of Law

# Exxon Valdez Oil Spill Trustee Council

645 G Street, Suite 401, Anchorage, AK 99501-3451 907/278-8012 fax: 907/276-7178



TO: Community Facilitators

FROM: Molly McCammon  
Executive Director

RE: Funding Proposals for Fiscal Year 1999

DATE: February 18, 1998

The enclosed booklet explains how to submit a funding proposal to the *Exxon Valdez* Oil Spill Trustee Council. The process is basically the same as last year. I just want to remind you of a few things.

- Please call Hugh Short or me if you have any questions about the proposal process or want help in putting together a proposal. Our phone number is 907-278-8012, or 1-800-478-7745 toll free.
- The court settlement with Exxon Corporation says that the Trustee Council may spend funds only to restore, replace, enhance, or acquire the equivalent of natural resources injured as a result of the oil spill or the reduced or lost services provided by such resources. Page 42 of the enclosed booklet lists the injured resources. Funds spent to restore subsistence, which is considered a "lost service", must aim to restore the resources used for subsistence.
- Pages 35-63 of the booklet list everything that should be included in a proposal. However, if you prefer, you may instead write a letter to the Trustee Council describing your proposal. In this letter, talk about (1) which injured resource the proposal would benefit, (2) what work or activity the proposal would involve, (3) who you would like to have perform that work, and (4) how much you think the proposal would cost. If necessary, Trustee Council staff will further develop the proposal so that its technical merit and cost can be fully evaluated.
- All proposals and letters must be received at the Trustees' Anchorage office by April 15, 1998.

Exxon Valdez Oil Spill Trustee Council  
645 G Street, Suite 401  
Anchorage, Alaska 99501

Pages 26-28 of the booklet describe the subsistence projects currently underway with Trustee Council funds. Many of these projects will continue in 1999. I hope that additional subsistence restoration proposals will be submitted for 1999 as well.

# Exxon Valdez Oil Spill Trustee Council

645 G Street, Suite 401, Anchorage, AK 99501-3451 907/278-8012 fax: 907/276-7178



## MEMORANDUM

**TO:** Trustee Council

**THROUGH:** Molly McCammon  
Executive Director

**FROM:** Traci Cramer  
Administrative Officer

**DATE:** February 14, 1998, 1998

**RE:** Financial Report as of January 31, 1998

Attached is the Statement of Revenue, Disbursements and Fees, and accompanying notes for the *Exxon Valdez* Joint Trust Fund for the period ending January 31, 1998.

The following is a summary of the information incorporated in the notes and contained on the statement.

Liquidity Account Balance	\$54,081,711	
Plus: Current Year Adjustments (Note 5)	44,500,000	
Plus: Other Adjustments (Note 6)	<u>2,142,738</u>	
Uncommitted Fund Balance		\$100,724,449
Plus: Future Exxon Payments (Note 1)	\$210,000,000	
Less: Remaining Reimbursements (Note 3)	10,000,000	
Less: Remaining Commitments (Note 7)	<u>40,305,734</u>	
Total Estimated Funds Available		\$260,418,715
Restoration Reserve		\$52,706,201

If you have any questions regarding the information provided please do not hesitate to give me a call at 586-7238.

## Attachments

cc: Agency Liaisons  
Bob Baldauf

NOTES TO THE STATEMENT OF REVENUE, DISBURSEMENTS AND FEES  
FOR THE *EXXON VALDEZ* JOINT TRUST FUND  
As of January 31, 1998

1. Contributions - Pursuant to the agreement Exxon is to pay a total of \$900,000,000.

Received to Date	\$620,000,000
Current Year	\$0
Future Payments	\$210,000,000

2. Interest Income - In accordance with the MOA, the funds are deposited in the United States District Court, Court Registry Investment System (CRIS). All deposits with CRIS are maintained in United States government treasury securities with maturities of 100 days or less. Total earned since the last report is \$259,508.
3. Reimbursement of Past Costs - Under the terms of the agreement, the United States and the State are reimbursed for expenses associated with the spill. The remaining reimbursements represents that amount due the State of Alaska.
4. Fees - CRIS charges a fee of 7.5% for cash management services. Total paid since the last report is \$19,463.
5. Current Year Adjustments – Includes the current year payment (less reimbursements), the transfer of \$12,000,000 into the Restoration Reserve and the following land payments.

<u>Seller</u>	<u>Amount</u>	<u>Due</u>
Shuyak	\$4,000,000	October 1998
Koniag, Incorporated	\$4,500,000	September 1998

6. Other Adjustments - Under terms of the Agreement, both interest earned on previous disbursements and prior years unobligated funding or lapse are deducted from future court requests. Unreported interest and lapse is summarized below.

	<u>Interest</u>	<u>Lapse</u>
United States	\$168,472	\$1,228,170
State of Alaska	\$683,622	\$62,474

7. Remaining Commitments - Includes the following land payments.

<u>Seller</u>	<u>Amount</u>	<u>Due</u>
Shuyak	\$12,000,000	October 1999 through 2001
Shuyak	\$11,805,734	October 2002
Koniag, Incorporated	\$16,500,000	September 2002



**STATEMENT OF REVENUE, DISBURSEMENT, AND FEES**  
**EXXON VALDEZ OIL SPILL JOINT TRUST FUND**  
As of January 31, 1998

	1995	1996	1997	To Date 1998	Cumulative Total
<b>REVENUE:</b>					
Contributions: (Note 1)					
Contributions from Exxon Corporation	70,000,000	70,000,000	70,000,000	0	620,000,000
Less: Credit to Exxon Corporation for clean-up costs incurred					(39,913,688)
<b>Total Contributions</b>	<b>70,000,000</b>	<b>70,000,000</b>	<b>70,000,000</b>	<b>0</b>	<b>580,086,312</b>
Interest Income: (Note 2)					
Exxon Corporation escrow account					831,233
Joint Trust Fund Account	5,706,667	3,963,073	2,971,070	965,953	19,316,762
<b>Total Interest</b>	<b>5,706,667</b>	<b>3,963,073</b>	<b>2,971,070</b>	<b>965,953</b>	<b>20,147,995</b>
<b>Total Revenue</b>	<b>75,706,667</b>	<b>73,963,073</b>	<b>72,971,070</b>	<b>965,953</b>	<b>600,234,307</b>
<b>DISBURSEMENTS:</b>					
Reimbursement of Past Costs: (Note 3)					
State of Alaska		3,291,446	5,000,000	0	91,559,288
United States	2,697,000	0	0	0	69,812,045
<b>Total Reimbursements</b>	<b>2,697,000</b>	<b>3,291,446</b>	<b>5,000,000</b>	<b>0</b>	<b>161,371,333</b>
Disbursements from Liquidity Account:					
State of Alaska	41,969,669	43,340,950	17,846,130	643,800	173,435,128
United States	48,019,928	31,047,824	60,101,802	445,200	161,049,522
Transfer to the Restoration Reserve		35,996,231	12,449,552		48,445,783
<b>Total Disbursements</b>	<b>89,989,597</b>	<b>110,385,004</b>	<b>90,397,484</b>	<b>1,089,000</b>	<b>382,930,433</b>
<b>FEES:</b>					
U.S. Court Fees (Note 4)	586,857	396,307	254,221	72,446	1,850,832
<b>Total Disbursements and Fees</b>	<b>93,273,454</b>	<b>114,072,758</b>	<b>95,651,705</b>	<b>1,161,446</b>	<b>546,152,598</b>
<b>Increase (decrease) in Liquidity Account</b>	<b>(17,566,788)</b>	<b>(40,109,685)</b>	<b>(22,680,635)</b>	<b>(195,494)</b>	<b>54,081,710</b>
Liquidity Account Balance, beginning balance	134,634,311	117,067,523	76,957,839	54,277,204	
Liquidity Account Balance, end of period	117,067,523	76,957,839	54,277,204	54,081,710	
Current Year Adjustments: (Note 5)					44,500,000
Other Adjustments: (Note 6)					2,142,739
<b>Uncommitted Liquidity Account Balance</b>					<b>100,724,449</b>
Future Exxon Payments (Note 1)					210,000,000
Remaining Reimbursements (Note 3)					(10,000,000)
Remaining Commitments: (Note 7)					(40,305,734)
<b>Total Estimated Funds Available</b>					<b>260,418,715</b>
<b>Restoration Reserve</b>					<b>52,706,201</b>

**Statement 1**

**Statement of Exxon Valdez Settlement Funds  
As of January 31, 1998**

Beginning Balance of Settlement	900,000,000
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Receipts:

Interest Earned on Exxon Escrow Account	337,111
Net Interest Earned on Joint Trust Fund (Note 1)	17,465,930
Interest Earned on United States and State of Alaska Accounts	6,172,006

Total Interest	<u>23,975,048</u>
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Disbursements:

Reimbursements to United States and State of Alaska	161,371,333
Exxon clean up cost deduction	39,913,688
Joint Trust Fund deposits	419,546,212

Total Disbursements	<u>620,831,233</u>
---------------------	--------------------

Funds Available:

Exxon Future Payments	210,000,000
Current Year Payment	70,000,000
Balance in Liquidity Account	54,081,710
Future acquisition payments (Note 2)	(48,805,734)
Alaska Sealife Center	0
Remaining Reimbursements	(15,000,000)
Other (Note 3)	2,142,739

Total Estimated Funds Available	<u>272,418,715</u>
---------------------------------	--------------------

Restoration Reserve	52,706,201
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Note 1: Gross interest earned less District Court registry fees.

Note 2: Includes both current year and future year payments

Note 3: Adjustment for unreported interest earned and lapse

Footnote:

Included in the Total Estimated Funds Available is the \$12,000,000 payment to the Restoration Reserve for Fiscal Year 1998.

## Statement 2

### Cash Flow Statement Exxon Valdez Liquidity Account As of January 31, 1998

#### Receipts:

##### Exxon payments

December 1991	36,837,111
December 1992	56,586,312
September 1993	68,382,835
September 1994	58,728,400
September 1995	67,303,000
September 1996	66,708,554
September 1997	65,000,000

Total Deposits	419,546,212	419,546,212
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Interest Earned	19,316,762
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Total Interest	19,316,762	19,316,762
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Total Receipts	438,862,974
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#### Disbursements:

##### Court Requests

Fiscal Year 1992	12,879,700
Fiscal Year 1993	27,634,994
Fiscal Year 1994	50,554,653
Fiscal Year 1995	89,989,597
Fiscal Year 1996	74,388,774
Fiscal Year 1997	77,947,932
Fiscal Year 1998	1,089,000

Total Requests	334,484,650	334,484,650
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District Court Fees	1,850,832	1,850,832
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Transfer to the Restoration Reserve	48,445,783
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Total Disbursements	384,781,265
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Balance in Joint Trust Fund	54,081,710
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#### Footnote:

A total of \$48,445,783 has been disbursed from the Liquidity Account to the Restoration Reserve. Of the total, \$48,445,663 was used to purchase laddered securities. The remaining \$130 represents costs paid to the Federal Reserve Bank.

**Schedule of Payments from Exxon**  
**As of January 31, 1998**

Disbursements:	December 91	December 92	September 93	September 94	September 95	September 96	September 97	Total
Reimbursements:								
United States								
FFY92	24,726,280	0	0					24,726,280
FFY93	0	24,500,000	11,617,165					36,117,165
FFY94	0	0	0	6,271,600				6,271,600
FFY95	0	0	0		2,697,000			2,697,000
Total United States	24,726,280	24,500,000	11,617,165	6,271,600	2,697,000	0	0	69,812,045
State of Alaska								
General Fund:								
FFY92	25,313,756	0	0					25,313,756
FFY93	0	16,685,133	0					16,685,133
FFY94	0	0	14,762,703					14,762,703
FFY95	0	0	0	0				0
Mitigation Account:								
FFY92	3,954,086	0	0					3,954,086
FFY93	0	12,314,867	0					12,314,867
FFY94	0	0	5,237,297	5,000,000				10,237,297
FFY95 (Prevention Account)	0	0	0		0			0
FFY96 (Prevention Account)						3,291,446		3,291,446
FFY97 (Prevention Account)							5,000,000	5,000,000
Total State of Alaska	29,267,842	29,000,000	20,000,000	5,000,000	0	3,291,446	5,000,000	91,559,288
Total Reimbursements	53,994,122	53,500,000	31,617,165	11,271,600	2,697,000	3,291,446	5,000,000	161,371,333
Deposits to Joint Trust Fund								
FFY92	36,837,111	0	0					36,837,111
FFY93	0	56,586,312	68,382,835					124,969,147
FFY94	0	0	0					0
FFY95	0	0	0	58,728,400	67,303,000			126,031,400
FFY96						66,708,554		66,708,554
FFY97							65,000,000	65,000,000
Total Deposits to Joint Trust Fund	36,837,111	56,586,312	68,382,835	58,728,400	67,303,000	66,708,554	65,000,000	419,546,212
Exxon clean up cost deduction	0	39,913,688	0	0	0	0	0	39,913,688
Total Payments	90,831,233	150,000,000	100,000,000	70,000,000	70,000,000	70,000,000	70,000,000	620,831,233
Remaining Exxon payments to be made:								
September 1994	0							0
September 1995	0							0
September 1996	0							0
September 1997	0							0
September 1998	70,000,000							70,000,000
September 1999	70,000,000							70,000,000
September 2000	70,000,000							70,000,000
September 2001	70,000,000							70,000,000
	280,000,000							280,000,000

The December 1991 payment includes interest accrued on the escrow account. The actual disbursements without interest was \$24.5 million to the United States, \$29 million to the State of Alaska and \$36.5 million to the Joint Trust Fund. The total interest earned on the escrow account was \$831,233 which was disbursed proportionately. This included \$226,280 to the United States, \$267,842 to the State of Alaska and \$337,111 to the Joint Trust Fund.

The September 1994 reimbursement to the United States included an over-payment of \$80,700 to NOAA. This over-payment is a direct result of final costs for damage assessment activities being lower than what was previously estimated. The funds were returned to the Joint Account by reducing the amount transferred to the United States in Court Request number 15.

**Schedule of Disbursements  
Exxon Valdez Liquidity Account  
As of January 31, 1998**

	United States	State of Alaska	Court Request Total	Court Fees	Disbursements Total
Court Request 1	6,320,500	6,559,200	12,879,700		
<b>Total Fiscal Year 1992</b>	<b>6,320,500</b>	<b>6,559,200</b>	<b>12,879,700</b>	<b>23,000</b>	<b>12,902,700</b>
Court Request 2	3,074,029	3,493,225	6,567,254		
Court Request 3	6,031,852	15,035,888	21,067,740		
<b>Total Fiscal Year 1993</b>	<b>9,105,881</b>	<b>18,529,113</b>	<b>27,634,994</b>	<b>154,000</b>	<b>27,788,994</b>
Court Request 4		29,950,000	29,950,000		
Court Request 5	2,516,069	2,227,856	4,743,925		
Court Request 6	1,407,818	12,211,164	13,618,982		
Court Request 7	2,084,500	157,246	2,241,746		
<b>Total Fiscal Year 1994</b>	<b>6,008,387</b>	<b>44,546,266</b>	<b>50,554,653</b>	<b>364,000</b>	<b>50,918,653</b>
Court Request 8	3,576,179	7,088,077	10,664,256		
Court Request 9		3,111,204	3,111,204		
Court Request 10	322,618	9,234,909	12,461,091		
Court Request 11	1,450,000		1,450,000		
Court Request 12	17,200,000		17,200,000		
Court Request 13	1,480,251	171,763	1,652,014		
Court Request 14	15,250,000		15,250,000		
Court Request 15	5,837,316	9,863,716	15,701,032		
Court Request 16		12,500,000	12,500,000		
<b>Total Fiscal Year 1995</b>	<b>48,019,928</b>	<b>41,969,669</b>	<b>89,989,597</b>	<b>586,857</b>	<b>90,576,454</b>
Court Request 17		3,294,667	3,294,667		
Court Request 18	8,000,000		8,000,000		
Court Request 19	3,222,224	1,968,898	5,191,122		
Restoration Reserve Transfer			35,996,231		
Court Request 20		8,000,000	8,000,000		
Court Request 21	1,007,000	5,520,500	6,527,500		
Court Request 22	18,818,600	24,556,885	43,375,485		
<b>Total Fiscal Year 1996</b>	<b>31,047,824</b>	<b>43,340,950</b>	<b>110,385,004</b>	<b>396,307</b>	<b>110,781,312</b>
Court Request 23	2,613,500	0	2,613,500		
Court Request 24	176,500	3,075,625	3,252,125		
Court Request 25	785,859	442,833	1,228,692		
Court Request 26	24,154,000	530,000	24,684,000		
Court Request 27	324,700	1,470,900	1,795,600		
Restoration Reserve Transfer			12,449,552		
Court Request 28	0	2,627,000	2,627,000		
Court Request 29	5,919,169	5,699,772	11,618,941		
Court Request 30	26,128,074	4,000,000	30,128,074		
<b>Total Fiscal Year 1997</b>	<b>60,101,802</b>	<b>17,846,130</b>	<b>90,397,484</b>	<b>254,221</b>	<b>90,651,705</b>
Court Request 31	445,200	643,800	1,089,000		
Court Request 32			0		
Court Request 33			0		
Court Request 34			0		
Restoration Reserve Transfer					
<b>Total Fiscal Year 1998</b>	<b>445,200</b>	<b>643,800</b>	<b>1,089,000</b>	<b>72,446</b>	<b>1,161,446</b>
<b>Total</b>	<b>161,049,522</b>	<b>173,435,128</b>	<b>382,930,433</b>	<b>1,850,832</b>	<b>384,781,265</b>

**Exxon Valdez Liquidity Account**  
**Interest Earned/District Court Registry Fees**  
**As of January 31, 1998**

	FFY 1992	FFY 1993	FFY 1994	FFY 1995	FFY 1996	FFY 1997	FFY 1998	Total
Earnings Deposits	17,683	31,124	33,476	55,809				138,092
Earnings Allocated:								
1991	28,704							28,704
1992	526,613	553,697						1,080,309
1993		639,180	1,461,736					2,100,915
1994			1,876,788	1,402,938				3,279,726
1995				3,661,063	1,202,209			4,863,272
1996					2,364,556	810,894		3,175,451
1997						1,905,955	653,461	2,559,416
1998							240,045	240,045
Total	555,317	1,192,876	3,338,524	5,064,001	3,566,766	2,716,849	893,506	17,327,838
Total Earnings	573,000	1,224,000	3,372,000	5,119,809	3,566,766	2,716,849	893,506	17,465,930
Registry Fees:								
1991	3,189							3,189
1992	19,811	100,223						120,034
1993		53,777	179,658					233,435
1994			184,342	180,072				364,414
1995				406,785	133,579			540,364
1996					262,729	90,099		352,828
1997						164,121	52,983	217,105
1998							19,463	19,463
Total	23,000	154,000	364,000	586,857	396,307	254,221	72,446	1,850,832
Gross Earnings	596,000	1,378,000	3,736,000	5,706,667	3,963,073	2,971,070	965,953	19,316,762

Schedule of Interest Earned on United States and State of Alaska Accounts As of January 31, 1998			
	State of Alaska EVOSS Account	United States NRDA& R	Total
June 1992	22,675		22,675
July 1994	52,823		52,823
August 1994	48,450		48,450
September 1994	40,408	43,567	83,975
October 1994	44,291		44,291
November 1994	63,286		63,286
December 1994	67,496	3,849	71,346
January 1995	89,341		89,341
February 1995	100,714		100,714
March 1995	104,570	17,033	121,603
April 1995	95,432		95,432
May 1995	92,595		92,595
June 1995	80,613	50,042	130,655
July 1995	76,424		76,424
August 1995	68,771		68,771
September 1995	59,945	44,826	104,771
October 1995	133,486		133,486
November 1995	154,119		154,119
December 1995	143,917	39,567	183,484
January 1996	134,300		134,300
February 1996	122,348		122,348
March 1996	132,469	64,381	196,850
April 1996	126,550		126,550
May 1996	136,732		136,732
June 1996	145,501	73,267	218,768
July 1996	128,195		128,195
August 1996	106,079		106,079
September 1996	110,890	29,042	139,933
October 1996	181,598		181,598
November 1996	162,806		162,806
December 1996	153,991	71,093	225,084
January 1997	147,934		147,934
February 1997	125,137		125,137
March 1997	131,457	24,374	155,831
April 1997	122,111		122,111
May 1997	114,954		114,954
June 1997	99,811	368,523	468,334
July 1997	221,906		221,906
August 1997	36,898		36,898
September 1997	159,695	38,289	197,984
October 1997	119,195		119,195
November 1997	49,120		49,120
December 1997	92,204	130,183	222,387
Total	5,031,969	1,140,037	6,172,006
NOTE: The \$117,178 NRDA&R interest figure is cumulative.			
Interest was earned for the period July 1992 through June 1994, but the specific amounts have been hidden to allow the spreadsheet to print on one page.			

## Schedule of Interest Adjustments to the Court Requests

As of January 31, 1998

	October	November	December	January	February	March	April	May	June	July	August	Total	Unallocated
United States													
FFY92												2 Baldauf 12/6/96	
FFY93			39,871						3,648			43,519	
FFY94			51,231						22,427			73,658	
FFY95	34,621		37,618			3,849					63,226	139,314	
FFY96				48,676				37,100		26,600	109,666	222,042	
FFY97			29,041								463,989	493,030	
FFY98													
<b>Total United States</b>												<b>971,565</b>	<b>168,472</b>
State of Alaska													
FFY92												0	
FFY93			80,775						35,012			115,787	
FFY94			64,944						239,090			304,034	
FFY95	52,823	117,838	44,291			320,837					449,634	985,423	
FFY96				262,202				300		289,400	934,433	1,486,335	
FFY97				398,567		275,700					782,501	1,456,768	
FFY98													
<b>Total State of Alaska</b>												<b>4,348,347</b>	<b>683,622</b>
<b>Total Adjustment</b>												<b>5,319,912</b>	<b>852,095</b>
Footnote: The unallocated interest is tied to the INT Acct. sheet.													



**Schedule of Lapse Adjustments to the Court Requests  
As of January 31, 1998**

	December 1993	June 1994	August 1995	August 1996	August 1997	Total
Disbursements:						
Court Requests						
United States						
FFY92						0
FFY93						0
FFY94		3,106,555				3,106,555
FFY95						0
FFY96			220,858			220,858
FFY97				1,165,334	1,102,442	2,267,776
FFY98						
Total United States	0	3,106,555	220,858	1,165,334	1,102,442	5,595,189
State of Alaska						
FFY92						0
FFY93						0
FFY94	3,661,600					3,661,600
FFY95						0
FFY96			2,376,950			2,376,950
FFY97				2,500,448	3,549,927	6,050,375
FFY98						
Total State of Alaska	3,661,600	0	2,376,950	2,500,448	3,549,927	12,088,925
Total Adjustment	3,661,600	3,106,555	2,597,808	3,665,782	4,652,369	17,684,114

# Schedule of Work Plan Authorizations and Other Authorizations

## Work Plan Authorizations United States:

	FFY 92	FFY 93	FFY 94	FFY 95	FFY 96	FFY 97	FFY 98	Total
June 15, 1992	6,320,500	0	0					
January 25, 1993	0	3,113,900	0					
January 25, 1993	0	6,035,500	0					
November 10, 1993	0	0	0					
November 30, 1993	0	0	2,567,300					
June 1994			4,536,800					
June 1994			84,500					
July 1994			1,500,000					
Carry Forward Authorization				463,500				
August 1994				2,110,800				
November 1994				2,514,200				
December 1994				749,600				
March 1995				1,484,100				
August 1995				(36,700)	6,238,800			
December 1995					3,270,900			
January 1996					150,000			
April 1996					478,000			
May 1996				21,900	15,200			
June 1996					23,000			
August 1996						7,923,700		
December 1996						310,900		
February 1997						0		
May 1997						0		
August 1997						85,000	7,263,600	
December 1997							445,200	
Total	6,320,500	9,149,400	8,688,600	7,307,400	10,175,900	8,319,600	7,708,800	57,670,200

**Schedule of Work Plan Authorizations and Other Authorizations**

**Work Plan Authorizations  
State of Alaska**

	FFY 92	FFY 93	FFY 94	FFY 95	FFY 96	FFY 97	FFY 98	Total
June 15, 1992	6,559,200	0	0					
January 25, 1993	0	3,574,000	0					
January 25, 1993	0	7,570,900	0					
November 30, 1993	0	0	4,454,400					
June 1994			12,391,700					
June 1994			215,800					
July 1994			0					
Carry Forward Authorization				576,300				
August 1994				7,140,900				
November 1994				9,098,700				
December 1994				180,500				
March 1995				492,600				
August 1995				36,700	12,653,600			
December 1995					2,231,100			
April 1996					500,000			
May 1996					300			
June 1996								
August 1996						11,606,300		
December 1996						310,400		
February 1997						275,700		
May 1997						0		
August 1997						(85,000)	9,393,200	
December 1997							643,800	
<b>Total</b>	<b>6,559,200</b>	<b>11,144,900</b>	<b>17,061,900</b>	<b>17,525,700</b>	<b>15,385,000</b>	<b>12,107,400</b>	<b>10,037,000</b>	<b>89,821,100</b>

# Schedule of Work Plan Authorizations and Other Authorizations

	FFY 92	FFY 93	FFY 94	FFY 95	FFY 96	FFY 97	FFY 98	Total
<b>Other Authorizations</b>								
United States:								
Orca Narrows (6/94, Eyak)			2,000,000	1,650,000				3,650,000
Kodiak National Wildlife Refuge (3/95, 9/95 AKI)				21,000,000	7,500,000	7,500,000		36,000,000
Kodiak National Wildlife Refuge (3/95, 9/95 Old Harbor)				11,250,000				11,250,000
Koniag					12,500,000	4,500,000		17,000,000
Small Parcels					379,000	3,740,200		4,119,200
Chenega Land Acquisition						24,000,000		24,000,000
Chenega-Area Oiling Reduction					3,600	157,400	182,000	343,000
English Bay						14,128,074		14,128,074
Total			2,000,000	33,900,000	20,382,600	54,025,674	182,000	110,490,274
State of Alaska:								
Kachemak Bay State Park (1/95)		7,500,000						7,500,000
Alutiiq Repository (11/93)		1,500,000						
Seal Bay (11/93,11/94,11/95,11/96)			29,950,000	3,229,042	3,294,667	3,075,625		39,549,334
Shuyak (3/96, 10/96 - 10/02)					8,000,000	2,194,266	4,000,000	14,194,266
Small Parcels					5,020,500	3,738,000		8,758,500
Alaska SeaLife Center				12,500,000	12,456,000	724,000		25,680,000
Chenega-Area Oiling Reduction					0	1,732,000		1,732,000
Alaska SeaLife Center Fish Pass						545,600		545,600
Sound Waste Management Plan						1,167,900		1,167,900
Total		9,000,000	29,950,000	15,729,042	28,771,167	13,177,391	4,000,000	99,127,600
Total Other Authorizations	0	9,000,000	31,950,000	49,629,042	49,153,767	67,203,065	4,182,000	209,617,874
Total Work Plan Authorizations	12,879,700	20,294,300	25,750,500	24,833,100	25,560,900	20,427,000	17,745,800	147,491,300
Restoration Reserve					36,000,000	12,450,000		48,450,000
Total Authorized	12,879,700	29,294,300	57,700,500	74,462,142	110,714,667	100,080,065	21,927,800	405,559,174

## Footnotes:

Work Plan Authorization and Land/Capital Acquisitions only. Will not balance to the Schedule of Disbursements from the Joint Trust Fund or the court requests due to the reauthorization of projects (carry-forward) and deductions for interest and lapse.

This schedule does tie to the quarterly reports with the exception of 93' and 92'. In FY93 the Work Plan represented the transition to the Federal Fiscal Year from the Oil Year or a seven month period. This schedule presents authorization on the Federal Fiscal Year and as such FFY92 and FFY93 does not balance.

# Exxon Valdez Oil Spill Trustee Council

645 G Street, Suite 401, Anchorage, AK 99501-3451 907/278-8012 fax: 907/276-7178



**FAX COVER SHEET**

## FAX COVER SHEET

To: Agency Liaisons

From: Molly Mc Cammon Date: 2/18/98

Comments: \_\_\_\_\_ Total Pages: 4

Please forward to those listed below.

Thank you

cc: Bob Baldauf 202.219.2849

### AGENCY LIAISON MEMBERS INCLUDE:

Berg, Catherine  
Gibbons, Dave  
Christman, Veronica

Morris, Byron  
Spies, Bob  
Fay, Ginny

Slater, Claudia  
Fries, Carol  
Rice, Bud

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Document Sent By: Rebecca

\*\*\*\*\*  
\*\*\* MULTI TRANSACTION REPORT \*\*\*  
\*\*\*\*\*

TX/RX NO.

9114

INCOMPLETE TX/RX

TRANSACTION OK

[ 09] 19075867589

JUNEAU OFFICE

[ 10] 19075867555

WOLFE-GIBBONS

[ 13] 19077896608

MORRIS-WRIGHT

[ 15] 2698918

CAROL FRIES

[ 18] 2672464

SULLIVAN-SLATER

[ 20] 7863350

C. BERG

[ 21] 2572517

B. RICE

[ 31] 19074655070

BROWN-FAY

[ 35] 15103737834

B. SPIES

12022192849

ERROR

# Exxon Valdez Oil Spill Trustee Council

645 G Street, Suite 401, Anchorage, AK 99501-3451 907/278-8012 fax: 907/276-7178



## FAX COVER SHEET

TO TRUSTEE COUNCIL MEMBERS AND ALTERNATES:

Botelho, Bruce  
Brown, Michele  
Bosworth, Rob  
Hines, Bill  
Janik, Phil

Pennoyer, Steve  
Rue, Frank  
Tillery, Craig  
Williams, Deborah  
Wolfe, Jim

FROM: Molly Mc Cammon

DATE: 2/18/98 TOTAL PAGES: 4

Please distribute to those  
noted above. Thank you

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FAX SENT BY: Rebecca

### **Federal Trustees**

U.S. Department of the Interior  
U.S. Department of Agriculture  
National Oceanic and Atmospheric Administration

### **State Trustees**

Alaska Department of Fish and Game  
Alaska Department of Environmental Conservation  
Alaska Department of Law

\*\*\*\*\*  
\*\*\* MULTI TRANSACTION REPORT \*\*\*  
\*\*\*\*\*

TX/RX NO.

9113

INCOMPLETE TX/RX

TRANSACTION OK

[ 09] 19075867589

JUNEAU OFFICE

[ 25] 19075867840

P. JANIK

[ 26] 19074652075

B. BOTELHO

[ 28] 19075867249

S. PENNOYER

[ 29] 19074652332

FRANK RUE

[ 31] 19074655070

BROWN-FAY

[ 36] 2787022

ALEX-CRAIG

[ 37] 2714102

D. WILLIAMS

ERROR



# Exxon Valdez Oil Spill Trustee Council

645 G Street, Suite 401, Anchorage, AK 99501-3451 907/278-8012 fax: 907/276-7178



February 13, 1998

I certify that the U.S. Department of the Interior has complied with the terms and conditions of the resolution approved by the *Exxon Valdez* Oil Spill Trustee Council at its meeting on November 8, 1996 in regard to the small parcel known as KAP 1055 - Abston and of the purchase agreement for that parcel and hereby request that the Alaska Department of Law and the U.S. Department of Justice request \$281,300 from the U.S. District Court for the purchase of the subject parcel.

Molly McCammon  
Executive Director



IN REPLY REFER TO:

## United States Department of the Interior

## FISH AND WILDLIFE SERVICE

1011 E. Tudor Rd.

Anchorage, Alaska 99503-6199

RE/2098.SA

FEB 13 1998

Ms. Molly McCammon, Executive Director  
*Exxon Valdez* Oil Spill Trustee Council  
645 "G" Street, Suite 401  
Anchorage, Alaska 99501-3451

Dear Ms. McCammon:

In accordance with the Resolution of the Trustee Council passed November 8, 1996, this letter is to advise you that the terms and conditions set forth in that Resolution have been satisfied as outlined below for the purchase of the Virginia C. Abston Native allotment, KAP 1055:

1. The NEPA requirements were satisfied by the signing of a categorical exclusion for small parcel acquisition on March 30, 1994.
2. The contaminants survey for the parcel was completed on October 7, 1997.
3. The owner of the property, Virginia C. Abston, accepted our offer to purchase the property and signed the purchase agreement on November 12, 1997. The United States completed the execution for the Purchase Agreement on February 5, 1998, for the acquisition of Lots 1 and 2 of U.S. Survey 9402 for the appraised fair market value amount of \$281,300.00. The purchase agreement requires that no development or encumbrance take place prior to transfer of the property.
4. The preliminary title opinion was received from the Office of the Regional Solicitor on February 3, 1998.
5. The Conservation Easement granting the State of Alaska the right to enforce nondevelopment terms on the property was approved as to form by the State and will be signed by the seller prior to signing the warranty deed transferring the property to the United States.

With this letter, I certify all requirements imposed by the Trustee Council for submission of a request to the U.S. District Court for the District of Alaska by the U.S. Department of Justice and the Alaska Department of Law have been fulfilled for disbursement of \$281,300.00 to be used for the acquisition of this parcel, KAP 1055, located on Chief Cove at the mouth of Spiridon Bay on Kodiak Island.

FEB-13-98 FRI 15:01

DIVISION OF REALTY

FAX NO. 9077863901

P. 03/03

Thank you for your assistance in this matter. If you should have any questions or need further documentation, please call Mr. Steve Shuck, Chief, Branch of Operations, at 907-786-3426.

Sincerely,



for

David B. Allen  
Regional Director

cc: Regina R. Belt, DOJ  
Barry Roth, SOL

**RESOLUTION OF THE  
EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL  
REGARDING SMALL PARCEL KAP 1055**

We, the undersigned, duly authorized members of the *Exxon Valdez* Oil Spill Trustee Council ("Trustee Council"), after extensive review and after consideration of the views of the public, find as follows:

1.a. The Council at its meeting of October 15, 1996, authorized the appraisal by the U.S. Fish and Wildlife Service (FWS) of parcel KAP 1055 as a parcel having special merit for land acquisition and habitat protection;

b. The owner of small parcel KAP 1055 has indicated an interest in selling said parcel;

c. An appraisal of the parcel has been approved by the State and federal review appraisers;

d. As set forth in Attachment A, if acquired, this small parcel has attributes which will restore, replace, enhance and rehabilitate injured natural resources and the services provided by those natural resources, including providing habitat for bird species for which significant injury resulting from the spill has been documented, providing key marine access for subsistence and recreational uses on the surrounding public lands, and making available to recreational users a public use cabin originally built by FWS on the property being acquired;

2. 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 development 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 natural resources and services, 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 have a beneficial effect on the recovery of injured resources and lost or diminished services provided by these resources;

3. There has been widespread public support for the protection of small parcels; and

4. The purchase of small parcels is an appropriate means to restore a portion of the injured resources and services in the oil spill area.

THEREFORE, we resolve to provide funds for FWS to offer to purchase and, if the offer is accepted, to purchase all the seller's rights and interests in small parcel KAP 1055; and to provide funds necessary for closing costs recommended by the Executive Director of the Trustee Council ("Executive Director") and approved by the Trustee Council and pursuant to the following conditions:

(a) the amount of funds (hereinafter referred to as the "Purchase Price") to be provided by the Trustee Council to the United States shall be the final approved appraised value of the respective parcel which is \$281,300;

(b) authorization for funding for the foregoing acquisition shall terminate if a purchase agreement is not executed by December 15, 1997;

(c) disbursement of these funds by the District Court;

(d) a satisfactory title search is completed by the acquiring government and the Seller is willing and able to convey fee simple title by warranty deed;

- (e) no timber harvesting, road development or any alteration of the land will be initiated on the land without the express agreement of the acquiring government prior to purchase;
- (f) a satisfactory hazardous materials survey is completed;
- (g) compliance with the National Environmental Policy Act; and
- (h) a conservation easement satisfactory to the U.S. Departments of Justice and the Interior and the Alaska Department of Law shall be conveyed by the seller to the non-acquiring government.

It is the intent of the Trustee Council that any facilities or other development on the foregoing small parcels after acquisition shall be of limited impact and in keeping with the goals of restoration and that there shall be no commercial timber harvest nor any other commercial use of the small parcels excepting such limited commercial use as may be consistent with applicable state or federal law and the goals of restoration to prespill conditions 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 ("MOA") and the Restoration Plan as approved by the Trustee Council ("Restoration Plan").

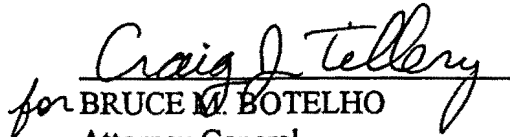
By unanimous consent and upon execution of the purchase agreement and written notice from FWS and the Executive Director that the terms and conditions set forth herein and in the purchase agreements have been satisfied, we request the Alaska Department of Law and the Assistant Attorney General of the Environment and Natural Resources Division of the U.S. Department of Justice to petition the District Court for withdrawal of the Purchase Price and any such additional

costs related to closing as are recommended by the Executive Director and approved by the Trustee Council for KAP 1055 from the District Court Registry account established as a result of the Governments' settlement to be paid at the time of closing. These amounts represent the only amounts due under this resolution to the Sellers by the United States from the joint funds in the District Court Registry and no additional amounts or interest are herein authorized to be paid to the Sellers from such joint funds.


Approved at the November 8, 1996 Trustee Council meeting, and dated as of the date the last signature below is affixed.



PHIL JANIK  
Regional Forester  
Alaska Region  
USDA Forest Service

  
for

BRUCE M. BOTELHO  
Attorney General  
State of Alaska

  
for

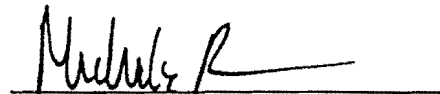
GEORGE T. FRAMPTON, JR.  
Assistant Secretary for Fish,  
Wildlife and Parks  
U.S. Department of the Interior



STEVEN PENNOYER  
Director, Alaska Region  
National Marine Fisheries Service



FRANK RUE  
Commissioner  
Alaska Department of  
Fish and Game



MICHELE BROWN  
Commissioner  
Alaska Department of  
Environmental Conservation

November , 1996

**Parcel ID #: KAP 1055**

**Rank: PMSC**

**Acreage: 160 acres**

**Agency Sponsor: USFWS**

**Location:** Chief Cove, Uyak Bay, Kodiak Island  
T28S R29W Sec 36, Seward Meridian

**Landowner/Agent: Virginia Abston / BIA**

**Address:** P.O. Box 294  
Kodiak, AK 99615

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Chief Cove is well-known to Kodiak mariners as a sheltered anchorage just inside the entrance to Uyak and Spiridon Bays. The cove also offers protection from the open Shelikof Strait for marine birds and mammals. Chief Point and Chief Cove were among the few documented beaches on Kodiak Island hit with oil from the 1989 spill. A number of seabird carcasses were picked up on this site.

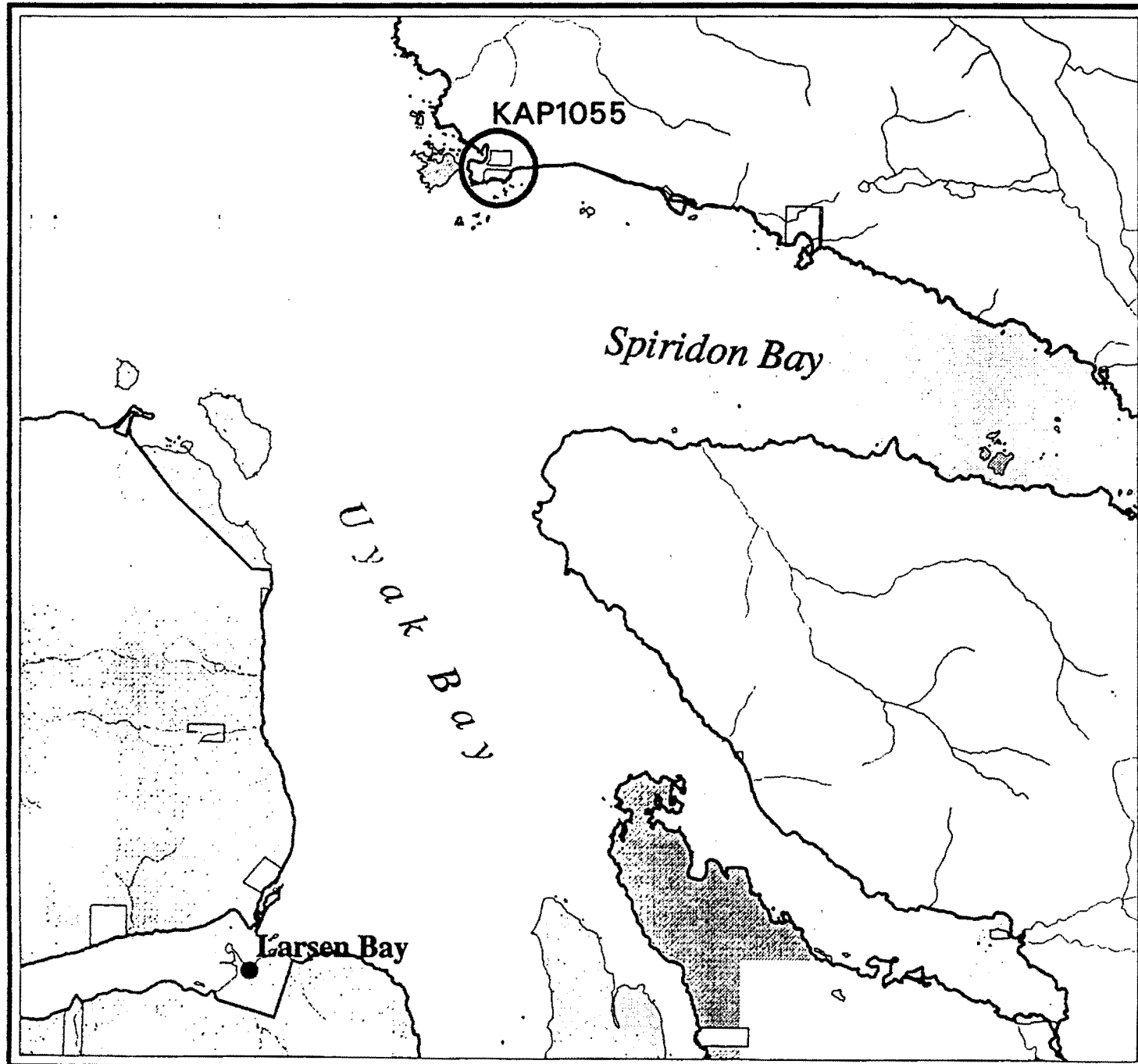
The Abston parcel has many features that complement the goals of the EVOS habitat restoration effort. The accessible shoreline and the nearshore waters in this area are used for subsistence purposes, primarily by residents of Larsen Bay. Residents harvest salmon, waterfowl, shellfish, Sitka black-tailed deer and pick berries on or adjacent to the parcel. The Abston property provides key marine access for subsistence and recreational uses on the surrounding public lands.

A documented cultural resource site is located near the parcel and evidence of historic and prehistoric use most likely exists on the parcel. However, the area has not been intensively explored for cultural sites. The Spiridon Peninsula has notable wilderness qualities and the Abston parcel is one of only a few private patents in the area. The Kodiak Refuge maintains a public use cabin on the parcel (the allotment was recently conveyed to Mrs. Abston). The cabin is especially popular during the fall deer season.

Two bald eagle nests are adjacent to the parcel and the birds forage along the entire shoreline. Pigeon guillemots, common murre, marbled murrelets and black oystercatchers are found in seasonal concentrations in Chief Cove, especially during rough weather. The intertidal beach supports extensive Pacific herring spawning that contributes to the commercial Spiridon Bay District harvest. River otter use of the area is high with probable denning on the site.

The acquisition of KAP 1055 would greatly enhance the restoration investment already placed on Kodiak Island.





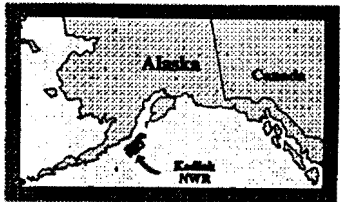
## Habitat Protection Small Parcels

### Kodiak Island, Alaska

Parcel : KAP1055

- Former Koniag Lands
- Small Parcels
- Outside of Kodiak NWR

- Land status represents USFWS  
interpretation of BLM records.  
- Projected in UTM zone 5.



0 0.5 1  
0 0.8 1.61  
Miles  
Kilometers

October 04, 1996



# Exxon Valdez Oil Spill Trustee Council

645 G Street, Suite 401, Anchorage, AK 99501-3451 907/278-8012 fax: 907/276-7178



February 13, 1998

I certify that the State of Alaska, as represented by the Alaska Department of Natural Resources and the Alaska Department of Law, has complied with the terms and conditions of the resolution approved by the *Exxon Valdez* Oil Spill Trustee Council at its meeting on October 3, 1997 in regard to the small parcels known as KEN 1060/Homer Spit - Mud Bay and KEN 1061- Beluga Slough and of the purchase agreement for those parcels and hereby request that the Alaska Department of Law and the U.S. Department of Justice request \$996,100 from the U.S. District Court for the purchase of those parcels.

A handwritten signature in cursive script, reading "Molly McCammon". The signature is written in black ink and is positioned above the printed name and title.

Molly McCammon  
Executive Director

---

**Federal Trustees**

U.S. Department of the Interior  
U.S. Department of Agriculture  
National Oceanic and Atmospheric Administration

**State Trustees**

Alaska Department of Fish and Game  
Alaska Department of Environmental Conservation  
Alaska Department of Law

**DEPARTMENT OF LAW****OFFICE OF THE ATTORNEY GENERAL**

February 13, 1998

Molly McCammon  
Exxon Valdez Oil Spill Office  
645 G Street  
Anchorage, AK 99501

Re: Small Parcel - KEN 1061 and KEN 1062, Homer Spit parcels


Dear Molly:

This letter will confirm that the conditions set forth in Resolution of the *Exxon Valdez* oil spill Trustee Council adopted at its meeting of October 3, 1997 approving purchase of the Homer Spit parcels have been completed or are required to be completed prior to closing by the terms and conditions of the Purchase Agreements for these acquisitions. The Purchase Agreement was executed today February 13, 1998.

Very truly yours,

BRUCE M. BOTELHO  
ATTORNEY GENERAL

By:

  
Alex Swiderski

Assistant Attorney General

**TONY KNOWLES, GOVERNOR**

PLEASE REPLY TO:

☐ 1031 WEST 4TH AVENUE, SUITE 200  
ANCHORAGE, ALASKA 99501-1994  
PHONE: (907) 269-5100  
FAX: (907) 276-3697

☐ KEY BANK BUILDING  
100 CUSHMAN ST., SUITE 400  
FAIRBANKS, ALASKA 99701-4679  
PHONE: (907) 451-2811  
FAX: (907) 451-2846

☐ P.O. BOX 110300-DIMOND COURTHOUSE  
JUNEAU, ALASKA 99811-0300  
PHONE: (907) 465-3600  
FAX: (907) 465-6735

AMS:ses

I:\SWIDERSA\WP\SMPARCEL\HOMER\MCCAMM.WPD

**RESOLUTION OF THE  
EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL**

We, the undersigned, duly authorized members of the *Exxon Valdez* Oil Spill Trustee Council ("Council"), after extensive review and after consideration of the views of the public, find as follows:

1. The owners of the Mud Bay small parcels, KEN 1060 A, B, C, and D, and the Beluga Slough small parcel, KEN 1061, have indicated an interest in selling said parcels and executed options to sell the parcels that are held by the Trust for Public Land (TPL);
2. An appraisal of the parcels commissioned by TPL has been approved by the State and federal review appraisers;
3. As set forth in Attachment A (Benefits Reports for KEN 1060 A, B, C, and D and KEN 1061), if acquired, these small parcels have attributes which will restore, replace, enhance and rehabilitate injured natural resources and the services provided by those natural resources, including important habitat for several species of fish and wildlife for which significant injury resulting from the spill has been documented. Acquisition of these small parcels will assure protection of 68.7 acres at Mud Bay and 38 acres at Beluga Slough. In addition City of Homer officials have indicated that the City appears receptive to a requirement of the acquisition that the City convey a conservation easement to the State of Alaska and the United States on additional parcels containing a total of approximately 59.52 acres adjacent to the Mud Bay small parcel as well as providing \$41,000 of the funds towards the purchase of the Beluga Slough small parcel.
4. Existing laws and regulations, including but not limited to the Alaska Forest Practices Act, the Alaska Anadromous Fish Protection Act, the Clean Water Act, the Alaska Coastal Management Act, the Bald Eagle Protection Act and the Marine Mammal Protection Act, are intended, under normal

circumstances, to protect resources from serious adverse effects from activities on the lands. However, restoration, replacement and enhancement of resources injured by *Exxon Valdez* oil spill (“EVOS”) present a unique situation. Without passing judgment on the adequacy or inadequacy of existing law and regulations to protect resources, scientists and other resource specialists agree that, in their best professional judgment, protection of habitat in the spill area to levels above and beyond that provided by existing laws and regulations will have a beneficial effect on recovery of injured resources and lost or diminished services provided by these resources;

5. There has been widespread public support for the acquisition of lands within Alaska as well as on a national basis;

6. The purchase of the lands is an appropriate means to restore a portion of the injured resources and services in the oil spill area. Acquisition of these lands is consistent with the Final Restoration Plan;

7. The purchase of small parcels is an appropriate means to restore a portion of the injured resources and services in the oil spill area.

THEREFORE, we resolve to provide funds for the State of Alaska, to offer to purchase and, if the offer is accepted, to purchase on behalf of the City of Homer all the sellers' rights and interests in the small parcels KEN 1060 A, B, C, and D, and KEN 1061 and to provide funds necessary for closing costs recommended by the Executive Director of the Trustee Council (“Executive Director”), and approved by the Trustee Council and pursuant to the following conditions:

(a) the amount of funds (hereinafter referred to as the “Purchase Price”) to be provided by the Trustee Council to the State of Alaska shall be \$422,100 for small parcels KEN 1060 A, B, C, and D and \$574,000 for small parcel KEN 1061 with additional funds necessary to complete the acquisition of KEN 1061 to be provided by the City of Homer;

(b) authorization for funding for any acquisition described in the foregoing paragraph shall terminate if a purchase agreement is not executed by September 15, 1998;

(c) disbursement of these funds by the District Court;

(d) a title search satisfactory to the State of Alaska and the United States is completed by the City of Homer or TPL, and the seller is willing and able to convey fee simple title by warranty deed;

(e) no timber harvesting, road development or any alteration of the land will be initiated on the land without the express agreement of the State of Alaska and the United States prior to purchase;

(f) a hazardous materials survey satisfactory to the State of Alaska and United States is completed;

(g) compliance with the National Environmental Policy Act;

(h) the acquisition of small parcels KEN 1060 A, B, C, and D is authorized on the condition that all four subparcels A, B, C, and D be acquired;

(i) a conservation easement on parcels KEN 1060 A, B, C, and D and KEN 1061 shall be conveyed to the United States and the State of Alaska and a warranty deed to the City of Homer, each of which must be satisfactory in form and substance to the United States and the State of Alaska Department of Law; and

(j) a conservation easement, which must be satisfactory in form and substance to the United States and the State of Alaska, shall be conveyed to the United States and the State of Alaska on the following five parcels totalling approximately 59.52 acres and owned by the City of Homer:

Government Lot 7 in T6S R13W, Sec. 28, S.M.	7.10 acres
Government Lot 8 in T6S R13W, Sec. 28, S.M.	3.94 acres
Government Lot 9 in T6S R13W, Sec. 28, S.M.	3.0 acres

Lot 6-B in T6S R13W, Sec. 28, S.M.

26.41 acres

Lot 6-A in T6S R13W, Sec. 28, S.M.

19.07 acres

The parcels are depicted in Attachment B (location maps) attached hereto.

It is the intent of the Trustee Council that the above referenced conservation easements will provide that any facilities or other development on the foregoing small parcels and adjacent lands owned by the City of Homer after acquisition shall be of limited impact and in keeping with the goals of restoration, that there shall be no commercial use except as may be consistent with applicable state or federal law and the goals of restoration to prespill conditions 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 and the Restoration Plan as approved by the Trustee Council. The conservation easements may provide for a utility corridor adjacent to the roadway and the conservation easement for Lot 6-A may provide for parking.

By unanimous consent, following execution of the purchase agreement between the seller and the State of Alaska and certification by the Executive Director that the executed purchase agreements are in accordance with the foregoing terms and conditions, we request the Alaska Department of Law and the Assistant Attorney General of the Environment and Natural Resources Division of the United States Department of Justice to petition the District Court for disbursement of the joint settlement funds in the above certified amounts.

Such amounts represent the only amounts due under this resolution to the sellers by the State

of Alaska to be funded from the joint funds in the District Court Registry, and no additional amounts or interest are herein authorized to be paid to the sellers from such joint funds.

Approved by the Council at its meeting of October 3, 1997, held in Juneau and Anchorage, Alaska, as affirmed by our signatures affixed below:

*James A. Wolfe*  
for

PHIL JANIK  
Regional Forester  
Alaska Region  
USDA Forest Service

*Craig J. Tillery*  
for

BRUCE M. BOTELHO  
Attorney General  
State of Alaska

*Deborah L. Williams*

DEBORAH L. WILLIAMS  
Special Assistant to the  
Secretary for Alaska  
Department of the Interior

*Steven Pennoyer*

STEVEN PENNOYER  
Director, Alaska Region  
National Marine  
Fisheries Service

*Frank Rue*

FRANK RUE  
Commissioner  
Alaska Department of  
Fish and Game

*Jimmy Key*  
for

MICHELE BROWN  
Commissioner  
Alaska Department of  
Environmental Conservation

Attachments: A - Benefits Reports for parcels KEN 1060 A, B, C, and D and KEN 1061  
B - Location maps



## Attachment A

### Benefit Reports

KEN 1060 A, B, C, and D - Mud Bay  
KEN 1061 - Beluga Slough

**KEN 1060 A,B,C & D: Homer Spit - Mud Bay**

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<b>Acreage:</b>	68.7	<b>Rank:</b>	PMSC	<b>Sponsor:</b>	ADF&G, ADNR
<b>Owners:</b>	Trust for Public Lands (option)				
<b>Location:</b>	Homer Spit				
<b>Value:</b>	\$422,100				

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**Parcel Description:** The subject properties collectively comprise a contiguous 68.7 acre tract largely comprised of low-lying intertidal flats and salt marsh on the eastern side of the spit along Kachemak Bay extending across the spit to include the outer beach berm. The Trust for Public Lands (TPL) has an option to purchase the nominated lands.

**Restoration Benefits:** Acquisition of the subject properties will provide protection for important intertidal resources. These estuarine wetland habitats extend from mid-intertidal to supratidal elevations and include muddy intertidal, mixed sand/gravel substrate, giving way to alkalai grass salt marsh and a gravel/cobble/driftwood beach along the western beach berm. On the bay side of the spit, the intertidal habitats are characterized by brackish waters, providing feeding habitat for juvenile salmon outmigrating from other parts of Kachemak Bay. At high tide, harbor seals will swim in the area to feed, especially when the salmon are running in the mid to late summer. The intertidal habitat in this area supports intertidal vegetation and invertebrates that are of special significance to migratory birds on a seasonal basis. During spring migration, the tidal flats of this area are used by tens of thousands of migrating shorebirds which also use the uplands for roosting at high tide (especially Western sandpipers and Black Turnstones). In spring, the wetter portions of these lands are also of significant value to a variety of waterfowl species. Because of the biological productivity as well as aesthetic value of these lands, the properties are also of great public interest, helping to support tourism and recreation services. The area is especially popular during the annual Homer Shorebird Festival which draws thousands of visitors from throughout the state.

**Potential Threats:** The subject property has substantial development potential as indicated by recent commercial developments in the area. The property is one of the last remaining large pieces of open space/natural habitat left on the Homer Spit.

**Appraised Value:** The appraised fair market value of the subject properties is a total of \$422,100 as reflected in the approved fair market appraisal review.

**Proposed Management:** It is intended that the property will be managed by the City of Homer in a manner consistent with the terms of a conservation easement to ensure protection of restoration values.

**Public Comment:** The Restoration Office has received an extraordinary amount of public comment in support of acquiring the Homer Spit nominations. Scores of letters from individuals as well as organizations both from within and outside the state have endorsed purchase of the nominated parcels. A large number of individuals have also indicated support through a petition.

COAL

## HOMER SPIT/BELUGA SLOUGH Land Protection Program

BAY

MI

OSR

MI

OSR

WALTER

DUFOR

SUBD.

HOMER

MARINE  
INDUSTRIAL

34

HOMER SPIT

SPIT



- Public Land  
(City of Homer, State of AK, U.S. Fish & Wildlife Service)



- Private Property Available for Acquisition  
(Under option or verbal agreement reached)



- Developed Private Property  
(currently not under consideration for acquisition)

## KEN 1061: Beluga Slough

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<b>Acreage:</b>	38	<b>Rank:</b>	PMSC	<b>Sponsor:</b>	ADF&G, ADNR
<b>Owners:</b>	Trust for Public Lands (option with landowner)				
<b>Location:</b>	Homer				
<b>Value:</b>	\$615,000				

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**Parcel Description:** The subject property is a square 38 acre tract adjacent to the Beluga Slough that drains in the ocean. The Trust for Public Lands (TPL) has an option to purchase the nominated lands.

**Restoration Benefits:** Acquisition of the subject property will provide protection for important intertidal resources. These estuarine wetlands support intertidal vegetation and invertebrates that are of special significance to migratory birds on a seasonal basis. During spring migration, the tidal flats of this area are used by tens of thousands of migrating shorebirds which also use the uplands for roosting at high tide. In spring, these lands are of significant value to a variety of waterfowl species (the Kachemak Bay Critical Habitat Area Management Plan specifically recognizes the importance of Beluga Slough to early spring migrants). Because of the biological productivity as well as aesthetic value of these lands, the properties are also of great public interest, helping to support tourism and recreation services. The area is a popular site to visit during the annual Homer Shorebird Festival which draws thousands of visitors from throughout the state.

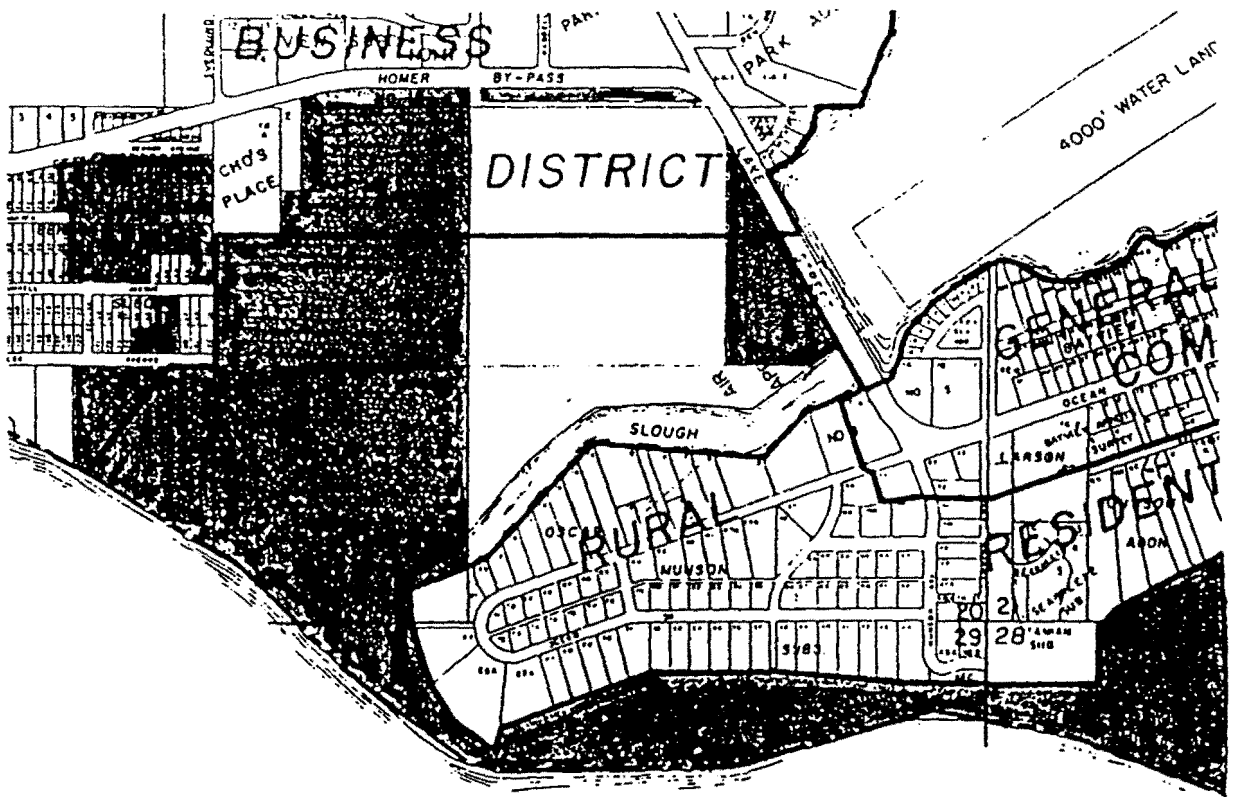
**Potential Threats:** The subject property has substantial development potential as indicated by recent commercial developments in the area.

**Appraised Value:** The appraised fair market value of the subject properties is \$615,000 as reflected in the approved fair market appraisal.

**Proposed Management:** It is intended that the property will be managed by the City of Homer in a manner consistent with the terms of a conservation easement to ensure protection of restoration values.

**Public Comment:** The Restoration Office has received an extraordinary amount of public comment in support of acquiring the Homer Spit/Beluga Slough nominations. Scores of letters from individuals as well as organizations both from within and outside the state have endorsed purchase of the nominated parcels. A large number of individuals have also indicated support through a petition.

# BELUGA SLOUGH



## HOMER SPIT/BELUGA SLOUGH Land Protection Program



- Public Land

(City of Homer, State of AK, U.S. Fish & Wildlife Service)



- Private Property Available for Acquisition

(Under option or verbal agreement reached)

## Attachment B

### Location Maps

KEN 1060 A, B, C, and D - Mud Bay

#### City of Homer Property

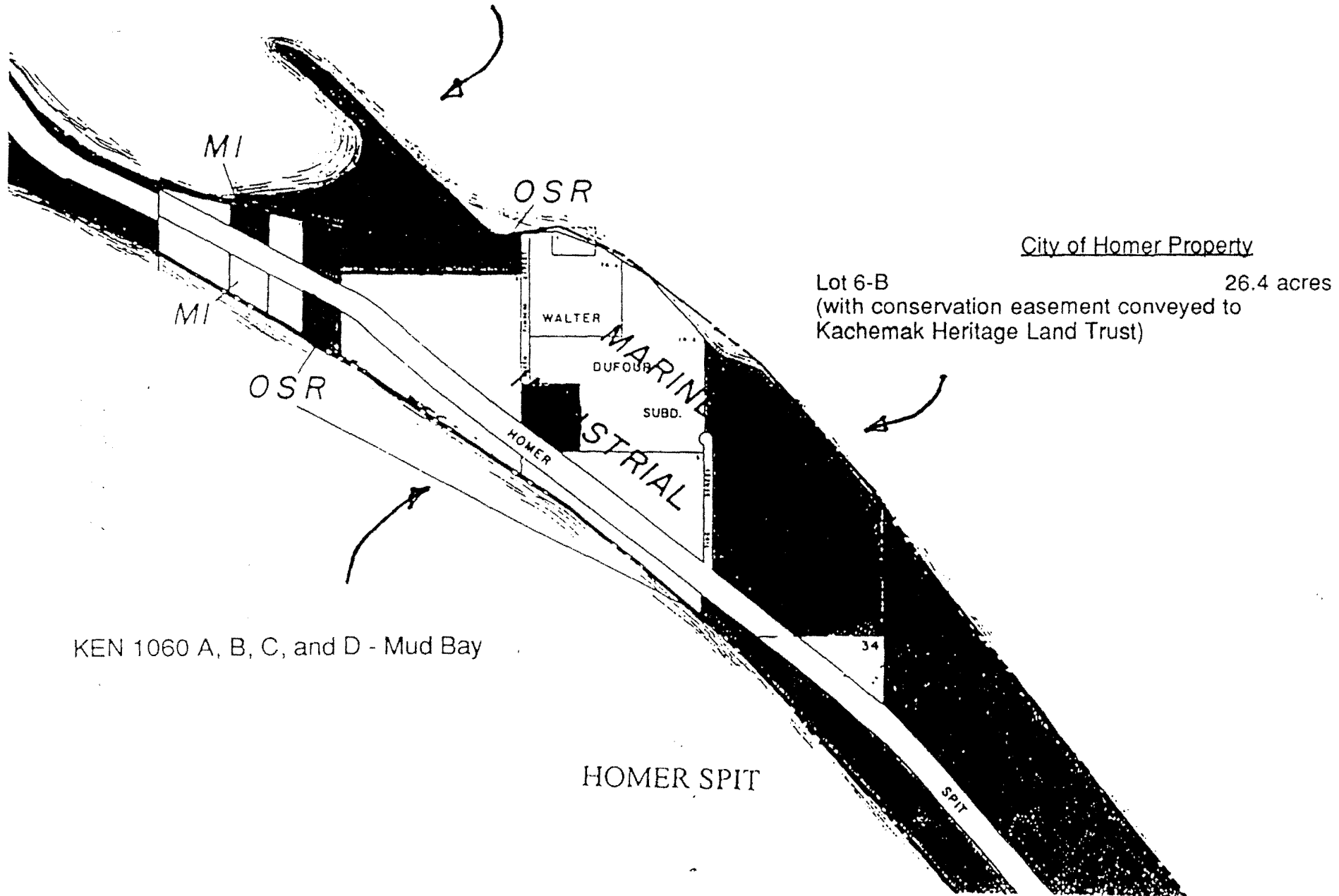
Lot 6-B	26.4 acres
(with conservation easement conveyed to Kachemak Heritage Land Trust)	

#### City of Homer Property

Government Lot 7 - T6S R13W S28	7.10 acres
Government Lot 8 - T6S R13W S28	3.94 acres
Government Lot 9 - T6S R13W S28	3.0 acres (portion north of Spit road)

City of Homer Property

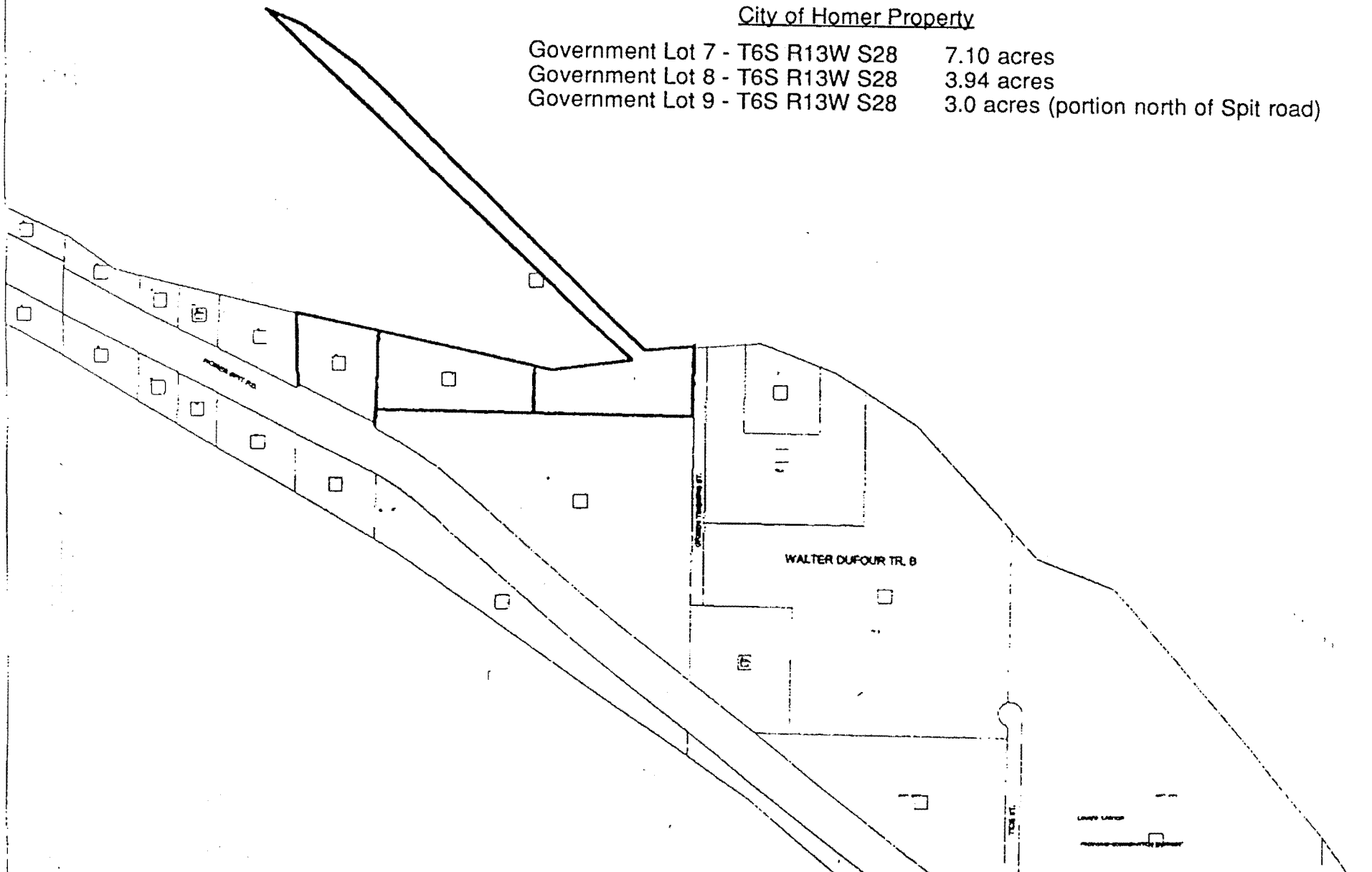
Government Lot 7 - T6S R13W S28	7.10 acres
Government Lot 8 - T6S R13W S28	3.94 acres
Government Lot 9 - T6S R13W S28	3.0 acres (portion north of Spit road)





City of Homer Property

Government Lot 7 - T6S R13W S28	7.10 acres
Government Lot 8 - T6S R13W S28	3.94 acres
Government Lot 9 - T6S R13W S28	3.0 acres (portion north of Spit road)



BEARING  
= 34.00° W

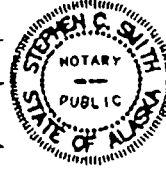
# NOTARY'S ACKNOWLEDGEMENT

SUBSCRIBED AND SWORN TO BEFORE ME THIS  
DAY OF \_\_\_\_\_, 1997.

FOR: \_\_\_\_\_

NOTARY PUBLIC FOR ALASKA

MY COMMISSION EXPIRES \_\_\_\_\_



THIS PLAT WAS  
PLANNED COMMA  
RENAI PENINSULA

BY: \_\_\_\_\_  
AUTHORIZED

## City of Homer Property

Lot 6-B  
(with conservation easement conveyed to  
Kachemak Heritage Land Trust) 26.4 acres

WALTER DUFOUR  
TRACT-B

BAY

SE 1/16 (NOT MONUMENTED)  
N=40,782.4478  
E=84,938.9353

GOV. LOT 5

LOT 6-B  
26.410 AC.

40' X 80' LEASE LOT  
(PAC 178, PG 327, HRO)

#132, 87-37RS (HRO)  
ADJ. C/L. H/2M  
N=40,102.88  
E=66,271.00

HOMER SPIT ROAD

LOT 6-A  
19.070 AC.

LOT 1-A  
5.524 AC.

80' WIDE SECTION  
LINE EASEMENT

L10

GOV. LOT 1

GOV. SEC'S 27, 28, 29, 30  
N=38,433.6995  
E=65,858.7244

GOV. LOT 1

#122, 87-37RS (HRO)  
C/L. SEC. 27, T6S, R12E  
N=82,072.78  
E=83,214.15

#133, 87-37RS (HRO)  
ADJ. C/L. H/2M  
N=38,183.83  
E=65,481.90

PG. C/L. H/2M  
N=38,102.0078  
E=65,553.1532

NOTE: RECORD DISTANCE AS PER  
STATE OF ALASKA RIGHT-OF-WAY  
MAP ALASKA PROJECT NO. F-021-1 (23)  
AND F-021-1 (14)

FIELD RECOVERED POSITION  
ADJ. C/L. H/2M, T6S, R12E  
N=38,183.83  
E=72,474.4184

ADJ. C/L. H/2M  
N=38,183.83  
E=66,283.06

-75.36