

15.03.03 Vol 1 (1 of 3)

**15.03.03**

**Small Parcel Program  
Public Comments Letters  
Phase 1 & 2**

**Volume 1  
Parcels 1-150**

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

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

Overall comments

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

PWS 17 - Ellamar

- Nancy Lethcoe questioned how this acquisition would provide for access to the uplands since the surrounding land is owned by Tatitlek Corporation. More information is being sought from ADNR on this question.

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

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

KEN 54 and KNA package

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

Kenai River parcels

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

PARCEL	SUMMARY — PUBLIC COMMENT
KEN 1	No comment received.
KEN 2	No comment received.
KEN 3	No comment received.
KAP 4	No comment received.
PWS 5/Valdez Duck Flats	See benefits analysis. Alaska Wilderness Recreation & Tourism Association letter supporting protection of Valdez Duck flats. Anadyr Adventures kayak company letter supporting Duck flats. Reference to numerous injured species on parcel.
PWS 6/Valdez Duck Flats	See benefits analysis. Alaska Wilderness Recreation & Tourism Association letter supporting inclusion of this parcel as part of the protection of the Valdez Duck flats. Anadyr Adventures kayak company letter supporting protection of Duck flats.
KEN 7	No comment received.
KEN 8	No comment received.
PWS 9	No comment received.
KEN 10/Kobylarz Subdivision	See benefits analysis.
PWS 11/Horseshoe Bay	See benefits analysis. Letter from Alaska Division of Parks and Outdoor Recreation encouraging aquisition of parcel.
KEN 12/Baycrest	See benefits analysis. Kachemak Bay State Park Adviusory Board resolution of support. City of Homer resolution of support. Kachemak Bay Heritage Land Trust letter of support. Letter from G. Ripley in support.
KEN 13	No comment received.
PWS 14	No comment received.
PWS 15 D	No comment received. (Note: Duplicate. See PWS 14.)
PWS 16 D	No comment received. (Note: Duplicate. See PWS 14.)
PWS 17/Ellamar Subdivision	See benefits analysis. Letter from M. Swanson, a property owner at Ellamar, urging that all properties in the subdivision be aquired if Trustee Council pursues property in order to ensure total protection.
KEN 18	No comment received.
KEN 19/Coal Creek Moorage	See benefits analysis.
KEN 20/Kachemak Bay Fox Farm	Letters of support from the Center for Alaskan Coastal Studies; Kachemak Bay Branch/Kenai College; Magic Canyon Ranch, M. McBride; James and Dianne Mahaffey, M. Mitchell, and R. Taylor. McBride provides extensive information regarding biological values.
KAP 21	No comment received.
KAP 22/The Triplets	See benefits analysis.
KEN 23	No comment received.
KEN 24	No comment received.
PWS 25	No comment received.
KEN 26	No comment received.



KEN 27	No comment received.
KEN 28	No comment received.
KEN 29/Tulin Parcel	See benefits analysis.
KEN 30	No comment received.
KEN 31	No comment received.
KEN 33	No comment received.
KEN 34/Cone Parcel	See benefits analysis. Support letters from Kenai Peninsula Planning Commission in support and City of Kenai Planning and Zoning Commission.
PWS 35	No comment received.
KEN 36	No comment received.
KEN 37	No comment received.
KEN 38	No comment received.
KEN 39/Homer Airport Wetlands	Letter of support from Dr. George West/Birchside Studios with particular regard to the parcels importance to the only known road accessible colony of Aleutian terns. Letter of support from R. Sinnott/ADFG biologist.
PWS 40	No comment received.
KEN 41	No comment received.
KEN 42	No comment received.
KEN 43	No comment received.
PWS 44	No comment received.
KEN 45	No comment received.
KEN 46	No comment received.
KEN 47	No comment received.
KEN 48	No comment received.
KEN 49	No comment received.
PWS 50	No comment received.
KEN 51	No comment received.
PWS 52/Hayward Parcel	See benefits analysis.
KEN 53	No comment received.
KEN 54/Salamatof Parcel	See benefits analysis.
KEN 55/Overlook Park	See benefits analysis. Kachemak Bay Heritage Land Trust petition with 365 signatures. Numerous support letters from individuals as well as the City of Homer and the State Division of Parks. One letter of objection.
KEN 56/Vandenberg Property	Kachemak Bay State Park Board Citizens Advisory Board resolution of support.
KEN 57	No comment received.
KEN 58	No comment received.
KEN 59	No comment received.
KEN 60	No comment received.
KEN 61	No comment received.

KEN 62	No comment received.
KEN 63	No comment received.
KEN 64	No comment received.
KEN 65	No comment received.
KEN 66	No comment received.
KEN 67	No comment received.
KEN 68	No comment received.
KEN 69	No comment received.
KEN 70	No comment received.
KEN 71/Swift Creek	Letters from landowner to Rep. Suzanne Little and Neil Johannsen regarding nomination of property.
KEN 72	No comment received.
KAP 73 D	No comment received. (Note: Duplicate. See KAP 91.)
KAP 74 D	No comment received. (Note: Duplicate. See KAP 91.)
KAP 75 D	No comment received. (Note: Duplicate. See KAP 137.)
KAP 76 D	No comment received. (Note: Duplicate. See KAP 127.)
KAP 77 D	No comment received. (Note: Duplicate. See KAP 135.)
KAP 78 D	No comment received. (Note: Duplicate. See KAP 138.)
KAP 79 D	No comment received. (Note: Duplicate. See KAP 96.)
KAP 80 D	No comment received. (Note: Duplicate. See KAP 101.)
KAP 81 D	No comment received. (Note: Duplicate. See KAP 102.)
KAP 82 D	No comment received. (Note: Duplicate. See KAP 134.)
KAP 83 D	No comment received. (Note: Duplicate. See KAP 133.)
KAP 84 D	No comment received. (Note: Duplicate. See KAP 100.)
KAP 85 D	No comment received. (Note: Duplicate. See KAP 103.)
KAP 86 D	No comment received. (Note: Duplicate. See KAP 131.)
KAP 87 D	No comment received. (Note: Duplicate. See KAP 105.)
KAP 88 D	No comment received. (Note: Duplicate. See KAP 104.)
KAP 89 D	No comment received. (Note: Duplicate. See KAP 98.)
KAP 90 D	No comment received. (Note: Duplicate. See KAP 132.)
KAP 91	No comment received.
KAP 92 D	No comment received. (Note: Duplicate. See KAP 107.)
KAP 93	No comment received.
KAP 94 D	No comment received. (Note: Duplicate. See KAP 95.)
KAP 95	No comment received.
KAP 96/Sitkalidak Straight	Kodiak Island Borough resolution of support.
KAP 97	No comment received.
KAP 98	No comment received.
KAP 99	No comment received.
KAP 100/Kiliuda Bay	Kodiak Island Borough resolution of support.

KAP 101/Sitkalidak Straight	Kodiak Island Borough resolution of support.
KAP 102	No comment received.
KAP 103	No comment received.
KAP 104/Kiliuda Bay	Kodiak Island Borough resolution of support.
KAP 105/Three Saints Bay	Kodiak Island Borough resolution of support. Combined with KAP 142.
KAP 106/Brown's Lagoon	Kodiak Island Borough resolution of support.
KAP 107	No comment received.
KAP 108	No comment received.
KAP 109/Sulua Bay	Kodiak Island Borough resolution of support.
KAP 110	No comment received.
KAP 111	No comment received.
KAP 112	No comment received.
KAP 113	No comment received.
KAP 114	No comment received.
KAP 115	No comment received.
KAP 116/Sulua Bay	Kodiak Island Borough resolution of support.
KAP 117	No comment received.
KAP 118	No comment received.
KAP 119	No comment received.
KAP 120	No comment received.
KAP 121	No comment received.
KAP 122	No comment received.
KAP 123	No comment received.
KAP 124	No comment received.
KAP 125	No comment received.
KAP 126	No comment received.
KAP 127	No comment received.
KAP 128/Kaguyak Bay	Kodiak Island Borough resolution of support.
KAP 129 D	No comment received. (Note: Duplicate. See KAP 128.)
KAP 130	No comment received.
KAP 131/Kiliuda Bay	Kodiak Island Borough resolution of support.
KAP 132/Sitkalidak Strait	Kodiak Island Borough resolution of support.
KAP 133/Kiliuda Bay	Kodiak Island Borough resolution of support.
KAP 134	No comment received.
KAP 135	No comment received.
KAP 136	No comment received.
KAP 137/Kiliuda Bay	Kodiak Island Borough resolution of support.

KAP 138	No comment received.
KAP 139/Uganik Bay	Kodiak Island Borough resolution of support.
KAP 140/Uganik Bay	Kodiak Island Borough resolution of support.
KAP 141 D	No comment received. (Note: Duplicate. See KAP 128.)
KAP 142/Three Saints Bay	<b>No comment received. Note: Combined with KAP 105 (Three Saints Bay).</b>
KAP 143	No comment received.
KAP 144	No comment received.
KAP 145/Termination Point	<b>See benefits analysis.</b>
KEN 146/Hopkins Parcel	Letter of support from Dr. George West describing numerous bird species that use the parcel. Letter from National Audubon Society. Letters from Speaker of the House Gail Phillips, Sen. Steve Reiger and Rep. Con Bunde.
KEN 147	No comment received.
KEN 148/River Ranch	<b>See benefits analysis.</b>
KEN 149/Perl Island	<b>See benefits analysis.</b>
KAP 150/Karluk	<b>See benefits analysis. Kodiak Regional Aquaculture Association letter of support for protection of the State's oldest active weir site.</b>
KAP 151	No comment received.
KEN 152	No comment received.
KAP 153	No comment received.
KAP 154	No comment received.
KAP 155	No comment received.
KAP 156	No comment received.
KAP 157	No comment received.
KEN 158	No comment received.
KEN 159	No comment received.
KAP 160 D	No comment received. (Note: Duplicate. See KAP 97.)
KAP 161	No comment received.
KAP 162	No comment received.
KAP 163 D	No comment received. (Note: Duplicate. See KAP 97.)
KAP 164	No comment received.
KEN 165	No comment received.
ANC 166	No comment received.
KEN 167/Irick Boat Harbor (Seward)	Kenai Fjords Yacht Club letter of support. Other letters of support from Hotel Seward, Seward Engineering and Peratovich, Nottingham & Drage/Engineering Consultants.
KEN 168	No comment received.
KEN 169	No comment received.
KEN 170	No comment received.
KEN 171	No comment received.

KEN 172	No comment received.
KEN 173/Seward Lagoon	Letter of support from A. Castellina/DOI-NPS and the Seward Rotary Club.
KAP 174	No comment received.
KEN 175	No comment received.
KEN 176	No comment received.
KEN 177	No comment received.
KEN 178	No comment received.
KEN 179	No comment received.
KAP 180	No comment received.
KAP 181	No comment received.
KAP 182 D	No comment received. (Note: Duplicate. See KAP 116.)
KAP 183	No comment received.
KAP 184	No comment received.
KAP 185	No comment received.
KAP 186	No comment received.
KAP 187	No comment received.
KAP 188	No comment received.
KAP 189	No comment received.
KAP 190	No comment received.
KAP 191	No comment received.
KAP 192	No comment received.
KAP 193	No comment received.
KAP 194	No comment received.
KAP 195	No comment received.
KAP 196	No comment received.
KAP 197	No comment received.
KAP 198	No comment received.
KAP 199	No comment received.
KAP 200	No comment received.
KAP 201	No comment received.
KAP 202	No comment received.
KAP 203	No comment received.
KAP 204	No comment received.
KAP 205	No comment received.
KAP 206	No comment received.
KAP 207	No comment received.
KAP 208	No comment received.
KAP 209	No comment received.
KAP 210	No comment received.
KAP 211	No comment received.

KAP 212	No comment received.
KAP 213	No comment received.
KEN 214 D	No comment received. (Note: Duplicate. See KEN 57.)
KAP 215	No comment received.
KAP 216	No comment received.
KAP 217	No comment received.
KAP 218	No comment received.
KAP 219	No comment received.
KAP 220/Mouth of Ayakulik River	<b>See benefits analysis.</b> Letter of support from the Kodiak Regional Aquaculture Association.
KAP 221	No comment received.
KAP 222	No comment received.
KAP 223	No comment received.
KAP 224	No comment received.
KAP 225	No comment received.
KAP 226/Karluk River Lagoon	<b>See benefits analysis.</b>
KAP 227	No comment received.
KAP 228	No comment received.
KAP 229	No comment received.
KAP 230	No comment received.
KAP 231	No comment received.
KAP 232	No comment received.
KAP 233	No comment received.
KAP 234	No comment received.
KAP 235	No comment received.
KAP 236	No comment received.
KAP 237	No comment received.
KAP 237	No comment received.
KAP 238	No comment received.
KAP 239	No comment received.
KAP 240	No comment received.
KAP 241	No comment received.
KAP 242	No comment received.
KAP 243	No comment received.
KAP 244	No comment received.
KAP 245/Gurney Bay	Kodiak Island Borough resolution of support.
KAP 246/Bumble Bay	Kodiak Island Borough resolution of support.
KAP 247/Halibut Bay	Kodiak Island Borough resolution of support.
KAP 248	No comment received.

KAP 249	No comment received.
KAP 250	No comment received.
KAP 251	No comment received.
KAP 252/Deadman Bay	Kodiak Island Borough resolution of support.
KAP 253	No comment received.
KAP 254	No comment received.
KAP 255	No comment received.
KAP 256	No comment received.
KAP 257	No comment received.
KAP 258	No comment received.
KAP 259	No comment received.
KEN 260	No comment received.
KEN 261	No comment received.
KAP 262/Halibut Bay	Kodiak Island Borough resolution of support.
KAP 263	No comment received.
KAP 264	No comment received.
KEN 265	No comment received.
KEN 266	No comment received.
KEN 267	No comment received.
KEN 268	No comment received.
KEN 269/Twin Lakes Area	Letters of support from various individuals addressed to B. O'Brian/Seward Real Estate
KAP 270	No comment received.
KAP 271	No comment received.
KAP 272	No comment received.
KAP 273 D	No comment received. (Note: Duplicate. See KAP 141.)
KEN 1001/Deep Creek	<b>See benefits analysis.</b>
KEN 1002/Moose River	Letters from Kenai Peninsula Borough and Kenai Peninsula Borough Economic Development District, Inc.
KEN 1003/Moose River	Letters from Kenai Peninsula Borough and Kenai Peninsula Borough Economic Development District, Inc.
KEN 1004/Stephanka	<b>See benefits analysis.</b> Letters from Kenai Peninsula Borough, Kenai Peninsula Borough Economic Development District, Inc., the Conservation Fund, and joint letter from Congressman Don Young and Congressman George Miller.
KEN 1005/Ninilchik	<b>See benefits analysis.</b>
KEN 1006/Girves Parcel	<b>See benefits analysis.</b> Letter from Commissioner Frank Rue of the Alaska Department of Fish and Game.
KEN 1007	No comment received.

KAP 1008	No comment received.
KEN 1009/Cooper Parcel	See benefits analysis. Letter from Commissioner Frank Rue of the Alaska Department of Fish and Game.
PWS 1010/Jack Bay	See benefits analysis. Letterd of support from Alaska Wilderness Recreation & Tourism Association, the City of Valdez, J. Miller (a nearby parcel owner), and D. Crowley (with extensive information regarding Harlequin duck use of the property).
KEN 1011	No comment received.
KEN 1011 A	No comment received.
KAP 1012	No comment received.
KEN 1013	No comment received.
KEN 1014/Grouse Lake	See benefits analysis. Letter from Phil Janik/USFS Regional Forester.
KEN 1015/Lowell Point	See benefits analysis. Letter from ADNR-Division of Parks and Outdoor Recreation. Numerous letters of support from individuals regarding restoration benefits including various students and school teachers regarding tidepools.
KEN 1017	No comment received.
KEN 1018	No comment received.
KEN 1019	Note: Parcel combined with KEN 1020 and KEN 1021. See KEN 1023.
KEN 1020	Note: Parcel combined with KEN 1019 and KEN 1021. See KEN 1023.
KEN 1021	Note: Parcel combined with KEN 1019 and KEN 1020. See KEN 1023.
KEN 1022	No comment received.
KEN 1023	No comment received.
KEN 1024	Note: Parcel combined. See KEN 54.
KEN 1025	Note: Parcel combined. See KEN 54.
KEN 1026	No comment received.
PWS 1027/Fleming Spit	See benefits analysis. Letters of support from Cordova Sporting Club, Cordova Chamber of Commerce, Cordova City Council, the City of Cordova, the Copper River/PWS Advisory Committee, Cordova Trap and Gun Club, PWSAC, and numerous individuals.
PWS 1028	No comment received.
KEN 1029	No comment received.





IN REPLY REFER TO:

## United States Department of the Interior

FISH AND WILDLIFE SERVICE

1011 F. Tudor Rd.

Anchorage, Alaska 99503-6199

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DATE:

11/18/95

TO:

Molly McCammon

ORGANIZATION:

Executive Director - EDOAS

TELEPHONE:

278-8012

FAX NUMBER:

276-7178

FROM:

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CONTENTS:

- Resolution - President

Kendal Kiv Special Management  
Area Advisory Board

TAMI... Please  
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SMALL PARCELS -

NOV-19-95 SUN 13:18

ESTES CHRISTOPHER

FAX NO. 92672422

P.02

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11/17/95 FRI 14:43 FAX 907 262 3589

KENAI NWR SOLDOTNA AK \*\*\* REALTY  
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P.02



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ADVISORY BOARD

## Resolution 95-01

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

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

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

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

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

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

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

Jim A. Richardson  
Jim A. Richardson, President

11/17/95  
Date



# Small Parcel Protection & Acquisition: Program Status Report

Molly McCammon  
Executive Director

May 24, 1995

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The purpose of this update is to provide the Trustee Council with a program status report and initial recommendation concerning the Small Parcel Protection and Acquisition Program.

## 1. Background

On February 13, 1995, the *Comprehensive Habitat Protection Process: Small Parcel Evaluation and Ranking - Volume III* report (Phase I) of the Habitat Work Group was presented to the Trustee Council. At that time, the Trustee Council took action to recognize 19 parcels as "high," "moderate," or special merit parcels (see attached).

At the February 13, 1995 meeting, the Trustee Council adopted a resolution that authorized and directed the Executive Director to:

- provide overall management for the small parcel protection and acquisition program;
- initiate a second phase of the Small Parcel process (Phase II) to allow nomination of additional parcels, subject to agency sponsorship, for evaluation/ranking;
- direct appropriate agencies to start preliminary negotiations, including appraisals as deemed appropriate, with the landowners of parcels ranked "high" or "moderate," or identified as otherwise having unique or outstanding restoration value for injured natural resources or services (special merit parcels); and
- provide the Trustee Council, by June 15, 1995, "... an initial recommendation regarding those small parcels that should be protected using joint settlement funds;" and
- continue to accept nominations for additional small parcels.

## 2. Phase II — Nomination and Evaluation Process

Since the February 13 meeting, additional Phase II small parcel nominations have been received and evaluated by the Habitat Work Group:

- Under Phase II, a total of 23 small parcel nominations have been accepted and evaluated to this point.
- Two of the Phase II parcels were ranked "high":
  - KEN 1001/Deep Creek                      Ninilchik Native Assoc. Inc.      172 ac.
  - KEN 1004/Stephanka Tract              Kenai Natives Assoc. Inc.      803 ac.
- Six Phase II parcels scored 18, just below the current "moderate" break point.<sup>1</sup> These six parcels are:
  - KEN 1005/Ninilchik River              Ninilchik Native Assoc. Inc.      16 ac.
  - KEN 1006/Girves Property              Irene Girves                      110 ac.
  - KEN 1009/Cooper Property              David & Wanda Cooper              ~30 ac.
  - PWS 1010/Jack Bay                      University of Alaska              942 ac.
  - KEN 1014/Anderson Property              Dean Anderson                      64 ac.
  - KEN 1015/Lowell Point                  James E. McCracken              19.4 ac.
- Each of these small parcels are of substantial interest to one or more federal or state agency sponsors for their restoration value; several have also generated substantial public comment in support of their purchase and protection. As indicated in my memo of May 10, I have recommended that the Trustee Council consider revising the moderate-low break point to recognize the value of these parcels. In the event the Trustee Council declines to modify the moderate-low breakpoint, each of these six parcels is being proposed for "special merit" consideration.

## 3. Preliminary Negotiations Initiated

Consistent with the February 13, 1995 resolution of the Trustee Council:

- Preliminary small parcel negotiations to date have been conducted by federal or state agencies for the purpose of developing and providing the Trustee Council with proposed terms and conditions for acquisition of a parcel, or portion of a parcel. Agreement to terms and conditions of a negotiation have been exclusively reserved to the

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<sup>1</sup> Each of these six Phase II parcels was scored at 18, just below the "moderate" break point (ie., <20 = Low, 20-39 = Moderate, and 40/above = High)

Trustee Council and no promises or representations to the landowners to the contrary have been made.

- Each small parcel that has, to this point, been ranked as "high," "moderate," or identified as "special merit" has been assigned a lead State or federal negotiator.
- The Alaska Department of Law is the lead negotiator on 15 parcels; the U.S. Fish and Wildlife Service is the lead negotiator for 5 parcels; and the U.S. Forest Service is the lead negotiator for 1 parcel.
- Preliminary negotiations have been initiated with these landowners, including efforts to confirm a continued interest by the landowner in the possible sale of their land to the Trustee Council
- Hazardous materials surveys, preliminary title searches, and site visits as needed are under way.

#### 4. Appraisals

- Appraisal services in conformance with the *Uniform Appraisal Standards for Federal Land Acquisitions* and *Uniform Standards of Professional Appraisal Practice* are either under way or being obtained through contacted services.
- It is projected that the small parcel appraisals and necessary appraisal reviews will be conducted over the next two months in order to obtain specific information upon which the Trustee Council could base any purchase offers determined to be appropriate.

#### 5. Other - Miscellaneous

- Horseshoe Bay: As a result of further evaluation of the PWS 11/Horseshoe Bay parcel (received during Phase I), the Alaska Department of Natural Resources has requested that this parcel be considered as a "special merit" nomination. As indicated in the attached letter from Marty Rutherford to Molly McCammon (dated May 22), ADNR feels that the unique characteristics of this parcel are especially valuable in the interest of a geographically balanced small parcel protection effort due to the limited number of opportunities for habitat protection in this highly impacted area.

#### 6. Public Comment

Throughout the small parcel process, there have been numerous opportunities for public comment:

- comment has been received during regular Trustee Council meeting comment periods as well as at PAG meetings;
- following publication of the *Comprehensive Habitat Protection Process: Small Parcel Evaluation and Ranking - Volume III* in mid-February additional public comment on the program was sought through the March edition of the "Restoration Update" newsletter;
- comment was solicited as part of the most recent round of community meetings during April in Port Graham, Cordova, Seldovia, Nanwalek, Valdez, Tatitlek, Homer, Kodiak, Chenega, Kenai, Seward and Anchorage;
- comment on the program to date has indicated broad based public support for the small parcel program with a number of specific small parcels receiving a substantial amount of comment and support (e.g., Overlook Park, Lowell Point, Jack Bay, Valdez Duck Flats, Termination Point);
- public comment continues on the small parcel program and has been used to formulate the initial recommendations presented below.

## 7. Summary and Conclusions

Based upon the progress of the small parcel program to this point, I recommend:

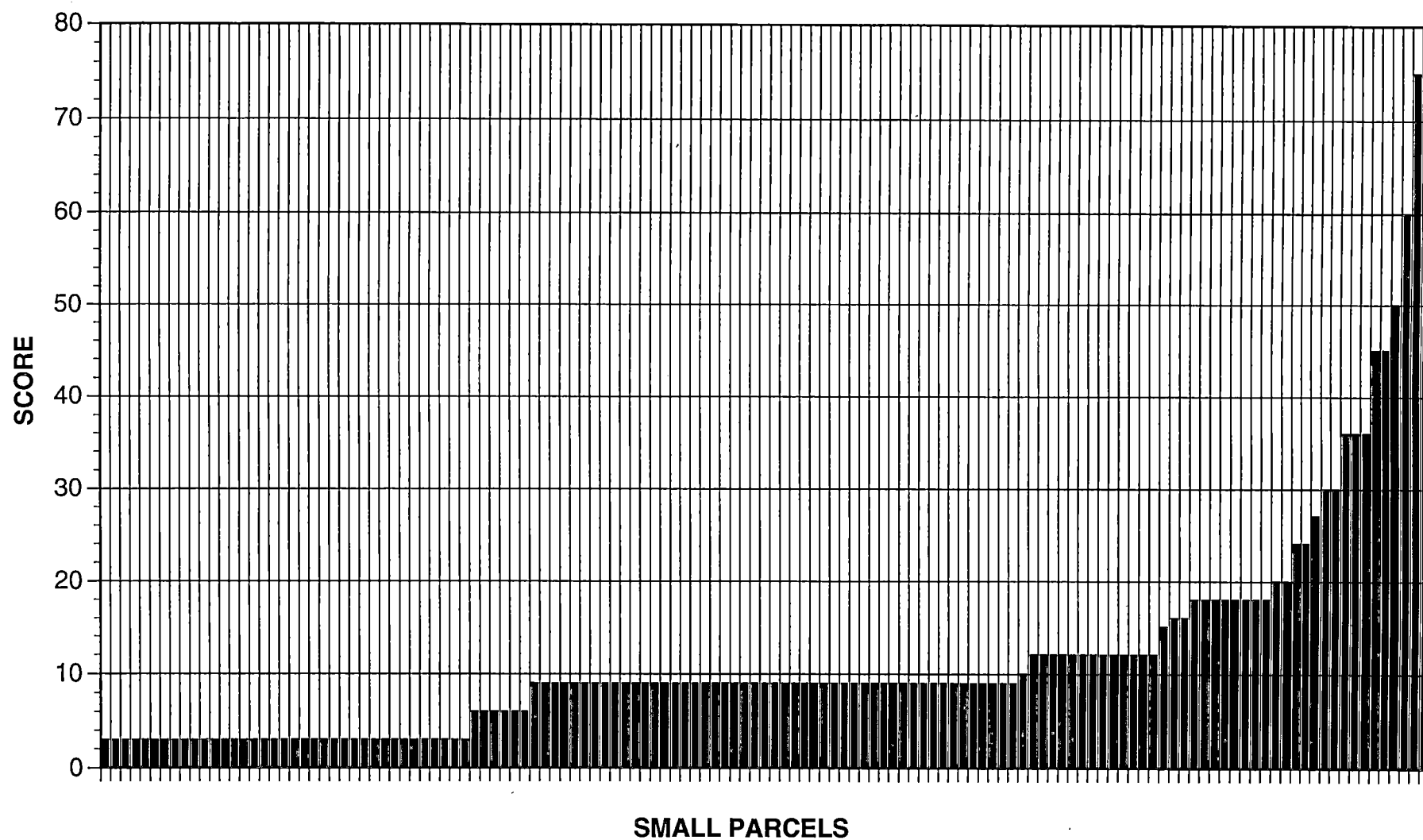
1. The Trustee Council should consider revising the moderate-low break point from 20 to 18 to recognize the value of the six Phase II parcels discussed above. With the addition of these six Phase II parcels, there is now a cluster of eight parcels that scored 18 (see bar chart). The two Phase I parcels that scored 18 are both already in the preliminary negotiation process (KAP 220 was identified as a "special merit" parcel and KAP 162 is part of the larger "moderate" KAP 226 parcel). If these additional 6 parcels were identified as "moderate," the total number of Phase I and II parcels undergoing further consideration and negotiation would be 27. This will allow for timely appraisal of these parcels in order to present the Council with information upon which to base any future offer, if any. Otherwise, each agency "special merit" nomination will be reviewed by the Trustee Council.
2. Additional small parcel nominations received after June 1, 1995 should be evaluated on a case by case basis, at the direction of the Executive Director, as time and staff resources permit with incremental "high" or "moderate" parcels added to those parcels being actively considered.

3. Based on the program progress to date, it should be possible to provide the Trustee Council with information upon which to base any specific purchase offers on or before the next scheduled meeting on August 25.
4. At that time, a parcel-specific recommendation for action regarding the purchase of each individual parcel could be made.

attachment

— Small Parcel Process — Status Summary (spreadsheet)

# SMALL PARCEL SCORES PHASE I & II





### Habitat Protection Process; Small Parcel Process Status Summary

Parcel ID	Name	Owner	Location	Acres	Rank	Agency Sponsor	Description
KEN 19	Coal Creek Moorage	Linda McLane 262-4613 P.O. Box 769 Kasilof, AK 99610	Coal Creek Moorage Subdivision, Part 1, Block 1, Lots 1,2,3,4, & 5; Block 2, Lot 2, Tract A. This parcel is located at the confluence of Coal Creek and the Kasilof River, part of the Kasilof River Flats.	53	High	ADF&G/ ADNR	The parcel contains an extensive tidal marsh surrounded by uplands of mixed spruce and birch. This parcel benefits pink and sockeye salmon, Dolly Varden, bald eagles, commercial and sport fishing, recreation and archaeological resources.
KEN 34	Cone Parcel	Chester Cone 283-7167 P.O. Box 263 Kenai, AK 99611	South of Beaver Loop Road, Kenai AK. T5N, R11W, Sec 11, SM. This parcel is located near the mouth of the Kenai River in an area known as the Kenai River Flats.	100	High	ADF&G/ ADNR	This parcel contains an extensive tidal marsh and is surrounded by uplands containing bog meadow, grass, sedge, rose shrubs and spruce. Wetlands found on this property provide habitat for salmon smolt, Dolly Varden, waterfowl, shorebirds and raptors.
KEN 149	Perl Island	Perl Island Ranch Partners 243-1380 P.O. Box 190228 Anchorage, AK 99519	Island in Chugach Island group south of the Kenai Peninsula. T12S, R14W, Sec. 19 SM, Kenai, AK. This parcel occupies the NW corner of Perl Island, the central of the three islands in the Chugach Islands group.	156	High	ADNR	An anadromous stream on the property provides habitat for salmon and Dolly Varden. In addition, there is a documented concentration of sea otters in the area. Acquisition would eliminate the impact of cattle grazing on injured resources.
PWS 05	Valdez Duck Flats	University of Alaska 786-7766 3890 Univ. Dr. #103 Anchorage, AK 99508	0.5 miles north of the city of Valdez, Richardson Highway, Valdez Alaska. U.S. Survey No. 448, T8S, R6W, S29/32.	33	High	USFS	The Valdez Duck Flats are a large and unique complex of intertidal mud flats and salt marsh covering approximately 1000 acres. Millions of salmon fry from these streams and the nearby Solomon Gulch hatchery feed and rear throughout the Duck Flats.
PWS 52	Valdez, Hayward	Philip L. Hayward 562-5037 1208 Oxford Dr. Anchorage, AK 99503	Lots 1-4, Block 3 and 4, Zook Subdivision, Mineral Loop Road, Valdez, Alaska. T8S, R6W, S33/34.	9.5	Moderate	ADF&G	This parcel is adjacent to the Valdez Duck Flats and acquisition would provide protection from development adjacent to these unique complex intertidal mud flats and salt marsh.
KEN 10	Kobylarz Subdivision	Elizabeth Kobylarz 262-6393 254 Binkley St. Soldotna, AK 99669	Kobylarz Subdivision Tract D, Sec 19, T5N, R10W, SM, Kenai, AK. This parcel is located on Mile 14 of the Kenai River and encompasses approximately 1100 feet of riverbank frontage on Big Eddy.	20	Moderate	ADF&G/ ADNR	This parcel provides access to one of the most popular fishing areas on the Kenai river. Acquisition would provide protection of key salmonid habitat and also benefit Dolly Varden.

### Habitat Protection Process; Small Parcel Process Status Summary

Parcel ID	Name	Owner	Location	Acres	Rank	Agency Sponsor	Description
<b>KEN 148</b>	River Ranch	Anderson, Hanni, Terry 243-1380 P.O. Box 190228 Anchorage, AK 99519	Government Lot 4, 9, 10 and the NE 1/4 of the SW 1/4, T5N, R9W, Sec 22, SM Kenai AK. This parcel is located near River Mile 32 on the Kenai River.	146	Moderate	ADF&G/ ADNR	This parcel is one of the larger privately owned properties on the river, developed as a horse and cattle ranch. It has high potential for recreational use and habitat protection as acquisition will facilitate management of fisheries and injured resources
<b>KAP 150</b>	Karluk	Karluk IRA Council Kathryn Reft P.O. Box 22 Karluk, AK 99608	Karluk River, Kodiak Ak. T30S, R32W, Section 23, SM. This parcel is located on the west side of Kodiak Island.	5	Moderate	ADF&G/ ADNR	The Karluk River drainage is the single largest salmon system in the Kodiak Island Group. Subsistence fishermen are dependant on Karluk resources including pink and sockeye salmon. Dolly Varden and recreation/tourism will also benefit from protection.
<b>KAP 226</b>	Karluk River Lagoon	Reed Stoops, Ayakulik Associates 463-3223 420 Main St. #600 Juneau, AK 99801	USS 362 - Tracts A-D, Karluk River Lagoon, T30N, R32W, Sec. 22. SM.	21.5	Moderate	ADF&G/ ADNR	This parcel provides important public access and recreational service values. The Karluk River is world renown for its highly productive fishery resources including chinook, sockeye, pink, chum and coho salmon. Cultural resources will also benefit.
<b>KEN 54</b>	Salamatof Parcel	Salamatof Native Assoc., Inc. 283-7864 P.O. Box 26822 Kenai, AK 99611	T4N, R9W, Sec. 6 & 7, SM, Kenai, AK. T4N, R10W, portions of Sec. 1 & 12, SM, Kenai AK. This parcel encompasses approximately two miles of river bank between River Miles 26 & 28 upstream of the Soldotna Airport.	1260	Moderate	ADF&G/ ADNR/ USFWS	This parcel is one of the largest undeveloped privately owned parcels on the Kenai River. Protection will be provided injured resources such as salmon, Dolly Varden, river otters and bald eagles from future development.
<b>PWS 17</b>	Ellamar Subdivision	Ellamar Properties, Inc. 278-1311 P.O. Box 203113 Anchorage, AK 99520	Ellamar Sbudivision in Virgin Bay, Tatitlek Narrows, Prince William Sound. T11S, R9W, S20/29. This parcel is located on Virgin Bay, Approx. 2 miles north of the village of Tatitlek in PWS.	172	Moderate	ADNR	The area is mostly flat, well forested protected by Bligh and Busby Islands to the west and surrounded by mountains to the east. 42 lots have been sold. Benefits exist for salmon, herring, intertidal/subtidal habitats, sea otters and recreation/tourism.

### Habitat Protection Process; Small Parcel Process Status Summary

Parcel ID	Name	Owner	Location	Acres	Rank	Agency Sponsor	Description
KEN 55	Overlook Park	Cronland, Geisler, Lloyd, McNiven, Whytal 235-5401/5144 P.O. Box 1649 Homer, AK 99603	3/4 miles north of Bluff Point from Sterling Highway, Homer, AK. T6S, R14W, Sections 15 & 22, SM, Kenai, AK. This parcel is locally known as Overlook Park. It is situated below and is visible from the Sterling Hwy; scenic overlook.	97	Moderate	ADNR	The parcel lies upland of 3/4 mile of Kachemak Bay shoreline and an extensive tidal pool area unique to the area and accessible from the road system. This intertidal habitat contains especially diverse flora and fauna.
KAP 145	Termination Point	Leisnoi Inc. 487-4929 P.O. Box 1186 Kodiak, AK 99615 (Surface Estate)	Monashka Bay, NE coast of Kodiak Island. T27S, R20W, Sec. 6, 7, 8 & 18. SM. This parcel is approx. 12 miles from the town of Kodiak.	1028	Moderate	ADNR	This relatively flat coastal tract with 4 miles of convoluted shoreline and is forested. The parcel also contains productive intertidal habitat and benefits marbled murrelets, pigeon guillemots, recreation, subsistence and archaeological resources.
KAP 130	Uyak Bay	Dodge, Eklund, Povelite, Truitt 487-2122 SR Box 8800 Kodiak, AK 99615	Head of Uyak Bay, west side of Kodiak Island. T33S, R27W, Sec. 31, & T34S, R27W, Sec.6. SM.	318	Moderate	USFWS	This parcel has approx. 0.5 miles of shoreline on Uyak Bay and Uyak River runs through a portion of the parcel. The Uyak River provides habitat for pink, coho, and chum salmon, Dolly Varden, bald eagles. There is also a productive intertidal area.
<b>Round 2: Parcels Scoring High or Moderate</b>							
KEN 1001	Deep Creek	Ninilchik Native Association 563-9900 703 W. Tudor #101 Anchorage, AK 99503	Parcel is located at MM 137.3 on the Sterling Highway 2.2 miles south of Ninilchik. T25S, R14W, SM, Lot 5, Sec. 4, Lot 6, Sec. 4, Lot 6 Deep Creek Subdiv., Tracts A&B & Lot 1, Bl 1, Leisure Time Estates.	172	High	ADNR	This parcel has approx. 0.5 miles of shoreline on Cook Inlet and provides habitat for sockeye salmon, pink salmon, Dolly Varden, bald eagles, common murre and harbor seals.
KEN 1004	Stephanka Tract	Kenai Native Assoc. Inc. 333-4911 215 Fidalgo #203 Kenai, AK	This parcel is located within the Kenai National Wildlife Refuge. T4N, R8W, S.M., Section 1 and E 1/2 of Section 2.	803	High	USFWS	This parcel contains one and one half sections of intermediate and mature forest with small pockets of wetlands. It provides habitat for sockeye and pink salmon, Dolly Varden and river otters and has recreation and cultural resource values.

## Habitat Protection Process; Small Parcel Process Status Summary

### Round 1: Parcels Meriting Special Consideration

Parcel ID	Name	Owner	Location	Acres	Rank	Agency Sponsor	Description
KEN 12	Baycrest	Michael Bullock (Agent), Baycrest Investment Corp. 562-6968 725 Market St. Wilmington, DE 19801	T6S, R14W, Sec. 23., below Baycrest Hill west of Homer. This parcel is adjacent to the "Overlook Parcel" on the west and contains 3/4 mile of Kachemak Bay frontage.	90	PMSC*	ADNR	This parcel contains an extensive tidal pool area and is accessible from the road system. Outstanding attributes of this parcel contribute to recreation, public access and management of the Overlook Parcel.
KEN 29	Tulin Parcel	Charles E. & Helen Tulin 272-2159 1422 K Street Anchorage, AK 99501	Located between the Sterling Highway and Cook Inlet with 3/4 mile of ocean frontage. T6S, R14W, Sec. 8 & 9, SM Kenai, AK	220	PMSC*	ADNR	This parcels contains and runs parallel to Diamond Creek from the Sterling Highway to Cook Inlet. The parcel is dominated by a mixed spruce and birch forest. Outstanding attributes of this parcel are its potential for recreation and public access.
KAP 22	The Triplets	Ouzinkie Native Corporation 680-2208 Box 89 Ouzinkie, AK 99644	Marmot Bay, 4 miles north of Kodiak Island, T25S, R25W, Sec. 23 & 26, SM.	60	PMSC*	USFWS	These three islands comprise the largest seabird colony in the Kodiak Archipelago. They contain important breeding habitat for several seabird populations impacted by the oil spill (colonial nesting seabirds, common murre).
KAP 220	Mouth of Ayakulik River	Ayakulik Associates, c/o Reed Stoops 463-3223 240 Main St. #600 Juneau, AK 99801	Mouth of the Ayakulik River, USMS 247, lots 1-6, Tract A. This parcel is composed of 6 lots and an adjacent tract at the mouth of the Ayakulik River in western Kodiak.	56	PMSC*	ADF&G	This river is second only to the Karluk for sockeye and chinook salmon production potential. Acquisition would provide outstanding benefits to recreation and fisheries management.
KAP 105/142	Three Saints Bay	Pestrikoff & Boskofsky 286-2206 Box 93 Old Harbor AK 99643	Three Saints Bay, Kodiak Island T35S, R27W, Sec. 10 & 11, SM. These parcels adjoin each other and are located within the entrance to the bay.	48 & 40	PMSC*	USFWS	Accessible shorelines and nearshore waters are used for subsistence purposes. Outstanding attributes include the wilderness qualities of the area, subsistence benefits to residents, and cultural resources.

## Habitat Protection Process; Small Parcel Process Status Summary

### Parcels which may Merit Special Consideration

Parcel ID	Name	Owner	Location	Acres	Rank	Agency Sponsor	Description
KEN 1015	Lowell Point	James E. McCracken 224-3350 P.O. Box 691 Seward, AK 99664	McCracken Tract A, located in Lot 3, USS 3365, SW 1/4 Sec 22, NW 1/4 Sec 27 SM	19.38		ADNR	Located on Lowell Point, one mile south of Alaska SeaLife Center. Parcel is forested in old growth hemlock and spruce with 700' of sand and gravel beach. The parcel provides recreational opportunities and access to Resurrection Bay.
KEN 1014	Grouse Lake	Mr. Dean Anderson 224-5584 Box 87 Seward, AK 99664	Portion of the S 1/2, SW 1/4, Section 1, T1N, R1W, SM lying west of Grouse Lake	64		USFS	This parcel is the only level access area to Grouse Lake and Grouse Creek, an area used by campers and anglers for years. Purchase will benefit the restoration of sockeye salmon, Dolly Varden, pink salmon and recreation/tourism.
PWS 1010	Jack Bay	University of Alaska 786-7766 3890 University Lake Dr. Suite 103 Anchorage, AK 99508	T10S R8W Copper River Meridian, Alaska, Sec. 2, lot 7, Sec. 3, lot 2, containing 198.64 acres, more or less. T10S, R8W, of the Copper River Meridian, Alaska, Sec. 4: tract A, Sec. 9: tract A, Sec. 10: N1/2, Sec. 11: tract A, containing 743 acres.	942		ADNR/ USFS	This parcel provides restoration benefit for pink salmon, herring, bald eagles, harbor seals, harlequin ducks and intertidal and subtidal biota. In addition, this parcel has received much public support and is accessible by boat from Valdez.
KEN 1009	Cooper Parcel	David & Wanda Cooper 745-3593 P.O. Box 264 Palmer, AK 99645	T2S R14W S02 Portions of Govt lots 1 & 2	30		ADF&G	This parcel is located on the Ninilchik River 2 miles upstream from the mouth. The river flows through the middle of the parcel and most of the property is classified as riparian habitat benefitting pink salmon, Dolly Varden and recreational use.
KEN 1006	Girves Parcel	Irene H. Girves 262-1846 Box 327 Soldotna, AK 99669	060-470-0100 M/L T05NR10WS31 Govt lot 2, containing 39.65 acres; 060-011-1300 T05NR10WS31 Govt lot 11 containing 46.73 acres; M/L 060-470-1200 T05NR10WS31 Govt lot 3 excluding lot 5 blk 1 HALCYON Sub (KN73009) and Resub Lot 1 Blk 1 HALCYON Sub KN760075	110		ADNR/ ADFG	Parcel is located near Mile 19 of the Kenai River just outside the city of Soldotna. The parcel provides key habitat for pink salmon and Dolly Varden and receives high levels of trespass recreational use from sportfishermen accessing property by boat.
KEN 1005	Ninilchik	Ninilchik Native Assoc. 563-9900 703 W. Tudor Rd., Suite 101 Anchorage, AK 99503	Parcel #1, Section 35, T1S, R14W, SM W 1/2, SW 1/4 Homer Recording District, Parcel #2, Section 35, T1S, R14W, SM (Chinook Park Homer Recording Dist.	5.76 10.38		ADNR	This parcel is located immediately adjacent to Ninilchik State Recreation Area and provides significant benefit to recreation/tourism. Acquisition will enhance access to public lands and eliminate existing trespass problems.

**Habitat Protection Process; Small Parcel Process  
Status Summary**

**Parcels which may Merit Special Consideration**

Parcel ID	Name	Owner	Location	Acres	Rank	Agency Sponsor	Description
PWS 11	Horseshoe Bay	Lucy Groh 277-8791 1576 Coffey Lane Anchorage, AK 99501	Horseshoe Bay Subdivision and Tracts 1,2,3,4, and 5 of Horseshoe Bay Subdivision according to the official Plat thereof recorded as Plat 83-7, Valdez Recording District. T2S, R9E, S9.	315		ADNR	This parcel is surrounded by Horseshoe Bay State Marine Park and contains 1600' of waterfront in the heart of Horseshoe Bay, including the creek mouth and the waterfall. Acquisition would benefit pink salmon and recreation/tourism in PWS.

# STATE OF ALASKA

## DEPARTMENT OF NATURAL RESOURCES

### OFFICE OF THE COMMISSIONER

TONY KNOWLES, GOVERNOR

- ❑ 400 WILLOUGHBY AVENUE  
JUNEAU, ALASKA 99801-1796  
PHONE: (907) 465-2400  
FAX: (907) 465-3886
- ❑ 3601 C STREET, SUITE 1210  
ANCHORAGE, ALASKA 99503-5921  
PHONE: (907) 762-2483  
FAX: (907) 562-4871

May 22, 1995

Molly McCammon  
Executive Director  
Exxon Valdez Oil Spill Restoration Office  
645 G Street, Suite 401  
Anchorage, AK 99501

Dear Ms. McCammon;

DNR would like to request that the Ninilchik parcel nominated by the Ninilchik Native Association during the second round of the Comprehensive Habitat Protection Small Parcel Evaluation and Ranking be placed in the category of "Parcels Meriting Special Consideration."

This parcel (KEN 1005) was evaluated by the Habitat Work Group and while it did not receive a score that would place it in the Moderate or High categories we feel it has unique characteristics which would allow it to contribute to the restoration of injured resources and services. This parcel scored at the high range of the low parcels and provides significant restoration benefit for recreation and tourism. This parcel is immediately adjacent to a state recreation area. It can reasonably be incorporated into existing management plans and will enhance access to public recreation lands, eliminating existing trespass problems. The parcel provides access to outstanding sport fishing for king salmon, dolly varden, pink salmon, steelhead, and silver salmon, and habitat for these same species.

We appreciate your consideration of the Ninilchik parcel. Should you require additional information please do not hesitate to contact me. Thank you.

Sincerely,

  
Marty K. Rutherford  
Deputy Commissioner

# STATE OF ALASKA

## DEPARTMENT OF NATURAL RESOURCES

### OFFICE OF THE COMMISSIONER

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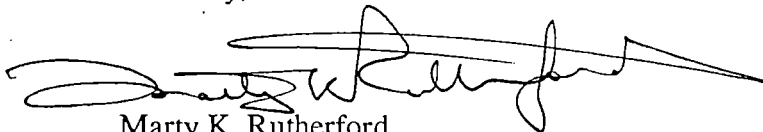
Dear Ms. McCammon;

DNR would like to request that the Lowell Point parcel nominated by James McCracken during the second round of the Comprehensive Habitat Protection Small Parcel Evaluation and Ranking be placed in the category of "Parcels Meriting Special Consideration."

This parcel (KEN 1015) was evaluated by the Habitat Work Group and while it did not receive a score that would place it in the Moderate or High categories we feel it has unique characteristics which would allow it to contribute to the restoration of injured resources and services. This parcel is located on Lowell Point, one mile south of the Alaska Sea Life Center and contains seven hundred feet of prime sand and gravel beach with a souther exposure. This parcel scored at the high range of the low parcels and provides many unique recreational opportunities and direct access to Resurrection Bay. In addition this parcel has received a high level of support from the public.

We appreciate your consideration of the Lowell Point parcel. Should you require additional information please do not hesitate to contact me. Thank you.

Sincerely,



Marty K. Rutherford  
Deputy Commissioner



# STATE OF ALASKA

## DEPARTMENT OF NATURAL RESOURCES

### OFFICE OF THE COMMISSIONER

TONY KNOWLES, GOVERNOR

400 WILLOUGHBY AVENUE  
JUNEAU, ALASKA 99801-1796  
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May 22, 1995

Molly McCammon  
Executive Director  
Exxon Valdez Oil Spill Restoration Office  
645 G Street, Suite 401  
Anchorage, AK 99501

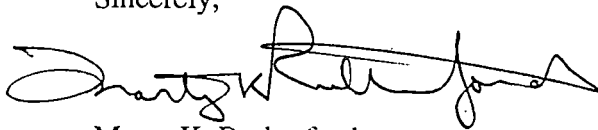
Dear Ms. McCammon;

DNR would like to request that the Jack Bay parcel nominated by the University of Alaska during the second round of the Comprehensive Habitat Protection Small Parcel Evaluation and Ranking be placed in the category of "Parcels Meriting Special Consideration."

This parcel (PWS 1010) was evaluated by the Habitat Work Group and while it did not receive a score that would place it in the Moderate or High categories we feel it has unique characteristics which would allow it to contribute to the restoration of injured resources and services. This parcel scored at the high range of the low parcels and provides restoration benefit for the following injured resources: pink salmon, herring, bald eagles, harbor seals, harlequin ducks and intertidal and subtidal biota. In addition this parcel has received a high level of support from the public and provides additional restoration benefit for recreation/tourism for the residents of Prince William Sound. In addition this parcel is especially valuable due to the limited number of opportunities for habitat protection in this highly impacted area.

We appreciate your consideration of the Jack Bay parcel. Should you require additional information please do not hesitate to contact me. Thank you.

Sincerely,



Marty K. Rutherford  
Deputy Commissioner

# STATE OF ALASKA

## DEPARTMENT OF NATURAL RESOURCES

OFFICE OF THE COMMISSIONER

TONY KNOWLES, GOVERNOR

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PHONE: (907) 762-2483  
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RECEIVED  
MAY 23 1995

May 22, 1995

Molly McCammon

Executive Director

Exxon Valdez Oil Spill Restoration Office  
645 G Street, Suite 401  
Anchorage, AK 99501

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

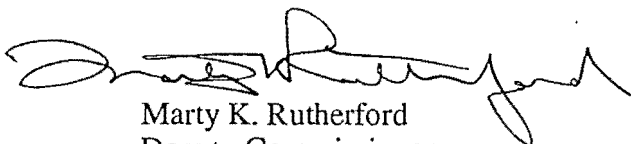
Dear Ms. McCammon;

DNR would like to request that the Horseshoe Bay parcel nominated by Lucy Groh during the initial phase of the Comprehensive Habitat Protection Small Parcel Evaluation and Ranking be placed in the category of "Parcels Meriting Special Consideration."

This parcel (PWS 11) was evaluated by the Habitat Work Group and while it did not receive a score that would place it in the Moderate or High categories we feel it has unique characteristics which would allow it to contribute to the restoration of injured resources and services. This parcel provides habitat beneficial for pink salmon and would contribute significantly to the restoration of recreation/tourism in Prince William Sound. This parcel is especially valuable due to the limited number of opportunities for habitat protection in this most highly impacted area.

We appreciate your consideration of the Horseshoe Bay parcel. Should you require additional information please do not hesitate to contact me. Thank you.

Sincerely,



Marty K. Rutherford  
Deputy Commissioner



United States  
Department of  
Agriculture

Forest  
Service

Alaska Region

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

File Code: 1590

Date: MAY 25 1995

Molly McCammon, Executive Director  
Exxon Valdez Oil Spill Restoration Office  
645 G Street, Suite 401  
Anchorage, AK 99501

Dear MS. *Molly* McCammon:

We would like to request that the Grouse Lake parcel (KEN 1014) nominated by owner Dean Anderson during the secondary phase of the comprehensive Small Parcel Habitat Evaluation and Ranking Process be placed in the category of "Parcels Meriting Special Consideration".

This parcel was evaluated by the Habitat Work Group and received a score of 18 placing it just below the minimum score of 20 for a moderate restoration value ranking. This parcel borders Grouse Lake and Creek and is contiguous with the Chugach National Forest. It can be easily incorporated into existing management plans and will enhance public access to recreational opportunities as it is within about 5 miles of Seward. It also provides habitat for sockeye and pink salmon, and Dolly Varden char. Thus, we feel that this parcel has unique characteristics which will provide for the restoration of injured resources and associated services.

In reference to another parcel (PWS 1010) Jack Bay, we are also interested in requesting special merit status. We have coordinated a recommendation submitted by Alaska Department of Natural Resources to initiate special merit status dated May 22nd. The Forest Service is also interested in incorporating this parcel into National Forest Management for the restoration of injured resources and associated services.

We appreciate your consideration of these parcels and should you require additional information, please contact Dave Gibbons.

Sincerely,

PHIL JANIK  
Regional Forester

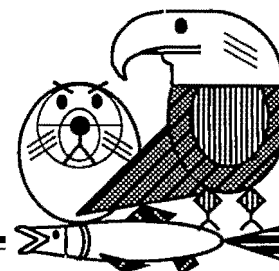


# Exxon Valdez Oil Spill Trustee Council

Restoration Office

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

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



## MEMORANDUM

TO: Trustee Council

FROM: Molly McCammon, Executive Director

DATE: May 10, 1995

SUBJ: Small Parcel Program

At the February 13, 1995 Trustee Council meeting, I was directed to report back to the Trustee Council by June 15 with an initial recommendation regarding those small parcels that should be protected using joint settlement funds. The purpose of this memorandum is to provide you with certain information concerning the small parcel program, particularly as it pertains to the Phase II parcel evaluations. A more comprehensive briefing on the small parcel program will be provided at the June 1 Trustee Council meeting in Cordova.

The Habitat Work Group has evaluated and rated the Phase II small parcel nominations. As a result of the Phase II process, an additional 23 parcels were nominated. Of these, two Phase II parcels were ranked "high":

KEN 1001	Deep Creek	Ninilchik Native Assoc. Inc.	172 ac.
KEN 1004	Stephanka Tract	Kenai Natives Assoc. Inc.	803 ac.

No Phase II parcels have been identified in the "moderate" category at this time. However, six Phase II parcels were identified as having scores of 18, that is, just below the "moderate" break point (ie., <20 = Low, 20-39 = Moderate, and 40/above = High).

The six Phase II parcels that scored at 18 are:

KEN 1005	Ninilchik River	Ninilchik Native Assoc. Inc.	16 ac.
KEN 1006	Girves Property	Irene Girves	110 ac.
KEN 1009	Cooper Property	David & Wanda Cooper	~30 ac.
PWS 1010	Jack Bay	University of Alaska	942 ac.
KEN 1014	Anderson Property	Dean Anderson	64 ac.
KEN 1015	Lowell Point	James E. McCracken	19.4 ac.

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

Several of these parcels have generated substantial interest from either the nearby community (KEN 1010/Jack Bay-Valdez, KEN 1015 Lowell Point-Seward) or an agency (KEN 1005/Ninilchik River-ADFG, KEN 1006/Girves-ADFG). Together, a total of eight Phase I and Phase II parcels have been scored at 18 (two in Phase I and six in Phase II).

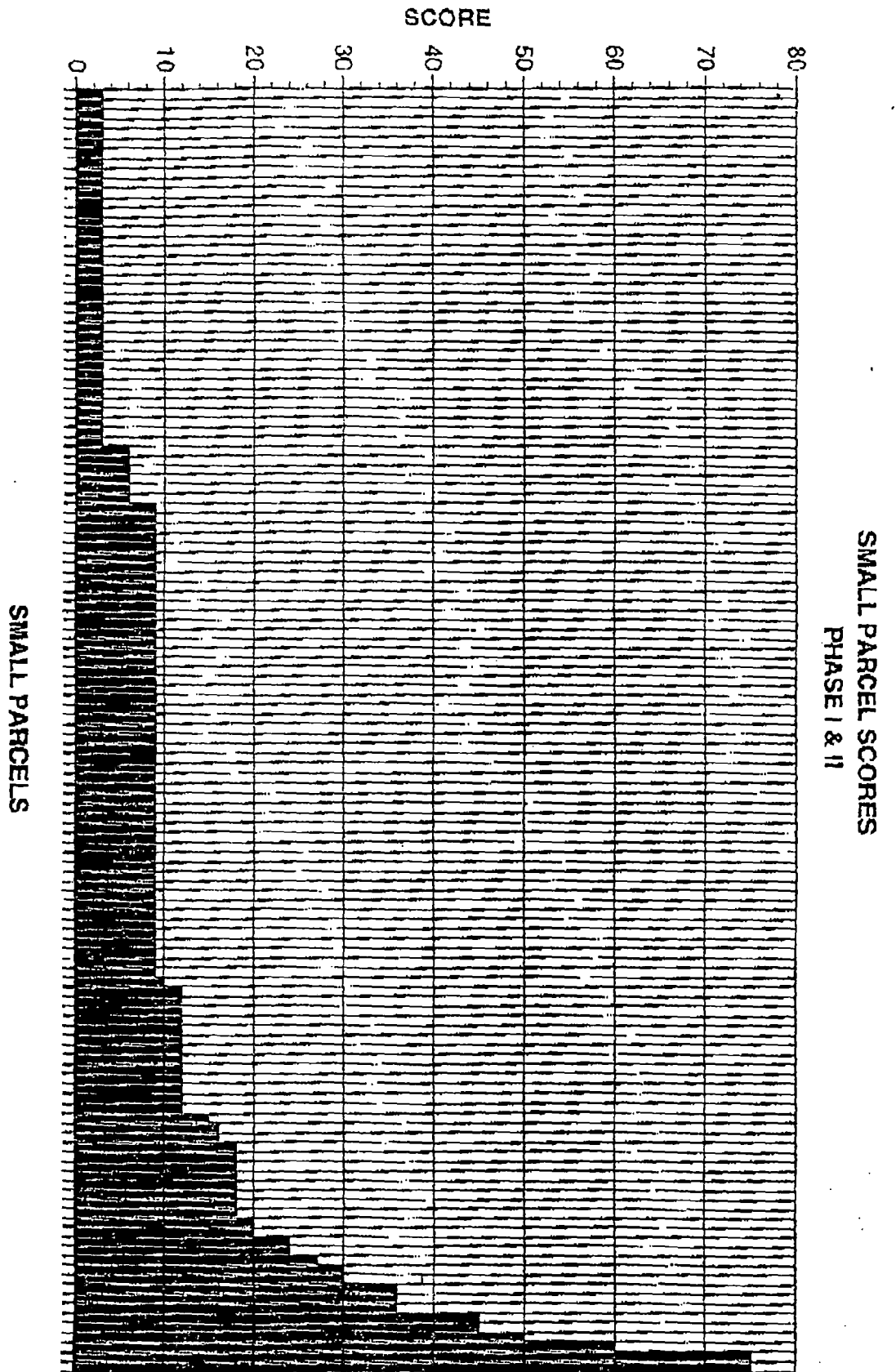
A copy of the most recent small parcel score bar chart is attached for your reference. As you will recall, the Trustee Council discussed the issue of the moderate/low break point during the Phase I review. With the addition of the Phase II parcels, there is now a cluster of parcels that scored 18. Most of the Phase II parcels that scored 18 are likely candidates for "special merit" designation because of public and agency support. In addition, the two Phase I parcels that scored 18 are both already in the preliminary negotiation process (KAP 220 was identified as a "special merit" parcel and KAP 162 is part of the larger "moderate" KAP 226 parcel).

The RFPs/contracts for appraisals of the Phase I and II small parcels are now being drafted. If the incremental six Phase II parcels that were rated 18 are included, the cost will be relatively inexpensive (rather than possibly being added later). In order to move forward efficiently with the appraisal and negotiation process, I recommend that the break point between moderate/low be 18 (rather than 20). If the break point goes to 18, the total number of Phase I and II parcels undergoing further consideration would be 27 (i.e., 6 high, 17 moderate, and 4 special merit), rather than 21.

I will contact each of you in the near future to discuss this further.

enclosure

cc: Alex Swiderski  
Glenn Elison  
Carol Fries  
Mark Kuwada  
Dave Gibbons



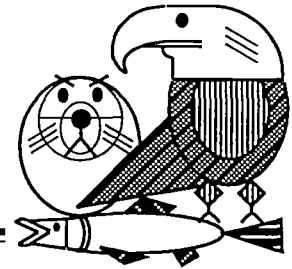
# Exxon Valdez Oil Spill Trustee Council

Restoration Office

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

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

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Dear Landowner:

Thank you for your interest in the *Exxon Valdez* Oil Spill Habitat Protection Program. Please find enclosed a two-page nomination form and a summary of the small parcel element of the Comprehensive Habitat Protection Process (including a list of injured resources and services).

We would appreciate your assistance in filling out the enclosed nomination form as completely as possible. The more information you can provide about your parcel, the easier it will be to evaluate your nomination. Location maps, legal descriptions, boundary surveys, photographs, etc. would be especially helpful.

Please mail the completed nomination form to:

*Exxon Valdez* Trustee Council  
Small Parcel Habitat Protection Program  
645 G Street, Suite 401  
Anchorage, Alaska 99501-3451

You will be notified when your nomination form has been received. It is intended that nominations received by Friday, March 31, 1995 will be reviewed and results presented to the Trustee Council by June 15, 1995. The nomination of a parcel in no way indicates that the Trustee Council will make an offer to purchase that parcel. You will also be notified when evaluations of your parcel have been completed.

If you have any questions, please call Tami Yockey at (907)278-8012.

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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

# SMALL PARCEL NOMINATION FORM

## EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL

Please Print or Type

### Part 1: Landowner Information

Landowner: \_\_\_\_\_ Phone: \_\_\_\_\_  
Address: \_\_\_\_\_ Fax: \_\_\_\_\_  
Co-owner: \_\_\_\_\_  
Other contacts/agents: \_\_\_\_\_  
Subsurface owner: \_\_\_\_\_

### Part 2: Parcel Information

Legal description of property: (township, range, section) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

General description of property: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Is your property located within or adjacent to a State or Federal Park, Refuge or National Forest or other public land unit? If so, which one? \_\_\_\_\_

Approximate acreage: \_\_\_\_\_ acres

Are there any developments on the site: \_\_\_\_\_

Are there any hazardous materials on the property? (waste oil, mine tailings, dump)

(Y/N/Unknown) \_\_\_\_\_

Please provide the following if available: surveys, photos, maps, copy of deed, etc.: \_\_\_\_\_

\_\_\_\_\_



# SMALL PARCEL NOMINATION FORM

## Part 3: Threshold Criteria:

Are you willing to sell your property at fair market value? (Y/N) \_\_\_\_\_

Is the parcel within the Oil Spill area?(see attached map) (Y/N) \_\_\_\_\_

Do you grant permission for Trustee Council staff to inspect your property? (Y/N) \_\_\_\_\_

\*Describe or list any injured resources/services that occur on or are affected by your property:

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Tell us how acquisition of your property will benefit restoration: \_\_\_\_\_

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General comments: \_\_\_\_\_

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## Part 4:

Signature of landowner: \_\_\_\_\_ Date: \_\_\_\_\_

and

Signature of co-owner: \_\_\_\_\_ Date: \_\_\_\_\_

Signature of co-owner: \_\_\_\_\_ Date: \_\_\_\_\_

A nomination does not bind you to sell your property, nor does it bind the Trustee Council to buy your lands.

Please submit each nomination on a separate nomination form.

\*A list of all injured species/services is included.

If you need additional space please use additional sheets.

**INCOMPLETE NOMINATION FORMS WILL NOT BE CONSIDERED**

***Exxon Valdez Oil Spill***  
**Comprehensive Habitat Protection Process**  
**Small Parcel Element**

## **INTRODUCTION**

In 1991, the U.S. District Court approved the settlement of a lawsuit involving the 1989 *Exxon Valdez* Oil Spill. The terms of the civil settlement required Exxon to pay the United States and the State of Alaska \$900 million over 10 years to restore the resources injured by the spill, and the reduced or lost services they provide. Under the court-approved terms of the settlement, a Trustee Council of three federal and three state members was designated to administer the restoration fund and to restore the resources and services injured by the spill.

The Comprehensive Habitat Protection Process, approved by the Trustee Council in July 1992, is the method for evaluating and ranking lands for habitat protection as part of the overall restoration program. The Comprehensive Process consists of both large and small parcel evaluation and ranking elements.

The first phase, large parcel element (parcels greater than 1,000 acres), was accepted by the Trustee Council on November 30, 1993, and subsequently reviewed by the public.

The **small parcel element** is a continuation of the effort started in the large parcel element. This document explains how the small parcel element evaluates the benefits of small parcel protection (less than 1,000 acres) to the recovery of injured resources and services.

The goal of the small parcel element is to protect lands that are linked to the recovery of injured resources and services. Emphasis in this evaluation will be placed upon the resource/service value of a small parcel and the relationship of the parcel to the surrounding land. Significant restoration benefits that can be achieved by protecting small parcels include:

- 1) Creating restoration and enhancement opportunities for resources and/or services;
- 2) Improving management of lands that contain linked habitats;
- 3) Facilitating access to public lands and resources; and,
- 4) Eliminating potential threats to key habitats of injured species,

The small parcel element is divided into nomination, evaluation, ranking, negotiation, acquisition, and post-acquisition management phases. These phases are depicted graphically in Figure 1. The small parcel element also includes **threshold criteria** and **evaluation and ranking criteria**. The threshold criteria are designed to eliminate nominations that would not fulfill restoration objectives. The evaluation and ranking criteria are used to prioritize or rank those candidate lands that are in compliance with the threshold criteria.

## **NOMINATIONS**

The Trustee Council is soliciting nominations from landowners in the oil spill area. Each nomination will be initially recorded and evaluated against a set of threshold criteria. These threshold criteria (Table 1) are designed to determine whether or not a nomination is acceptable for further consideration. Nominations will be rejected if they do not meet all of these minimum requirements:

**Table 1: Threshold Criteria**

- 1) There is a willing seller of the parcel or property right;
- 2) The parcel is linked to the restoration of one or more injured resources and/or services;
- 3) The seller acknowledges that the governments can purchase the parcel or property rights only at fair market value;
- 4) The acquired property rights can reasonably be incorporated into public land management systems in a manner that will facilitate restoration objectives; and,
- 5) The parcel is located within the oil spill area (see map).

## **PARCEL EVALUATION**

If parcels are found to be in compliance with threshold criteria they will be subjected to a more comprehensive review using a set of evaluation and ranking criteria. These evaluation criteria are designed to examine the following factors:

- ° The parcel's linkage to key habitats/sites of an injured resource or service;
- ° The protection potential for injured resources/services that would be obtained; and,

- ° The ability to better manage public resources to promote the recovery of injured resources or services.

A list of injured resources and services that are linked to upland and nearshore habitats was developed from the Restoration Plan, Summary of Injury and the recommendations of the chief scientist. These are listed in Table 2, Linked Resources and Services.

**Table 2: Linked Resources and Services**

<b>Resources</b>		<b>Services</b>
Sockeye Salmon	Harbor Seal	Recreation
Pink Salmon	Harlequin Duck	Wilderness
Dolly Varden	Inter/Subtidal	Subsistence
Cutthroat Trout	Marbled Murrelet	Archeological Resources
Pacific Herring	Pigeon Guillemot	
Bald Eagle	River Otter	
Black Oystercatcher	Sea Otter	
Common Murre		

Linkage to a small parcel means: a) that the parcel contains habitat for a resource that is important during key life stages, or b) activities on the parcel have a significant influence on key habitats located on adjacent public lands. Key habitats include: spawning areas, overwintering areas, concentrated nesting areas, haulouts, seabird colonies (rookeries), dense seagrass beds, mussel beds, etc. Areas of more general use, such as feeding habitat, migration corridors or nearshore spawning habitat will not be considered key in this context.

Services are considered linked to a small parcel if the parcel has strategic value that extends beyond the parcel boundaries. For example, a small parcel may provide the only public access to an adjacent area of public land or the parcel contains the only or best camping, subsistence harvest or sport fishing site in the area. Scenic viewsheds and other more general service values are not considered key in this evaluation.

Information submitted as part of a nomination will be reviewed by a multi-agency team as part of the evaluation. Corroborating data will be solicited from resource agency staff on specific parcels. Information used in the evaluation process will include resource agency data on anadromous fish streams, marine mammal haulout areas, bald eagle nest locations, seabird colony locations, spruce bark

beetle infestation maps, and any other pertinent information. *Exxon Valdez* oil spill natural resources damage assessment studies and agency planning studies will also be reviewed.

In determining the protection potential for injured resources and services that a parcel will provide, the process considers the susceptibility of injured resources/services to adverse impacts from human activities. Potential threats to resources and their habitats include both disturbance and habitat degradation or loss. These criteria will evaluate the potential threats of development on the parcel to the habitats of injured resources/services both on the parcel and on adjacent lands.

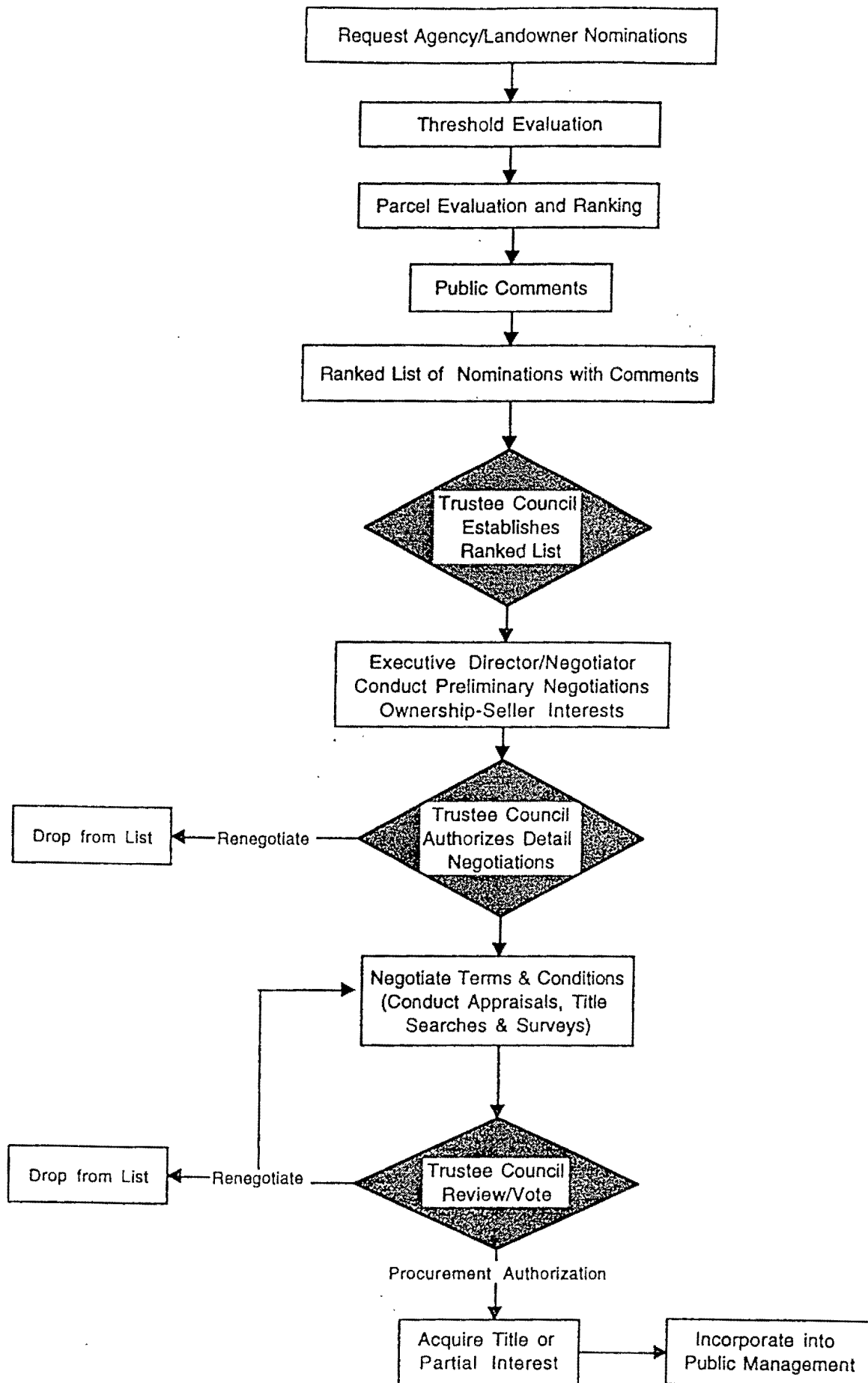
### **Ranking**

Each of the scored parcels will be assigned a ranking of high, moderate or low. This assignment represents the degree to which acquisition of full title benefits the linked resources and services identified to occur on the specific parcel. The rankings will be assigned on the basis of a multi-agency team review of the results of the evaluation.

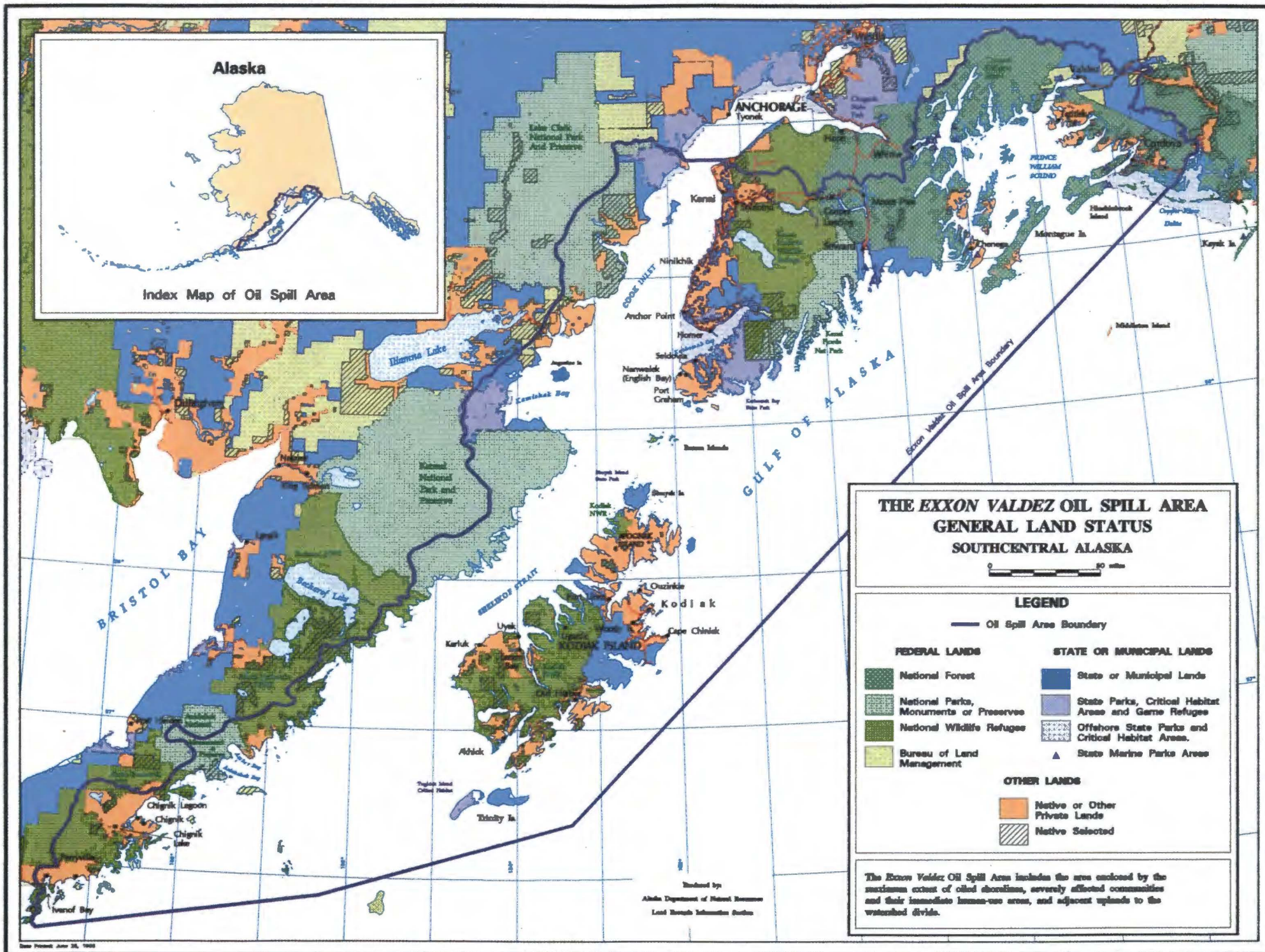
### **Public Comment**

Following the team evaluation and ranking, the public will have the opportunity to comment. These comments will be incorporated with the team's recommendations in establishing a list of prioritized parcels for Trustee Council review and possible acquisition.

## SMALL PARCEL PROTECTION PROCESS





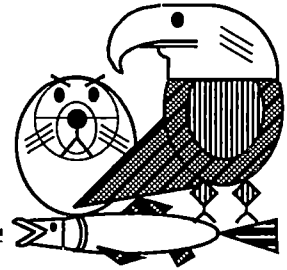


# Exxon Valdez Oil Spill Trustee Council

Restoration Office

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

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



## F A X C O V E R

TO: Commissioner Gene Burden/DEC  
Acting Commissioner Frank Rue/ADFG  
Craig Tillery - Alex Swiderski/DOL  
Deborah Williams/DOI  
Dan Sakura - Barry Roth/DOI  
Dave Gibbons/USFS  
Byron Morris/NOAA  
Veronica Gilbert/DNR

FROM: Eric F. Myers, Project Coordinator

DATE: 2/9/95

SUBJ: Draft Resolution — Small Parcel Program

Attached you will find a Draft Resolution (2/9/95.rev) that describes a proposed process for proceeding with the Trustee Council's small parcel protection and acquisition program. This Draft has been developed under Molly McCammon's guidance with the assistance of Craig Tillery, Dan Sakura, Barry Roth, Art Weiner and Mark Kuwada.

The future process for the small parcel program will be before the Trustee Council at the Monday, February 13 meeting. Please let me know if you have any questions or comments **by the end of business Friday** so that they be addressed in the resolution.

Number of Pages: 3 (including cover)

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



Resolution of the  
Exxon Valdez Oil Spill Trustee Council

SMALL PARCEL PROTECTION AND ACQUISITION PROGRAM

The Exxon Valdez Oil Spill Trustee Council unanimously agrees that:

1. Small parcel protection and acquisition should be continued as an integral part of the overall Habitat Protection and Acquisition Program.
2. The Executive Director is directed to provide overall management of the small parcel protection and acquisition program including preliminary negotiations and appraisals (as needed to provide additional information and consistent with the standardized process), with landowners of small parcels ranked "high" or "moderate" in the *Comprehensive Habitat Protection Process: Small Parcel Evaluation & Ranking, Volume III* (February 13, 1995). At the direction of the Trustee Council, the Executive Director shall also authorize negotiations with landowners of parcels that meet the threshold criteria and have been identified by the Trustee Council as having unique or outstanding restoration value for injured natural resources or services that are not adequately represented in the parcel score.
3. As a second phase of the Small Parcel Protection Process (Phase II), agencies and the public may nominate additional parcels for evaluation and ranking by a multi-agency small parcel review team, consistent with the procedures used in the Phase I analysis. This review shall be coordinated by the Executive Director. Parcels nominated in this supplementary process must receive agency sponsorship. The Executive Director shall immediately notify the public of the Phase II process.
4. As new parcels are nominated and evaluated under the Phase II process, the Executive Director may authorize appropriate agencies to start preliminary negotiations, including appraisals as deemed appropriate, with the landowners of parcels that meet threshold criteria and are ranked "high" or "moderate", or are otherwise identified by the Council as having unique or outstanding restoration value for injured natural resources or services that are not adequately represented in the parcel score.
5. Negotiations shall be conducted by the federal and/or state agencies for the purpose of providing the Trustee Council with proposed terms and conditions for acquisition of a parcel, or portion of a parcel. Agreement to terms and conditions of a negotiation are reserved to the Trustee Council and no promises or representations to the landowners to the contrary shall be made.

6. The Executive Director shall provide for public review, including review by the Public Advisory Group, of the *Comprehensive Habitat Protection Process: Small Parcel Evaluation & Ranking, Volume III* as well as other parcels that may be evaluated under Phase II of the small parcel process.
7. By June 15, 1995, the Executive Director is directed to provide the Trustee Council with an initial recommendation regarding those small parcels that should be protected using joint settlement funds. The Executive Director's recommendation regarding these parcels shall:
  - include analysis of the restoration benefits resulting from protection of the parcels;
  - take into account the terms and conditions of the landowner;
  - reflect consideration of public comment received regarding the parcels;
  - address the management strategy proposed for the parcels; and
  - include any additional information that may be pertinent to the Trustee Council's decision to proceed with acquisition of the parcels, including the availability of joint settlement funds for this restoration purpose and the availability of other funding sources.

Adopted this day, February 13, 1995:

-----  
Phil Janik, Regional Forester  
Alaska Region  
USDA - Forest Service

-----  
Bruce Botelho, Attorney General  
State of Alaska

-----  
George T. Frampton, Jr., Assistant Secretary  
for Fish and Wildlife and Parks  
U.S. Department of the Interior

-----  
Gene Burden, Commissioner  
Alaska Department of  
Environmental Conservation

-----  
Steve Pennoyer, Director  
Alaska Region  
National Marine Fisheries Service

-----  
Frank Rue, Acting Commissioner  
Alaska Department of Fish & Game



**PARCEL KEN- |**

**NO PUBLIC COMMENT RECEIVED ON  
THIS PARCEL**

KEN  
2

**PARCEL KEN-2**

**NO PUBLIC COMMENT RECEIVED ON  
THIS PARCEL**

KEN  
3

**PARCEL KEN-3**

**NO PUBLIC COMMENT RECEIVED ON  
THIS PARCEL**



KAP  
4

**PARCEL KAP- 4**

**NO PUBLIC COMMENT RECEIVED ON  
THIS PARCEL**

PWS  
5

# **SMALL PARCEL NOMINATION**

**PWS-5**



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

---

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

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

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

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

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

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

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

p. 2

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

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

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

Sincerely,



Nancy R. Lethcoe



RECEIVED  
APR 28 1995

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

4/26/95

Dear Ms McComron

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

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

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

Sincerely

Hedy Sarney  
Owner, manager.

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

PWS  
6



# **SMALL PARCEL NOMINATION**

**PWS-6**



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

Phil Janik  
Alaska Regional Forester  
USDA-FS Region 10  
Juneau, AK

Dear Phil,

Thank you for sponsoring the Tourism and Public Lands Symposium and for sending TLMP members to AWRTA's Ecotourism Workshop. I think we all found our meetings with them most informative and understand better the type of information they need from us to help with the planning process.

I also wish to thank you for supporting my nomination to the EVOS Trustees Public Advisory Group. It is in regards to this that I am approaching you.

The University of Alaska has two land parcels adjacent to the Valdez Duck Flats. The Forest Service has agreed to sponsor one parcel which is the site of its Valdez information center. The other, adjacent parcel, has not been sponsored.

This parcel is a significant portion of the viewshed for the Information Center, but more importantly, the alder shrublands and saltmarsh extending out to the mudflats are important habitat for microtines, river otter, weasel, and numerous nesting birds. Bald eagles perch on the dead limbs of the cottonwoods while feeding in the area. The spruce forests on inner point are ~~though~~ to be nesting sites for marbled murrelets which are often seen in the Duck Flats area. Harbor seals and Steller Sea lions feed in the adjacent mudflats at high tide and haul out on the rocky islets. Some years, in the winter large flocks of common murre move into this area to feed. Sea otters feed in this area year round.

The AT Transient Pod of Killer Whales and others have been spotted in Port Valdez and may be feeding on the animals that feed in the Duck Flats.

I had mistakenly assumed that the Forest Service had selected both parcels and only last Friday learned otherwise. Could you please review your decision on this.

Sincerely,

Nancy R. Lethcoe



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

---

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From: Nancy R. Lethcoe  
Date: April 14, 1995

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

p. 2

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

Sincerely,



Nancy R. Lethcoe



RECEIVED  
APR 26 1995

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

4/26/95

Dear Mrs Mc Cormac

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

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

Sincerely  
Hedy Sarney  
Owner/Manager

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

KEN  
7

**PARCEL KEN- 7**

**NO PUBLIC COMMENT RECEIVED ON  
THIS PARCEL**

KEN  
8



**PARCEL KEN- 8**

**NO PUBLIC COMMENT RECEIVED ON  
THIS PARCEL**

PWS  
9

**PARCEL PWS-9**

**NO PUBLIC COMMENT RECEIVED ON  
THIS PARCEL**



**PARCEL KEN- 10**

**NO PUBLIC COMMENT RECEIVED ON  
THIS PARCEL**



# **SMALL PARCEL NOMINATION**

**PWS- //** *(Horseshoe Bay)*

# STATE OF ALASKA

## DEPARTMENT OF NATURAL RESOURCES

### DIVISION OF PARKS AND OUTDOOR RECREATION

WALTER J. HICKEL, GOVERNOR

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

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

June 7, 1994

RECEIVED  
JUN 09 1994

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

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

Dear Jim:


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

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

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

I hope the Trustee Council will purchase this property.

Sincerely,

  
Neil C. Johannsen  
Director  
Alaska State Parks



Knik Canoers & Kayakers  
PO Box 242861  
Anchorage, AK 99524

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

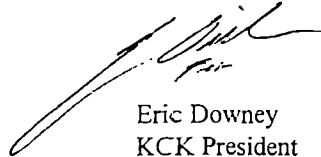
RECEIVED  
MAR 07 1996

Dear Ms. McCammon:

Knik Canoers and Kayakers has become aware that the EVOS Trustees are considering the purchase of a 315-acre parcel on Latouche Island. This property also includes an inholding in the Horseshoe Bay State Marine Park. As this land has an excellent landing beach and camping area for sea kayakers, KCK supports the acquisition of this property for inclusion in the State Park system.

KCK is a recreational club representing over 250 paddle sport enthusiasts in South Central Alaska.

Sincerely,



Eric Downey  
KCK President

KEN  
12

# **SMALL PARCEL NOMINATION**

**KEN-12** (*Baycrest*)

# **Kachemak Bay State Park Citizens Advisory Board**

**March 8, 1995**

## **Resolution**

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

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

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

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

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

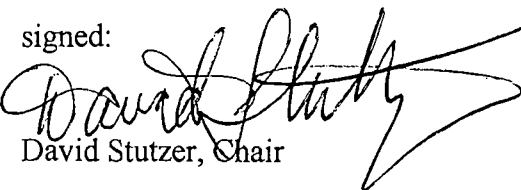
whereas Neil Johannsen, Director of the Division of Parks and Outdoor Recreation, has stated that the Division would willingly act as the principal managing agency "since the parcel is in view of and in close proximity to our existing Homer ranger station and would not create an undue burden on our ability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

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

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

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

signed:

  
David Stutzer, Chair

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

P.O. Box 3248  
Homer, Alaska 99603

**DAVE STUTZER, CHAIRMAN**

**Resolution 95-2**

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

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

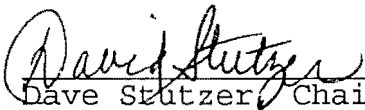
Whereas, this board has a long standing history of support for the management of properties important for the health and welfare of the people, and

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

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

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

Resolution approved:



Dave Stutzer Chairman, KBSP Citizens' Advisory Board

Approved March 8, 1995

**RECEIVED**  
MAR 20 1995

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

RESOLUTION 95- 24

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

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

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

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

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

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

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

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

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

CITY OF HOMER

  
HARRY E. GRECO, MAYOR

ATTEST:

  
MARY L. CALHOUN, CITY CLERK

7/14/95

Dear Molly,

I thought these articles might be of interest to you.

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

Paul Fischer balked,

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

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

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

Best wishes

George Ripley  
938 Arapahoe 6  
Boulder CO 80302

RECEIVED

JUL 20 1995

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

# The Nature Conservancy

RECEIVED  
JUL 20 1985

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

EXXON VALDEZ OIL SPII  
TRUSTEE COUNCIL

January 31, 1985

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

Dear Senator Fischer:

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

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

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

Sincerely,



Elliot Marks  
Washington/Alaska Director

em:mlm

Western Regional Office  
156 Second Street, San Francisco, California 94105  
(415) 777-0541



National Office  
1800 North Kent Street, Arlington, Virginia 22209  
(703) 841-5300



# Gross-roots effort needed to protect Bluff Point

by George Ripley

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The owners would be willing sellers.

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

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

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

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

7/8/93

Homer News

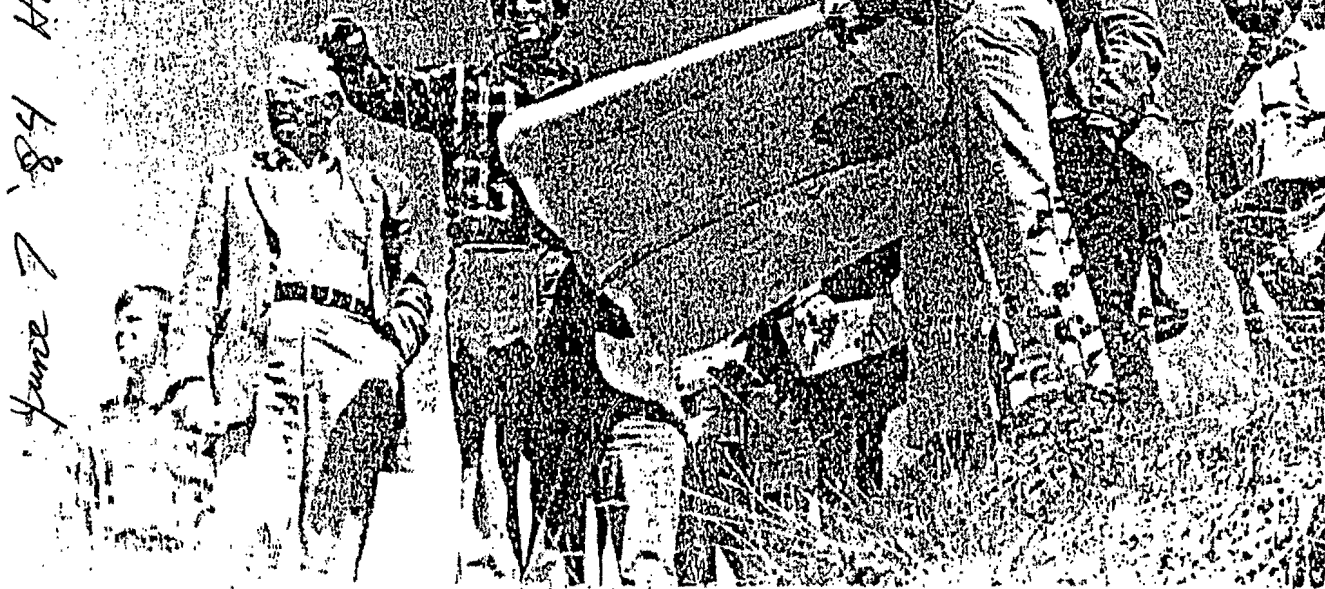


Photo by Hal Spencer

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

## State, borough officials view park site

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

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

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

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

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

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

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

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

Conservancy.

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

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

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

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

Several schools of thought surround development of the park itself. Some favor doing nothing to make access down the steep bluff any easier.

According to Mr. Ripley, the slope is not as treacherous as it might seem, and safe paths and stairways could be built giving access from the top. Presently, it takes a long walk along the beach to reach the land.

But it is unlikely any paths, staircases, or roads

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

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

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

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

The next step is to contact landowners and start negotiations, begin the appraisal process, and at that point the Nature Conservancy will work out an deed of trust agreement with the major landowner to keep the property off the market until the state legislature can pass acquisition funds, said Mr. Ripley.

missioner of the Transportation, Knapp.

According to M two bills, SB173 and both contain provisions for the \$50,000 needed for final plans for the

The \$850,000 which Bill Sheffield said try to find for East is also in SB173.

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

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

"I probably could made it up, anyway said.

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

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

The \$850,000 that SB173 will be used chasing rights-of-way relocating utilities. Knapp said he saw chance of that money passed by the legislature, but anything else, like temporary fix-up money.

"There is only one way," he said. "Otherwise we'd keep throwing money after bad."

## Culvert to be replaced on East End Road

The collapsed culvert which has led to erosion of the new section of East End Road near McNeil Canyon will be replaced this summer, according to the Dept. of Transportation.

Repairs will require digging out part of the fill which blocked McNeil Creek, said a spokesman of the department. Anchorage operations office.

It is not known what caused the culvert to collapse, he said, but the failure was first observed when the area was hit by torrential rains the end of last November. Since

of the road to slough away beneath the guardrail on the downhill side.

Mr. Coatney said replacing the pipe and repairing the road may cost as much as \$150,000.

The weight of the gravel fill may have collapsed the pipe, he said, or caused it to pull apart.

He said the date of the repairs has not been set, but that the road will be fixed this summer.

**T's CHAM**

Reg

Tuesday-Saturday

**WATCH FOR**



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

Photo by George Ripley

## Park proposed below Baycrest look-out

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

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

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

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

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

Though steep bluffs now

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

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

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

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

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

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

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

## Thomas and Ellsworth honored by Fire Dept.

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

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

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

and Terre Saladin in appreciation of all their volunteer efforts.

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

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

Mr. Craig selected the most improved firefighter.

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

## Homer emissaries to

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

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

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

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

will be advised by a citizen advisor to guide the major reconstruction.

A number of drainage and problem areas were noted at a meeting last week. City Planner Helminiak, concerned with the intersection at Main Street, with the snow berms alongside, and with safety.

For instance, people found that many traffic deaths were made at the crossing, where streets — Pioneer East End Road — come together.

Some of the meeting, and of the activities of business community groups selected for a committee, she is not yet complete.

Upgrading Avenue is the city's one priority for the year, and lead projects presented to the state Legislature.

The advisory will be to help and a professional

Jozankei Spa. Seven days of the trip will be spent with the rest will be dependent, individual activities, Ms. Van said.

The sister city works for seven years and was inspired by annual summer Japanese student visits to Homer. The course of the last idea was adopted by Homer's city council and Teshio's city government.

The benefits of the relationship include economic ties, Ms. Van said. In addition



E  
No

Ann

### TINY'S OPEN FOR LUNCH

Monday-Wednesday 11:30am-midnight  
Thursday-Friday 11:30-1am  
Saturday 2pm-1am Closed Sunday

235-6047

Dr. James F. Heston  
announces the opening of

CLINIC OF  
CHIROPRACTIC HEALTH



KEN-12

RECEIVED  
AUG 01 1994

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

July 22, 1994

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

*reviewed g/g  
by group  
Ken*

Dear Trustee Council members,

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


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

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

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

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

Sincerely,

A handwritten signature in cursive script that reads "Barbara Seaman". The signature is fluid and written in dark ink.

Barbara Seaman  
President

Jan 13, 1996

Dear Molly McCarron:

As a 24 year resident of the Homer area and a Parks and Recreation Commissioner, I beg you to please preserve the Bayerest parcel for parkland, habitat or whatever classification will protect this sensitive and unique area from development.

I could reiterate all the fine points about recreation: socio economic, mental health, tourism etc; but I'm sure someone else will include them and I'm getting really burnt out on begging the 'big guys' to care about saving our planet from greed and devastation.

If you folks can accept the Tulins' subdivided, fair market value 'bargain' at Diamond Creek west of Homer, you can surely see the need for the Overlook area to be preserved.

Please help!

Sincerely yours,

Sallie Dodd Butters  
Sallie Dodd-Butters

POB 1223

Homer Alaska 99603

907-235-5994

RECEIVED

JAN 18 1996

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

1/15/96

Dear EVOSTC —

Please — Make sure The Kenai  
#12 (Boy Crest) Parcel is  
Preserved in Non-developable  
Form — Come see it — Call  
up anyone in Homer — it  
would be a travesty to  
Besmerch it to Roads &  
houses etc

THANKS!  
Karen Willows



January 15, 1996

P.O. Box 3593  
Homer, AK 99603

Molly McCammen  
Exxon Valdez Trustees Spill Council  
645 G Street, Suite 401  
Anchorage, AK 99501

RECEIVED  
JAN 16 1996

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

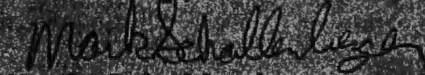
Dear Molly:

I'm writing with regard to the Exxon Valdez Trustee Council's purchase of the Bay Crest Overlook and Country Club Estates parcels, located on the north side of Kachemak Bay, near Homer, AK. I have learned that the private landowner's of these parcels rejected the buy out offer from the Council.

I feel the two parcels need to be protected from development and designated a State Park. Together, these parcels offer unique marine and terrestrial wildlife habitat that is easily accessible to the public from the Sterling highway (the public does not have to hire a water taxi to access the area). I urge the Council to continue negotiating with the landowners on the sale of this land.

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

Sincerely,

  
Mark Schollenberger





184 West Bayview Ave.  
Homer, Alaska 99603

January 17, 1996

RECEIVED  
JAN 19 1996

EXXON VALDEZ OIL SPILL COUNCIL  
645 G. St.  
Suite 402  
Anchorage, Alaska 99501

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

Members of the Council:


I've lived in Alaska since 1970, the first twenty up in Nome. My wife and I moved down to Homer in 1990. I've been trained in biological science, specializing in field observation, red salmon rehabilitation, and teaching classes in 7th grade, high school and in the community college system in this state.

You can imagine the intriguing similarities and differences that present themselves to biologists, naturalists and people interested in fishing, hunting, and various plant life when comparing and contrasting the Seward and Kenai Peninsulas.

With that as background, I'd like to comment about the acreage associated with what "locals" refer to as the Baycrest Overlook. I understand that much, if not all of this land is privately owned, and environmental organizations are urging the state to purchase these parcels of land for habitat. I support this effort, and I oppose any decision that would lead to development and consequential habitat loss of the Baycrest/Overlook area. My reasoning is both philosophical and practical. I have been in this state long enough to know that it has generally taken a "hands-off" position when it comes to development, arguing that there is so much unused, undeveloped land that we'll never run out; also, the state regularly argues that we need development to offset our precarious financial situation. As a consequence of this viewpoint, we can see a general picture of slow, steady loss of habitat. Land areas once known for abundance of fish, game, wild edible plants, scenic beauty and other values slowly deteriorate. Jeep trails become roads, camps get set up wherever roads cross waterways, the grizzly populations are reduced, wolves follow a similar fate, the fishing goes all to hell, so does ptarmigan hunting, the moose find their winter range compromised to the point that some look for food at Homer's Eagle grocery, etc. This deterioration occurs a little at a time, so you have to be around an area long enough to see this happen; or, you can talk with "old timers," and they will tell you about how good it used to be.

The council now has an opportunity to protect eighty acres of the Baycrest area along the bluff east of Homer, and I urge you to give that area the strongest protection possible. We need to reverse the trend of development regardless of ecological impact. Our part of the Kenai is losing moose habitat. I can tell you that the ridge behind my house is a regular site for moose browse, passageway and summer rest area. It is now being surveyed for development. This is only one small example of what is happening in populated areas of Alaska. Please help slow this trend.

Sincerely,

  
Dan Levinson

Rick Kamitchis  
P.O.B. 90085  
Anchorage, AK.

RECEIVED  
JAN 19 1995

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

January 18, 1995

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

Dear Molly,

Thank you for taking time to speak to me about the proposed purchase of Baycrest and Overlook Park parcels during the workshop at the Captain Cook. I know you had a busy schedule.

As you have no doubt noticed by now, included in the facsimile transmission package I gave you, there is a copy of my letter to the editor. From my letter, hopefully, a preliminary level of public interest shall be gauged.

Thank you for your efforts in assisting to preserve this wonderful wildlife refuge.

Sincerely,

*Rick Kamitchis*  
Rick Kamitchis

1-18-96

As a Homer resident  
for nearly 8 years, I'd  
like to say I am com-  
pletely opposed to any  
development of the Baycrest  
Parcel. It is an extremely  
sensitive area, and should  
be preserved as is.

Thank you —  
Sincerely,

Jay A. Bell  
P.O. Box 1579  
Homer, AK. 99603

RECEIVED

JAN 23 1996

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

1-18-96

Dear Molly McCammon,

I Patricia Wallace would like to see <sup>the</sup> Baycrest Kenai parcel 12<sup>th</sup> purchased to prevent development.

Concerning our Natural beauty and wonder here in Alaska is very important.

Thank You  
Patricia J. Wallace  
4751 Rochelle Rd.

Horner, Alaska 99603

I have been a resident of Alaska for 20 years & 12 of that here in Horner. This area is very special to me.

RECEIVED

JAN 22 1996

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

January 18, 1996

Dear Ms. McCammon,

I am interested in seeing my home, and the extraordinary aspects of its physical beauty, preserved for future generations - my children and those whom I teach. Baycrest Valley and Overlook Park (Kenai 12 Baycrest Parcel / Overlook Park) in Homer, Alaska must not be developed. Please put all your and the council's efforts toward securing these lands as public through their purchase as wilderness preserves, wetlands refuges, and wildlife habitats. Many voices, committed to this community and its surrounding natural environment, will be heard rejecting the proposed development. Thank you.

RECEIVED  
JAN 22 1996

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

Sincerely,  
Karen Wesell and family  
4744 Sabrina Rd.  
Homer, Alaska 99603  
235-7363  
21 yr. resident  
Teacher and parent

1/18/96

Exxon Valdez Oilspill Trustee Council:

This is to let you know my feelings concerning the Baycrest Park area. I'd like for it to remain a pristine park. I am opposed to its being developed for any other purpose.

Thank you,  
Shirley E. Houghton

\* DO NOT PUT ME ON ANY  
MAILING LIST

RECEIVED

JAN 19 1996

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

Jan 19, 1996

Dear Mr. McCammon,

I'm writing in regards to  
the development of the Kenai #12  
Bay Crest Parcel in Homer.

I am against the development  
of this parcel and would like  
to be counted among those of  
the same mind.

Sincerely,

C. Cival Staudant

P.O. Box 1144

Homer, AK.

99603

RECEIVED

JAN 23 1996

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

1-19-986

To Whom it May Concern:

I have been a resident of Homer  
for 20 and have always appreciated  
all our natural beauty & habitat.  
I would like to see Kenai Parcel  
#12 (Baycrest area) turned into  
a park over any other options.

Sincerely,

Lynne M. Burt

LYNNE M. BURT

Box 1170

Homer, AK 99603

907-235-5380

RECEIVED  
JAN 22 1996

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL



January 21, 1996

Exxon Valdez Trustee Council  
645 G St.  
Suite 401  
Anchorage, AK 99501

Re: Baycrest Parcel Acquisition Support

Dear Trustees:

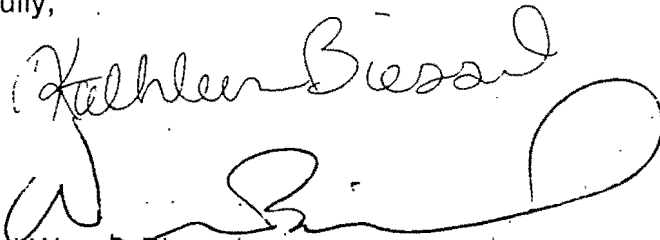
We are writing to you to express our deep support of continued negotiations with the landowner of the Baycrest Parcel (Bullock). In my opinion, this parcel (and the adjoining Overlook Parcel) contains critical terrestrial and marine habitat, and should be protected against the impending development--at all costs.

We feel that the initial appraisal appears low, and urge you to place this parcel into a "special consideration" category, and seek a second, independent appraisal.

The unique environmental and scenic values of this parcel cannot be fairly included on any appraisal sheet. Its values are priceless. If any exception is made to the acquisition/purchasing process, this parcel should be it.

Thank you for your consideration.

Respectfully,



Kathy and Wayne Biessel  
PO Box 1995  
Homer, AK 99603  
(907) 235-1200

RECEIVED  
JAN 24 1996  
EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

Carol Harding  
P.O. Box 2563  
Homer, Alaska 99603  
907-235-1025

RECEIVED  
JAN 23 1996

EXXON VALDEZ OIL TRUSTEE COUNCIL  
P.O. BOX 13500  
ANCHORAGE, ALASKA 99512

January 22, 1996

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

Dear Ms. McCammon:

I am writing to urge the Exxon Valdez Trustee Council to please protect the Kenai #12 Baycrest from development. This land parcel represents the most beautiful property in the state, and should be protected as a wildlife habitat and wetland refuge for current and future generations to enjoy.

Thank you for your continued support in helping to protect our natural environment.

Sincerely yours,

*Carol Harding*  
Carol Harding

Gail Parsons  
PO Box 2397  
Homer, Alaska 99603  
907-235-1025

RECEIVED  
JAN 23 1996  
EX-100

January 22, 1996

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

Dear Ms. McCammon:

I am writing to urge the Exxon Valdez Trustee Council to please protect the Kenai #12 Baycrest from development. This land parcel represents the most beautiful property in the state, and should be protected as a wildlife habitat and wetland refuge for current and future generations to enjoy.

The Lower Kenai Peninsula is undergoing intensive habitat destruction through logging and this would be a step toward mitigation.

Thank you for your continued support in helping to protect our natural environment.

Sincerely,

*Gail Parsons*

Gail Parsons

7

Ruth Zozula  
Box 95  
Anchor Point, AK 99556-0095

Exxon Valdez -

Mallie Mc Corman

Anchorage - AK -

Please be advised I am one of very many that would like to see the property in question protected as a Wilderness Reserve -

Too much development is already spoiling our area - we need some beauty left -

Sincerely -

Thank you

Ruth Zozula

## Last chance

Dear Editor,

An important meeting of the Exxon Valdez Oil Spill Trustee Council is scheduled for Jan. 30. This could very well be the last opportunity to secure the destiny of the Baycrest Valley and Overlook Park, protecting one of the

most beautiful places in the world from imminent development.

Historically, the property has many times come close to being acquired for use as a state park, fulfilling the wishes of many. Currently, plans for the Baycrest property are still underway for development of a world-class recreational subdivision, complete with boat launch facilities, private beach access and an awesome view of Kachemak Bay, unless a reasonable offer to purchase is made.

Anyone with an interest in seeing the Baycrest and Overlook Park parcels preserved for future generations should contact the Exxon Valdez Oil Spill Trustee Council in support of its purchase prior to the Jan. 30 council meeting. Write the Council at: 645 G St., Suite 401, Anchorage, AK 99501.

Rick G. Kamitchis  
Anchorage

RECEIVED

JAN 23 1995

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

Small Wild Animal Designs

Georgia Jones  
4067 Mullikin St.  
Homer, AK 99603-7426

aska 99663

Illustrations

Dear Council

I am enthusiastically in support of the purchase of the Baycrest and Overlook parcels in Homer by the EVOSTC.

These parcels should be preserved in their undeveloped state and protected from future development.

Sincerely

Georgia Jones  
Homer, Alaska



TO:

Molly McCommon  
Exxon Valdez Oil Spill Trustee  
645 G St Suite 40

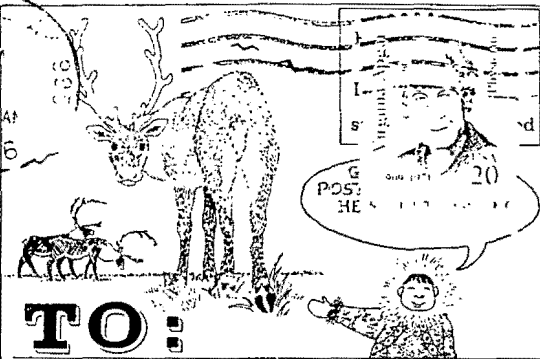
Anchorage AK

RECEIVED 99501

JAN 26 1995

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

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January 29, 1996

Exxon Valdez Oil Spill Trustee Council  
645 G Street  
Anchorage, AK 99501  
Attn: Molly McCannon

RECEIVED  
JAN 31 1996

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

Dear Molly McCannon:

This letter is in strong support of retaining the "Kenai 12: Baycrest" parcel in Wilderness Reserve status. I do NOT want to see it subdivided and developed commercially.

Beyond esthetic reasons, I feel that area is geologically unstable in the event of a severe earthquake, which we are sure to experience sooner or later. If it is left in its natural state, nature will have her way and damage will be minimal.

Thank you,

*Laura Inglima*

Laura Inglima  
HC67 Box 1259  
Anchor Point, AK 99556

Feb. 11, 1996

Exxon Valdez Oil Spill Trustee Council  
645 "G" St. Suite 401  
Anchorage, AK, 99501  
ATTN: Mary McCammon

I want to encourage the Council to  
take all action necessary to preserve  
the Bayview Overlook near Homer.

This unique parcel should be  
maintained in as natural a state as  
possible.

Please take action now, so the price  
doesn't increase as the K-Bay St. Port Lands  
figures rose dramatically a scant number  
of years ago.

Thank you for your consideration -

Sincerely,  
Kate Zell

RECEIVED  
FEB 21 1996

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

907-  
276-7178

March 18, 1996

Dear Director,

Without the help of corporate and foundation support here in Alaska, there is a chance that one of the most beautiful parcels of land in the world could be developed into a 32 lot subdivision.

This 90 acre parcel has 3/4 of a mile of oceanfront on Kachemak Bay and is home to moose, black bear, muskrats, waterfowl and many eagles and hawks. Public ownership of this parcel will protect wildlife along with intertidal habitat by preventing the filling of wetlands, removal of gravel from the beach and construction of roads, driveways and houses.

The purchase of this parcel would enhance the Kachemak Bay State Park visitor facility on the Sterling Highway and would help preserve the precious marine ecosystem in Kachemak Bay.

The community's response to the Exxon Valdez Oil Spill Trustee Council's offer to purchase the Baycrest Parcel (KEN12) for \$450,000.00 and *preserve the land* for future generations confirms my belief that the parcel needs to be protected from development.

The parcel, when purchased, would be managed by the Alaska Department of Natural Resources and would be reclassified Habitat/Public Recreation Land.

Thus, I am now making this urgent appeal to both corporations and foundations who share our concern to preserve and protect in perpetuity the ecological, natural, physical and scenic values of this parcel for the benefit of fish and wildlife resources. If we do not reach our goal of raising the additional estimated \$250,000.00 necessary to purchase the property from the developer by next fall, years of hard work trying to save the land from development will come to an end.

Enclosed you'll find some additional information about the KEN12 Parcel. If you need more information please contact me or Molly McCammon, Executive Director, Exxon Valdez Oil Spill Trustee Council at 645 G Street, Ste. 401, Anchorage, Alaska 99501. Her telephone number is 907-278-8012.

I sincerely hope, in recognizing the importance of purchasing and preserving this parcel, you will *contribute to our preservation fund*.

Sincerely,

*Rich Kamitchis*

Rick Kamitchis

P.O. Box 90085

Anchorage, Alaska 99509-0085





The Prudential Foundation  
751 Broad Street, Newark, NJ 07102-3777  
201 801-7354 FAX: 802-3345

April 11, 1996

*6 - Boyer*

MS. MOLLY MCCAMMON  
Executive Director  
EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL  
645 G STREET, STE. 401  
ANCHORAGE, AK 99501

Dear MS. MCCAMMON:

Thank you for your recent letter expressing interest in a grant from The Prudential Foundation. We appreciated the opportunity to review your proposal and would like to have given it a favorable decision. Unfortunately, we were unable to do so.

We receive more requests for assistance than can be accommodated. Consequently, we rely on a series of guidelines and qualification standards approved by our Board of Trustees to help us select those programs to which we can give support. Your request falls outside the scope of our guidelines for grantmaking.

While we are unable to offer financial support to your agency, you have our best wishes for success in your programmatic and fund-raising efforts.

Sincerely,

*Mary Puryear*

Program Officer

KEN  
13

**PARCEL KEN- 13**

**NO PUBLIC COMMENT RECEIVED ON  
THIS PARCEL**

PWS  
14

**PARCEL PWS-14**

**NO PUBLIC COMMENT RECEIVED ON  
THIS PARCEL**

PWS  
15D

# **SMALL PARCEL NOMINATION**

**PWS- 15D**

**DUPLICATE: SEE PARCEL  
PWS- 14**

PWS  
16D



# **SMALL PARCEL NOMINATION**

**PWS-16D**

**DUPLICATE: SEE PARCEL  
PWS-14**

PWS  
17

# **SMALL PARCEL NOMINATION**

**PWS-17** (*Ellamar Subdivision*)



*The Ultimate in Recreational Property  
Prince William Sound*

June 9, 1993

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

RE: Ellamar Properties, Inc., Prince William Sound

Dear Mr. Pennoyer:

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

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

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

Steven Pennoyer  
June 9, 1993  
Page Two

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

The following documents are attached:

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

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

(1) We would sell the remaining 121 lots in the subdivision.

(2) The parcel contains key habitats in Prince William Sound.

(3) We acknowledge that the government cannot purchase the lots at a price in excess of fair market value. We are presently selling the lots at prices comparable to those shown on the attached plat. For your convenience, we have calculated the asking prices on the attached plat and they total \$2,797,500. We understand that the property is subject to an appraisal process.

(4) At one time there were 800 people living at Ellamar, according to some historical accounts. We anticipate that a number of fishing and hunting lodges will be constructed on the commercial lots. The government and the resources of the area would benefit from this acquisition since continued sale of lots would create a substantial inholding in the Chugach National Forest.

(5) The property acquired, or portions of it, could reasonably be incorporated into public land management systems, either by the State or Federal governments.

If there are any questions, please call me.

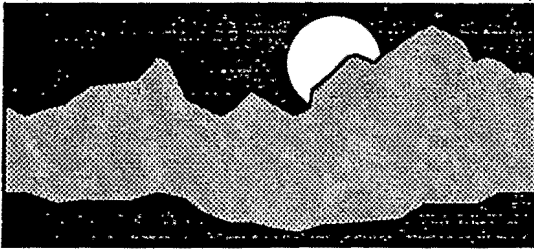
Very truly yours,

ELLAMAR PROPERTIES, INC.

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

CJG/jr

cc: Members of Trustee Council



*From the desk of....*

**Marc Swanson**

PO Box 748

Seward, Alaska 99664

(907) 224-7349

**RECEIVED**

**MAY 18 1995**

**EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL**

---

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

Dear Mr. Myers,

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

#### **Lowell Point Land Acquisition**

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

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

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

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

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

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

### **Ellamar Properties**

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

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

### **The Scenery:**

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

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

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

### **Wildlife**

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

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

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

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

### **Cultural Aspects**

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

### **My Concerns**

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

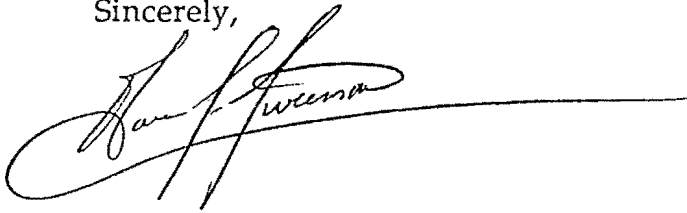
**First:** I think that Ellamar presents unique recreational opportunities while offering a beautiful natural and cultural setting. Ellamar could be a marvelous place for a state park but only if effects to the natural setting and the existing cultural resources could be minimized.



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

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

Sincerely,

A handwritten signature in dark ink, appearing to read "Dan F. Freeman". The signature is fluid and cursive, with a long horizontal line extending to the right from the end of the name.

KEN  
18

**PARCEL KEN-18**

**NO PUBLIC COMMENT RECEIVED ON  
THIS PARCEL**

KEN  
19

**PARCEL KEN- 19**

**NO PUBLIC COMMENT RECEIVED ON  
THIS PARCEL**

KEN  
20

# **SMALL PARCEL NOMINATION**

**KEN-20**

RECEIVED  
APR 14 1995

EVOS Trustee Council  
645 G St #402  
Anchorage, Alaska 99510  
Fax 276 7178  
Phone 800-478-7745

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

Michael McBride  
PO 956  
Homer, Alaska  
99603  
907-235-8910 fx 8911

Dear Trustees

March 18, 1995

Thank you for your efforts to identify properties for purchase whose public ownership would reflect restitution for damaged or lost recreational values. I request that this letter be a part of the record dealing with restitution through property purchase.

I would like to call your attention to the Swank/Waterbury fox farm, US Survey #1539 encompassing 26 acres facing China Poot Bay to the South and Peterson Bay to the north. I was only recently informed by the owners, Dr. Dittrich and Dr. Driscoll of Anchorage that they had offered this property to you for sale. The Dr.'s have owned this land for over 20 years and they have resisted all offers to sell until now. This recent change in status explains why you have not heard a great deal more from the public before now.

I just received the Feb 13 COMPREHENSIVE HABITAT PROTECTION PROCESS : SMALL PARCEL EVALUATION VOL III. The property is therein identified as KEN 20 and is shown as low priority. I assume that the low designation was because of a lack public input or support documentation like that which follows.

Since this property has not been offered for sale prior to its offer to the Trustees, there has not been time for concerned individuals, or the community to work for public ownership or offer to you a full description of its importance. The owners have refused many offers for sale during their more than 20 years of ownership. They are now at retirement age and have stated that they will move ahead with sale if there is no interest from the Trustees. I will work to see that broad public support including petitions, personal letters, etc. will be forthcoming. I will share copies of this letter with interested parties and expect you will hear much more about this parcel in the near future. As you know, organizing comprehensive community support is time consuming and expensive; we will do our best as soon as possible.

I request that there be some personal dialogue between yourselves, myself and others of similar persuasion, concerning the high value which many people attach to public ownership of this important piece of land.

I begin this presentation by stating that I have nothing to gain personally from my input. The fact is that I have more to loose than to gain by seeing this land open to the public than having it remain in private hands.

For 25 years I have operated the Kachemak Bay Wilderness Lodge in



China Poot Bay on land adjoining the Fox Farm. The business has excelled and won international acclaim in part because of the beauty, marine richness and relative isolation of the spot. It's continued success depends upon it's wilderness qualities and the absence of large numbers of the general public using the same land and sea resources as my clients. They are willing to pay significant amounts of money for recreation provided that they at least have some perception of isolation.

The larger issue at stake is the protection of it's intertidal areas and nearshore environment from public or private types of "development" which could be incompatible with its very productive place in this estuary.

The richness of the intertidal life in China Poot Bay is legendary. As rich as Kachemak Bay itself is, there are few, or perhaps no other bays within Kachemak Bay quite as rich and diverse. For example, I know of no other place in Kachemak Bay where there are the extensive combinations of eelgrass beds, plantago maritima and related intertidal grass acerages, infusion of fresh water from multiple spawning stream sources, mussel beds etc. About 95% of this large bay is intertidal. There are extensive mud flats, sand, gravel and boulder beaches, rocky cliffs, drowned forests, and there is deciduous as well as coniferous forests in the watershed which drains alpine as well as sub-alpine. There are multiple harbor seal haulout sites, many nesting areas in cliff faces, the areas largest semi-palmated plover nesting grounds, overwintering areas, spawning areas of multiple species beyond salmonids etc. The China Poot Bay watershed has about 15 documented eagle nests and nesting trees.

Studies by professionals and volunteers at the Center for Alaskan Coastal Studies have extensively documented both the richness and species diversity of this site. Note special studies by Ed Berg, Al Williamson, Conrad and Carmen Field, Jane Middleton, Daisy Lee Bitter, Toby Tyler and others.

There have been several comprehensive professional studies involving the nearshore environment by ADFG (analysis of stomach contents of ducks and seabirds, some of which were collected at this site), NOAA did a sample oil spill nearby to determine intertidal impact and Rutgers Univ., focused a comprehensive study on intertidal botany at Silver Creek nearby. The original Kachemak Bay State Park Planning Team headquartered at our Lodge in China Poot Bay during their extensive study of this and adjoining bays. Water flow rate measurements of creeks and soil samples were among the many measurements recorded by this team. Carmen and Conrad Field, professional naturalists at the Center for Coastal Studies conducted a baseline study of intertidal molluscs and invertebrates on this property just before the EVOS oils entered Kachemak Bay.

It is the role of the adjoining estuary as the cradle of life for

the larger ecosystem that causes so many "damaged species" to use this exact piece of land, the Fox Farm and its nearshore environment. The north and south shores have large concentrations of blue mussel beds. There is also fuchus disticus in abundance in the intertidal and macrocystis so close to shore in the adjoining deep water that at lowest tides, the fronds may touch the shore of this property.

The parcel does contain habitat for resources which are important during key life stages AND activities on the parcel currently have significant influence on key habitats located on adjacent public lands. The Kachemak Bay State Park boundary is close by. The parcel does have many, easily documented strategic values which extend beyond the parcel boundaries.

For example the best and easiest shelter in China Poot Bay in all kinds of weather and at all seasons is the Fox Farm. The best on the north shore of Peterson Bay is the Center for Coastal Studies Lagoon. The route between the two has been almost certainly used for this reason since ancient times. A bulldozer trail was constructed in about 1958 which linked these two points and it has been used continually since. Much of the trail crosses private small parcels and land of the Seldovia Native Assn. The Center for Alaskan Coastal Studies has for many years used this trail with permission of SNA. For the last few years conditional with this permission, SNA has required the Center to collect day user fees from visitors. Continued use of this access corridor and the Fox Farm is very important to the general public.

China Poot Bay has a notorious rip at the entrance making entry and exit on some occasions dangerous, however during 25 years of business operation there, we have not found it an undue problem. The fox farm may be accessed even at the lowest tides of the year by a knowledgeable skipper in a shallow draft boat.

#### EVOS "Injured Resources"

I was called upon as a "resource expert" and testified at length to an EVOS panel concerning the "damaged resources" species in Kamishak and Kachemak Bay.

-----12 of the 14 EVOS "injured" species use  
this property and it's nearshore waters-----

Sockeye Salmon: The commercial productivity of China Poot Bay is extremely high since pink, red and silver salmon spawn there. The China Poot Lake ADFG Aquaculture Project for red salmon was one of the most successful in State history.

Pink Salmon: There is a prominent run of pink salmon in the head of this bay, about a mile away. There are at least 6 other spawning sites for this salmon in the bay in addition to the

outlet of China Poot Lake which is the most productive.

Dolly Varden: They school along this shore line, drawn by the enormous sandlance concentrations upon which they feed voraciously. When the tide ebbs and nutrients are swept off the intertidal ledge in front of the Fox Farm they gather in great numbers. They are much sought after by local fishermen who know about this ebb tide gathering.

Bald Eagles: An abundance of very large, very old spruces on this property make it ideal for eagle nests, indeed there are at least 12 nesting trees within 1/2 mile. I have seen as many as 50 eagles on this and the 3 adjoining properties in the winter when the Homer Christmas Bird Counts reveal about 300 eagles in the Homer area. It is well known that many of the large winter gathering of eagles on the Homer Spit roost at night on Moosehead Point, (adjoining property).

Black Oystercatcher: These birds are very sensitive to human activities during nesting time. When we moved permanently to China Poot Bay in 1969, oystercatchers nested on this and several other beaches in the area. In the last several years they have been seen on nearby McKeon Spit, directly across the channel.

Common Murre: The nesting murre colony at Gull Island is well known. This property is the closest land point to Gull Island, at high tide, murres with chicks will use the channel for feeding in the fall and early winter.

Harbor Seal: This seal is seen year round from this property as there is an abundance of octopus and starry flounder in the adjacent channel. There is a prominent haulout within 500 yards in the center of China Poot Bay where from a dozen to 180 seals have been observed. Their numbers vary with the strength of the July salmon run. There are other haulouts further up in the bay.

Harlequin Ducks: More than 10 years ago, I guided a research team on a collecting mission to some of the only eggs ever retrieved from the wild near the China Poot Bay watershed. I am very familiar with this species as a result of guiding duck collectors for over 20 years who took birds for public and private collections. The fox farm cove is one of the most important sites for Harlequin resting and feeding that I know of between Bear Cove to the north and McDonald Spit to the south. The small islands in Fox Farm Cove are used almost year round as a roosting site for these ducks. They may be very predictably seen, photographed and studied from the Fox Farm beach and from the Peterson Bay side as well. The Wosnesenski/Doroshin River valley provides ideal nesting habitat in its uplands. Hens and flightless juveniles are commonly seen feeding on the intertidal invertebrates along this shore after they descend from these valleys.

Marbled Murrelets: These alcids are very common in the nearshore

waters around the Fox Farm. Dr. George West, ornithologist of Homer, in cooperation with the Citizens Coalition who helped reverse the clearcutting planned for the China Poot Bay watershed, created maps and observation records which reveal large concentrations of murrelets in this immediate area.

Pigeon Guillemots: These birds nest in burrows in the soils at cliff edge on this property just to the SW of Fox Farm Cove itself. There are frequently many more in this area than nest here as it is ideal feeding area for gunnels and related fishes which are very abundant in the adjoining channel.

River Otter: This mustellid is a frequent visitor to the Fox Farm, hauling out on the small island in the cove to rest and eat one of their favorite foods, the starry flounder which are very abundant intertidally in Fox Farm Cove. River Otter dens are "shelters of antiquity", generation after generation using the same sites which are very carefully chosen. The most ancient of these infrequently discovered dens is nearby and has been active continually during the 25 years I have monitored it.

Sea Otter: The abundance of urchins on the south shore of this property is so great that commercial divers exploit them. Rich urchin beds of course means sea otters who in turn use the small island in fox farm cove on occasion to haul out. Females nurture pups in this area as well. They may be reliably seen year round from this site.

#### Other Species Of Significance:

Common Pacific Eider Ducks--- are frequent nesters in the elymus grass on this property, especially on Shelter Point Island.

Stellers Eiders ---rely heavily on intertidal vertebrates just across the channel from the Fox Farm. They are most reliably seen there, feeding on the surface, "dabbling" in the sand and gravel at about the 13 foot tideline. This particular activity occurs in late fall. Females more typically use the flooded mud flats a little further across the bay.

Orca Whale--- pass within a hundred yards of this property as they enter and exit the bay through its narrow mouth, in pursuit of harbor seals. I have also observed them from above in my aircraft as they scrape and roll on the mussel beds a little further east in the bay.

Coastal black bear--- use this property heavily from early spring when they graze on plantago maritima and grasses, through fall when they feed on devils club and other berries. Wolves and wolverine are occasional visitors, coyotes and fox more regularly. Least weasels, other smaller mammals and a great variety of birds use this property. Coastal or fish crows nest on the property in large numbers. Stellers jays, ravens and magpies occasionally nest and are common there.

During my extensive travels around Alaska and around the world I have found that if you visit an area as a stranger and want to know where to camp temporarily or to live permanently, one looks for the archaeological sites. In Alaska, if you don't know where these are, identify the Fox Farms. The fox farmers by and large were able to set up business anywhere they chose. They chose places where there were seal and sea lion haul outs or salmon rivers to supply the tons of food to be consumed by the foxes. They sought south facing shorelines, (passive solar collection), protection from storms and prevailing winds, either deep water anchorages or places where a boat could be kept in safety, a reliable source of fresh water, a sandy beach where boats could be easily hauled, bottoms worked on, children could play etc, and an abundance of intertidal life which could sustain a family unit during times of deprivation. The ancient residents obviously had a similar list of concerns.

Native people have lived on this exact site for about 3,000 years, perhaps a great deal longer. The 1886 writings of Jacobsen and those of the 1930's by Osgood and De Laguna reveal much about "tsa-yer-ghat", the ancient name for this village site. Ruth Newman, one of the founders of Homer's Pratt Museum and a trained anthropologist conducted a small private dig there in the 1950's. De Laguna dug there in the 1930's as well and her findings at the fox farm are recorded in her book, "Archaeology of Cook Inlet". There have been important finds of pottery at this site which is significant because it is rare elsewhere in this region. Further excavations may provide information to fill unexplained gaps in the archaeological record of lower Cook Inlet. Bill and Karen Workman are the best informed archaeologists on this site and the persons to whom I have recorded my finds and observations. Doug Reger, one of your panel of experts/reviewers is familiar with this site. The overall archaeological richness of the estuary has prompted several archaeological field studies. A former State Archaeologist identified a rare "manufacturing site" nearby.

There was a small amount of oil on the fox farm beaches during the spill cleanup phase. I was the team leader for oil containment booming in China Poot Bay and we visited this site as part of our logistical planning. We were ready to deploy a boom from a stone arch at the Fox Farm to the sand spit across the bay where we buried anchors with cable attachments. This site would have been impacted by booming activities if not by the oil itself had the oil not stopped its progress into the Bay when it did.

There was not any site vandalism that I know of as a result of the oil containment activities but there easily could have been since the richness of this site is well known locally and the ongoing erosion of the shore means that archaeological material is often found on the beach surface.

This land today is in a nearly pristine state. The fox farmers cleared a small area of spruces to prevent the sap getting in the

fox fur, otherwise, the area is little changed since ancient times. The original structure, about 12x16 is still standing and was there in 1932 when archaeologist de Laguna visited. The adjoining structure has collapsed. The cove is used as a shelter by subsistence hunters and gatherers, sport fishermen, clammers, fall duck hunters, picnickers, tent campers etc. It offers total protection from north winds and one of the only protected spots on the south facing shore from the south west storms which savage this shore.

I have seen as many as 700 dungeness pots in China Poot Bay again attesting to the richness of this environment. There is a very large sport harvest of clams which has commercial harvest impact by way of the many charter boats which transport people and their catch.

One of the State Parks most important trails, the China Poot/Leisure Lake route originates at the head of the bay. The State Park's "Coalition Trail" links the head of China Poot Bay with the head of Halibut Cove Lagoon.

There is a large sport harvest by duck hunters in this estuary. 21 species have been documented here as well as loons, swans, geese, grebes and others.

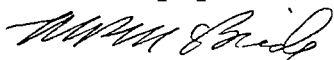
The Center for Alaskan Coastal Studies has used the fox farm public access shoreline corridor (below 18' 6" tideline) extensively. Continued access to this intertidal area for the approximate 2,000 children, students, adults per year in the Centers programs, could greatly enhance the continued long term success for the Center which became a non-profit 501-c-3 scientific and educational corporation in 1981 and which has to date involved well over 10,000 people of all ages in outdoor programs at the field station nearby.

Almost all of this traffic, people, fish and game, passes directly by this important parcel of land.

The importance of the purchase of this property is perhaps best summarized by the ancient name for China Poot Bay which translates to "little basket mouth". The native people only put very special things in their tightly woven baskets. This bay, this "basket" had a very small mouth. Many precious things, then and now, must pass through the small mouth into China Poot Bay. This is the location of the fox farm.

Thank you for your consideration.

Sincerely yours,



Michael McBride

EVOS Trustee Council  
645 G St  
Anchorage, AK 99510

RECEIVED  
MAY 22 1995

May 19, 1995

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

Dear Trustees,

On May 11, 1995 the bi-monthly meeting of the Center for Alaskan Coastal Studies Board of Directors was held in Homer. At that meeting a motion was made and unanimously approved that our 501-c-3 non profit, scientific and educational corporation ask you to purchase the China Poot Bay Fox Farm. In your Small Parcel Evaluation Vol 111 you list this property as KEN 20.

If you do purchase this parcel, we understand that it would have to be administered by a public agency. We suggest that agency be the Alaska State Parks, and the Kachemak Bay State Park. We request that that parcel be administered by the Center For Alaskan Coastal Studies as a concessionair. We request that visitation to this site be kept to a minimum and that it's minimal use be used exclusively for educational purposes versus as a campground, building site etc.

We have seen Mr. McBrides letter to you of March 18 and agree with his determination that most of the EVOS injured species use this land or nearshore waters. This is exactly why we believe that the land should not only be protected from the arbitrary use or developement by private owners, but furthermore that it be managed as a "nature conservancy" wherein the protection of the land and nearshore waters for the use of the injured species be of primary consideration.

The Center for Alaskan Coastal Studies has had within its goal structure since 1981 "land conservancy". It is fully capable for the indefinite future to administer the protection of this valuable site which has not only rich archaeological significance but injured species habitat as well.

Thank you for your consideration. I hope you will contact me at 235-2837 or our President Will Files at 235-5248. Either of us may be reached by fax at 235-6667 or mail PO Box 956, Homer, AK 99603.

Sincerely,

*Merritt Mitchell*

Merritt Mitchell



## Center for Alaskan Coastal Studies

P.O. Box 2225 Homer, Alaska 99603 907/235-6667

May 25, 1995

EVOS Trustee Council  
645 G. St  
Anchorage, AK 99510

RECEIVED  
JUN 06 1995

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

Dear Trustees,

On May 11, 1995 the bi-monthly meeting of the Center for Alaskan Coastal Studies' Board of Directors was held in Homer. At that meeting a motion was made and unanimously approved that our 501 (C)-3, non-profit corporation ask you to purchase the China Poot Bay fox farm. In your Small Parcel Evaluation Vol. III you list this property as KEN 20.

If you do purchase this parcel, we understand that it would have to be administered by a public agency. We suggest that the agency be Alaskan State Parks, specifically Kachemak Bay State Park. We request that the parcel be managed by the Center for Alaskan Coastal Studies as a concessionaire. We request that visitation to this site be kept to a minimum, and that its use be limited to educational purposes versus as a campground, building site, etc.

We have seen Mr. McBride's letter to you of March 18, 1995, and agree with his determination that most of the EVOS injured species use this land or nearshore waters. This is exactly why we believe that the land should not only be protected from the arbitrary use or development by private owners, but also that it be managed as a "nature preserve". Protection of the land and nearshore waters for the use of the injured species should be the primary consideration.

Since 1981 the Center for Alaskan Coastal Studies has had within its goal structure "land conservancy. It is fully capable now and in the foreseeable future of managing the protection of this valuable site, which has not only injured species habitat, but rich archaeological significance as well.

Thank you for your consideration. I hope you will contact our office at 235-6667 or our President, Will Files, at 235-5348. A FAX can be sent to 235-6668.

Sincerely,

Roberta Highland  
Vice-President





## Kachemak Bay Branch

533 E. Pioneer Ave.

Homer, Alaska 99603-7624

(907) 235-7743

May 30, 1995

RECEIVED  
MAY 31 1995

EVOS Trustee Council  
645 G Street  
Anchorage, AK 99510

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

Dear Trustees,

On behalf of the community Advisory Board, faculty, staff and students of Kachemak Bay Campus of the University of Alaska Anchorage, I would like to request that you purchase the China Poot Bay fox farm which the Alaska State Parks would then administer. To assist them in such administration, I would recommend that the Center for Alaska Coastal Studies manage the parcel as a concessionaire.

This campus as well as many other educational institutions have long used this area for research, field studies and other classes because of its accessibility and its rich archaeological significance and marine and land ecosystems.

This area represents a primary habitat for EVOS injured species. I believe it crucial to maintain access to this area for educational purposes in a way that protects this habitat.

The Center for Alaska Coastal Studies has a long and successful history and national reputation as an educational center. They have well demonstrated their ability to enhance visitors' awareness and knowledge of the area's natural and human history in a way that protects area-wide land and waters. They would be able to manage the China Poot Bay fox farm on behalf of the EVOS Trustee Council so that it preserves the integrity of your Council's goals and meets mutual needs.

Thank you for your consideration in this matter of protecting this crucial site by your purchase of it.

Sincerely,

Carol Swartz  
Director

te

---

**Kenai Peninsula College**

*A Unit of the University of Alaska Anchorage*

June 6, 1995

EVOS Trustee Council  
645 G Street, #402  
Anchorage, AK 99510

Dear Ms. McCammon and Members of the Council:

First, we would like to say that we are very appreciative of your efforts to restore and preserve our wonderful and rich marine and rainforest heritage here in South-central that was so damaged by the Exxon Spill.

We are writing to express our concern about a 26-acre parcel located on China Poot Bay. It is identified in the Comp. Habitat Protection Process: Small Parcel Evaluation Vol. III as KEN 20. We urge you to regard this tract of land as a critical segment of the estuarian habitat of Kachemak Bay and to take steps to guarantee its protection and preservation.

In the interest of brevity, we won't enumerate the many reasons why we feel this tract is crucial to the environmental well-being of the area. Mike McBride's letter to you of March 18, 1995 very plainly and thoroughly explains that. Nor will we elaborate on our apprehensions regarding indiscriminate public use should you decide to include it in the Habitat Protection acquisitions. Patrick and Barbara McBride's letter of May 31, 1995 effectively voices our concerns regarding those potential dangers. The land "could be loved to death" to the extent that the very reason for its being set aside would be negated. We feel that we cannot enhance, correct, or disagree with the text of those two letters we have just mentioned.

In summation of Mike's letter, he emphasized that

- (a) KEN 20 is a critical habitat area that should be protected and (b) public ownership is undoubtedly the best choice for protection and preservation. Pat and Barbara's letter expresses the concern that anyone who loves wild Alaska would express--What sort of agency or institution would monitor and be responsible to guarantee that environmental and habitat safeguards are maintained and enforced?

To these concerns we would add: This parcel and its surroundings not only preserves habitat--it also provides an outdoor classroom/laboratory for hundreds of students, both young and old, who participate in classes conducted by the Center for Alaskan Coastal Studies. This sort of environmental education for society is undoubtedly our best investment for the hope of preserving and guarding our natural heritage for generations to come. Without that education there is no public concern and appreciation for wild places. Without that kind of education and concern, the wild Alaska that we know and love is doomed.

EVOS Trustee Council  
Page 2  
June 6, 1995

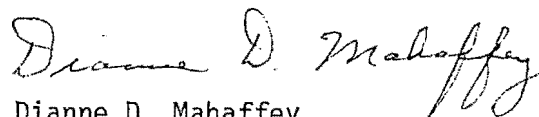
We urge you to (a) maintain this plot as a habitat preserve and recharge area and (b) build in the necessary administrative safeguards to ensure that it remains that way.

In closing we would add that we own the property adjoining KEN 20 to the west. We have owned and actively used the dwelling and land for 24 years. We have worked to conduct our activities in as unobtrusive and low-impact manner as possible. We try to keep our buildings hidden and as inoffensive as possible. It is important to us to keep our impact on the environment as minimal as is possible. The only reasonable access to our property is through the southwest corner of KEN 20, and we have used this since acquisition of the property in 1971. So, too, did the previous owners of the cabin. A trail that provides access to the western tip of the peninsula for both the Wilderness Lodge guests and the Center for Alaskan Coastal Studies participants crosses the northwestern tip of our property.

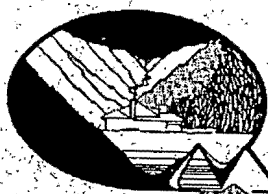
Sincerely,



James R. Mahaffey



Dianne D. Mahaffey



**Magic  
Canyon Ranch**

Bed & Breakfast

**RECEIVED**  
JUN 12 1995

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

June 8, 1995

EVOS Trustee Council  
645 G Street  
Anchorage, AK 99510

Dear Trustees:

I wish to state my support for the purchase of the China Poot Bay fox farm (KEN 20) as part of the Small Parcel Acquisition program. While my efforts as Vice President of the Kachemak Heritage Land Trust have centered on recommending protection of Overlook Park, since you are seeking additional parcels I recommend the fox farm property as very worthy of your consideration. It is a prime coastal area harboring injured species and is contiguous with the Center for Alaskan Coastal Studies and Kachemak Bay State Park. Thank you for your attention to this matter.

Sincerely,

Betsy Webb



June 15, 1995

RECEIVED  
JUN 21 1995

Exxon Valdez Oil Spill Trustee Council  
645 G Street  
Anchorage, Alaska 99510

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

Dear Trustee Council members,

I represent Kachemak Heritage Land Trust, a 501 (c)(3) organization dedicated to preserving for public benefit, land with significant natural, recreational, or cultural values by working with willing private landowners. You have previously received letters of support from us in regard to the acquisition of the Overlook Park parcel (KEN 55) and the Baycrest Investment Corp. parcel (KEN 12). While we realize that these properties may be in competition with one another for funding, we believe that the Dittrich property (KEN 20) contains habitat values important enough for our support.

As you know, KHLT has been most actively pursuing support of the EVOS Trustee Council's acquisition of Overlook Park, and it remains our first choice for habitat protection. Because of the Dittrich property's importance to a long list of EVOS injured species, its value as an important archeological site, the rich adjacent marine ecosystem and its established value as an area for marine studies and research, and particularly because it is in danger of being developed commercially (It is the closest and most easily accessible sheltered property to Homer on the south shore of Kachemak Bay), KHLT strongly supports its protection.

It is our understanding that Alaska State Parks would administer this property and write a management plan for protection which the Center for Alaskan Coastal Studies would then implement. This plan would include foot-trails which CACS would use in its educational programs and which would not impact the important habitat values of this property. CACS is entirely qualified to manage this land in a cooperative way with State Parks to simultaneously protect habitat and educate visitors about this area's unique values.

We urge you to protect this extraordinary parcel by purchasing it for habitat protection. Thank you very much for your time and for your careful consideration.

Sincerely,

Barbara Seaman  
President

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

PO Box 1281  
Homer, Alaska 99603  
June 15, 1995

Dear Sirs:

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

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

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

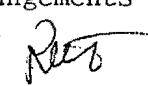
Whatever final arrangement is made for oversight of this parcel, it would seem to me to be an important addition to your many accomplishments.

Thank You,



Richard W. Tyler  
PO Box 1281  
Homer, Alaska 99603

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



RECEIVED  
JUN 19 1995

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

KAP  
21

**PARCEL KAP-21**

**NO PUBLIC COMMENT RECEIVED ON  
THIS PARCEL**



KAP  
22

# **SMALL PARCEL NOMINATION**

**KAP-22**

## OUZINKIE NATIVE CORPORATION

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



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

RECEIVED  
MAY 23 1994

October 22, 1993

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

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

Dear Mr. Weiner:

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

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

Sincerely,

OUZINKIE NATIVE CORPORATION

*William A. Anderson*  
William A. Anderson  
President

**Proposal:** Land Acquisition

**Area:** The Triplets Islands within Alaska Maritime National Wildlife Refuge

**Lead Agency:** U.S. Fish and Wildlife Service

---

**Objective:**

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

**Background:**

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

**Justification:**

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

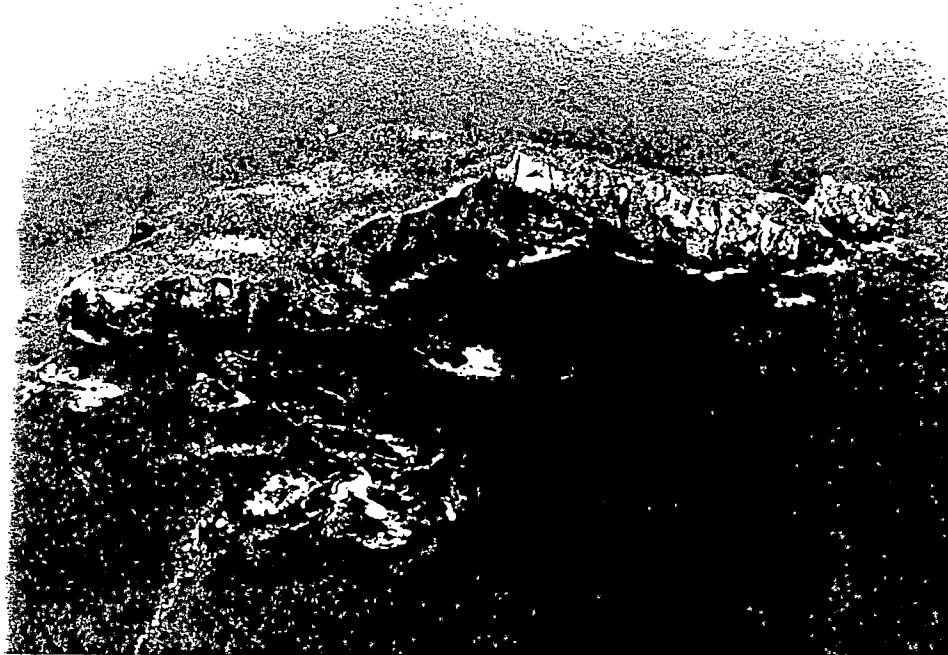
The Triplets also provide important habitat for some non-diving seabirds. An estimated 38,000 fork-tailed and 900 Leach's storm-petrels breed there. Glaucous-winged gulls (fewer than 1000) have also been known to nest on The Triplets. Petrels and gulls feed while flying and were less affected by the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

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



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

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



KEN  
23

**PARCEL KEN-23**

**NO PUBLIC COMMENT RECEIVED ON  
THIS PARCEL**

KEN  
24



**PARCEL KEN-24**

**NO PUBLIC COMMENT RECEIVED ON  
THIS PARCEL**

PWS  
25

**PARCEL PWS-25**

**NO PUBLIC COMMENT RECEIVED ON  
THIS PARCEL**

KEN  
26

*Property Sold*

**PARCEL KEN-26**

**NO PUBLIC COMMENT RECEIVED ON  
THIS PARCEL**

KEN  
27

**PARCEL KEN- 27**

**NO PUBLIC COMMENT RECEIVED ON  
THIS PARCEL**

KEN  
28



**PARCEL KEN- 28**

**NO PUBLIC COMMENT RECEIVED ON  
THIS PARCEL**

KEN  
29

# SMALL PARCEL NOMINATION

KEN- *29* (*Tulen Parcel*)

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

PO Box 1281  
Homer, Alaska 99603  
June 15, 1995

Dear Sirs:

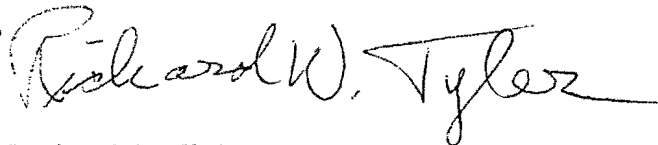
I am writing to express my enthusiastic support for the small-parcel acquisition of the so-called Fox Farm property which spans the peninsula (known locally as the 'Island Peninsula'), facing south on China Poot Bay and North on Kachemak Bay looking out to Gull Island Rookery.

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

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

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

Thank You,



Richard W. Tyler  
PO Box 1281  
Homer, Alaska 99603

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



RECEIVED  
JUN 19 1995

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

# PHONE COMMENT LOG

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

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

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

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

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

1) The timber has already been high graded.

2) Fallen timber lying around will create insect hazard.

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

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

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

- Supports purchase of Overlook Park.

# PHONE COMMENT LOG

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

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

Date of call: 4/25/95 Comment taker: Keri Dale

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

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

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

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

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

P.O. Box 3248  
Homer, Alaska 99603

**DAVE STUTZER, CHAIRMAN**

Resolution 95-3

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

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

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

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

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

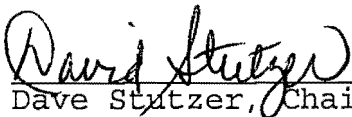
Whereas, the Vandenberg property (KEN 56) separates the only parcels of Kachemak Bay State Park on the north shore of Kachemak Bay and are the only road accessible portions of this park, and

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

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

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

Resolution approved:

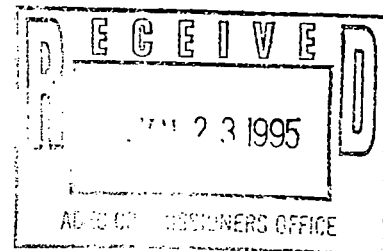


Dave Stutzer, Chairman, KBSP Citizens' Advisory Board

Approved March 8, 1995

RECEIVED  
MAR 20 1995

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL



January 17, 1995

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

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

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

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

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

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

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



Gene Burden, Member  
January 17, 1995  
Page Two

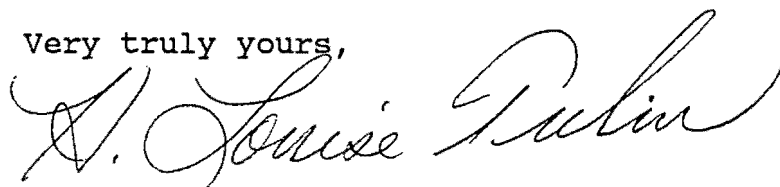
A pedestrian walkway could be provided from the bluff camping area to the Cook Inlet beach below via a road already constructed upon the property. This road is the only road giving access to the ocean beach between Homer and Anchor Point -- a distance of approximately 20 miles. Beach combing, hiking,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

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

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

Thank you for your consideration.

Very truly yours,



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

HLT:nm

Enclosures

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

SUBDIVISION with LOT and BLOCK NOTATION.

SUBDIVISION with LOT and BLOCK NOTAT

Adjoins T6S, R14W, SEC 5 - See Atlas Map 28, PG 11.

Adjoins T6S, R14W, SEC 4 - See Atlas Map 28, PG 11.

approx. 220. acres

STATE OF ALASKA  
OWNERSHIP  
295 acres

CREEK

DIAMOND

Diamond

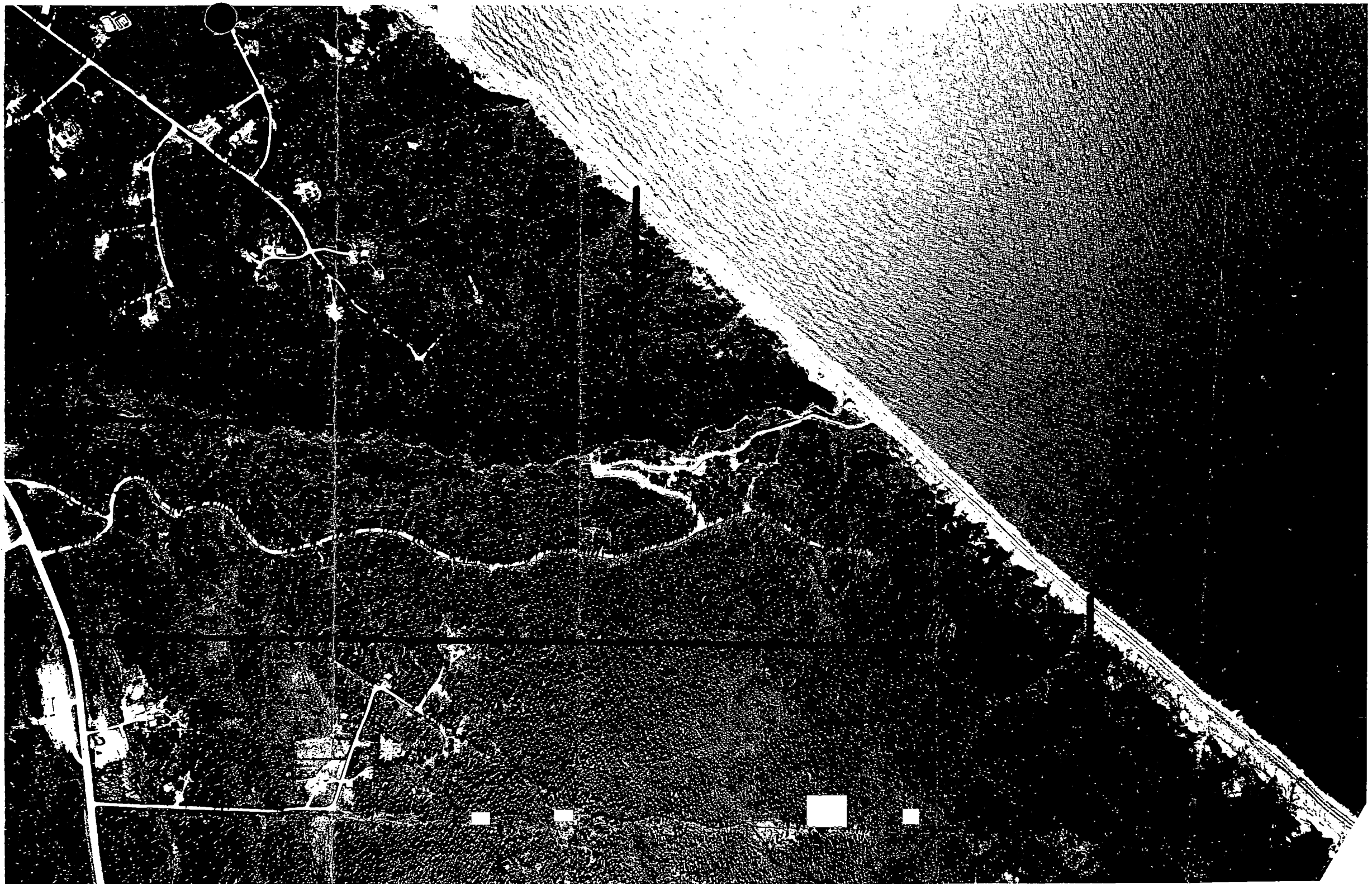
Onosiratus Loop Rd

HIGHWAY

New Life Tabernacle

MI. 168

is T6S, R14W, SEC 18 - See Atlas Map 28, PG 11.



ALASKA DEPT. OF  
FISH & GAME

MAR 23 1995

REGION II  
HABITAT AND FISH  
MANAGEMENT

4511  
Alpha: Louise Tulin  
KEN-29

RECEIVED

JAN 23 1995

DEPT. OF FISH & GAME  
COMMISSIONER'S OFFICE

January 17, 1995

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

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Carl L. Rosier  
January 17, 1995  
Page Two

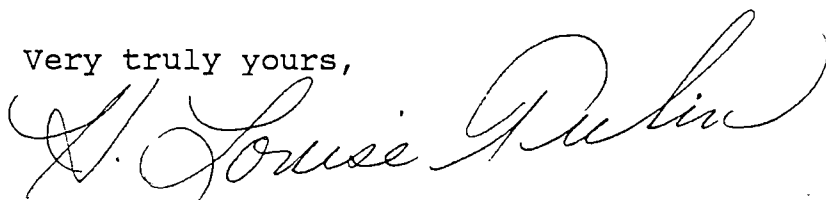
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Thank you for your consideration.

Very truly yours,



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

HLT:nm

Enclosures

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

KEN  
30

**PARCEL KEN- 30**

**NO PUBLIC COMMENT RECEIVED ON  
THIS PARCEL**

KEN  
31



**PARCEL KEN- 31**

**NO PUBLIC COMMENT RECEIVED ON  
THIS PARCEL**

KEN  
32

**PARCEL KEN-32**

**NO PUBLIC COMMENT RECEIVED ON  
THIS PARCEL**

KEN  
33

**PARCEL KEN- 33**

**NO PUBLIC COMMENT RECEIVED ON  
THIS PARCEL**

KEN  
34

# **SMALL PARCEL NOMINATION**

**KEN-34** (*Cone Parcel*)

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

C. R. Baldwin  
Lawyer

C. R. Baldwin  
James N. Butler, III

March 21, 1994

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

RE: Small Parcel Acquisition Program

Dear Mr. Kawada:

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

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

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

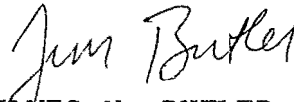
Naturally, I understand the need to illustrate the importance of this property to the Kenai River and show the nexus between this property and species injured by the Exxon Valdez oil spill. By learning about the small parcel acquisition program early, I will be able to assist my client in making a determination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



Mark Kawada  
March 18, 1994  
Page 2

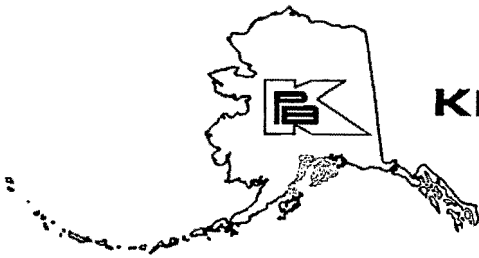
I want to thank you in advance for you anticipated help in this matter and look forward to hearing from you at your earliest convenience.

Sincerely yours,

  
JAMES N. BUTLER, III

JNB/hs

cc: C. Cone



## KENAI PENINSULA BOROUGH

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

DON GILMAN  
MAYOR

August 9, 1994

*Don Gilman* 9/27/94

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

Dear Mr. Ayers:

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

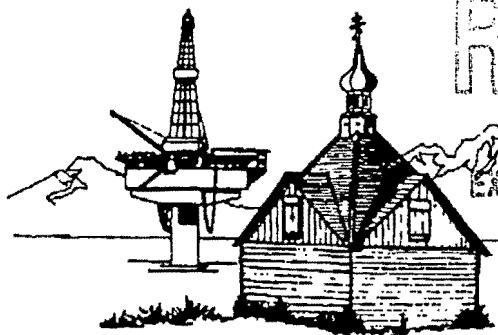
On August 8, 1994 the Kenai Peninsula Borough Planning Commission in regular session voted favorably to support Mr. Chester Cone's request to the Exxon Valdez Oil Spill Trustee Council to consider his property for acquisition under the Council's small parcel element of the Comprehensive Habitat Protection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

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

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

Sincerely,

*John Hammelman*  
John Hammelman, Chairman  
Kenai Peninsula Borough Planning Commission



RECEIVED

JUL 21 1994

CITY OF KENAI

"Oil Capital of Alaska"

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

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



July 18, 1994

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

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

Dear Mr. Ayers:

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

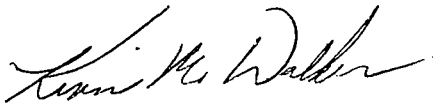
The property which Mr. Cone has submitted to the Council lies adjacent to the Kenai River along the lower portion of the river. The parcel includes both wetland and upland but due to the property's proximity to the river and interrelationship between the parcels, we believe that acquisition of the entire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

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

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

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

Sincerely,

A handwritten signature in black ink, appearing to read "Kevin Walker", with a stylized, cursive script.

Kevin Walker, Chairperson  
Kenai Planning and Zoning Commission

cc: C. Cone  
J. Butler

City of Kenai, Alaska

210 Fidalgo, Suite 200

**PLANNING AND ZONING COMMISSION**

**\*\*MINUTES\*\***

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

Chairman Kevin Walker

**1. ROLL CALL**

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

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

Ad Hoc: Councilman Hal Smalley

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

**2. APPROVAL OF AGENDA**

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

**3. APPROVAL OF MINUTES** June 22, 1994

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

**4. PERSONS PRESENT SCHEDULED TO BE HEARD**

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

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

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

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

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

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

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

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

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

#### **RECESS:**

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

#### **MOTION:**

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

#### **DISCUSSION:**

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

Chairman Walker asked for further comments from the public.

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

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

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

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

**MOTION PASSED UNANIMOUSLY.**

**5. PLANNING**

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

**MOTION:**

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

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

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

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



## PHONE COMMENT LOG

Name	Affiliation	Phone	Address
Bill Sherrill (sp?)	Congressman Don Young's office		
phone: 271-5978			

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

Date of call: 4/12/96 Comment taker: Eric Myers

Subject of comments: Status of Small Parcels/Kenai parcels,  
specific interest in the Cone Parcel

## Comments:

Bill Sherrill (sp?) called from Congressman Don Young's office - he was seeking an update on the status of the Small Parcel Program, in particular, the "Cone parcel" on the Kenai River.

Eric Myers explained that the Cone parcel was part of the package of small parcels included in the legislation (Supplemental) being considered by the legislature. Eric informed Sherrill that the Senate had approved the measure + passed it on to the House. Sherrill was satisfied with that information and indicated that no additional information was needed at this time.

PWS  
35

**PARCEL PWS- 35**

**NO PUBLIC COMMENT RECEIVED ON  
THIS PARCEL**

KEN

36

**PARCEL KEN- 36**

**NO PUBLIC COMMENT RECEIVED ON  
THIS PARCEL**

KEN  
37

**PARCEL KEN- 37**

**NO PUBLIC COMMENT RECEIVED ON  
THIS PARCEL**

KEN  
38



**PARCEL KEN- 38**

**NO PUBLIC COMMENT RECEIVED ON  
THIS PARCEL**

KEN  
39

# **SMALL PARCEL NOMINATION**

**KEN-39**

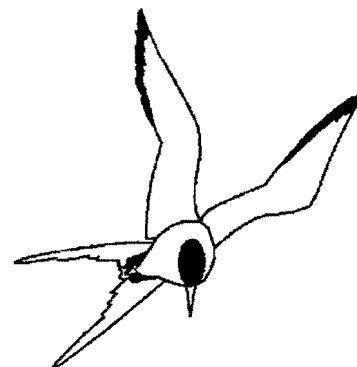
**BIRDSON**

P. O. Box 841

Homer, Alaska 99603

(907) 235-7095

Fax (907)235-4230



June 23, 1994

*Exxon Valdez* Oil Spill Trustee Council  
Restoration Office  
645 G Street, Suite 401  
Anchorage, Alaska 99501-3451

Dear Trustees:

This letter is in support of the application of **Mr. Paul Sandhofer** for your acquisition of a small parcel of land adjacent to the Homer Airport and to the nesting colony of Aleutian and Arctic Terns in Homer, Alaska.

The five acres of land proposed for acquisition is classified as high value wetlands and the northeast corner may be within the traditional nesting colony of the rare Aleutian Tern. Over 40 pairs of Aleutian and Arctic Terns have nested in a marsh northeast of the subject property (see map) since first discovered there in 1978. The total world population of Aleutian Terns is around 10,000 individuals making it a potential candidate for threatened species status. Aleutian Terns nest in small colonies from Glacier Bay to Kamchatka and are believed to winter at sea east and west of Australia.

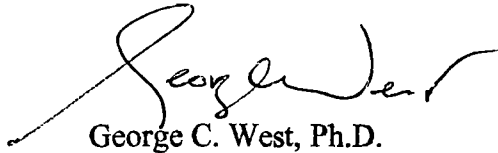
The colony of terns near the subject property is the only place on the road system in Alaska where birders can see these rare terns without chartering a boat or plane. The colony has high recreational value for tourists and bird watchers, many of whom come to Homer specifically to see the Aleutian Tern. I have been monitoring the tern colony for five years and find that the number of terns nesting there has diminished greatly, partly due to increased development in the area. Protecting the subject parcel from development would increase the potential for the terns to continue nesting in the area and therefore increase the recreational value of that and adjacent lands.

Most of the nesting colony is on State of Alaska, Department of Transportation and Public Facilities, Division of Aviation land and has received protection by being adjacent to the Homer airport runway. The birds do not seem to be disturbed by plane traffic and have endured increased traffic over many years. The subject property, however, could better be transferred to the State of Alaska Department of Fish and Game and managed as part of the Kachemak Bay Critical Habitat Area. In addition to the terns, there are many other species of birds and mammals that utilize the subject property and adjacent wetlands. These are listed on the following page.

Species	Use
Greater White-fronted Goose	feeding in migration
Canada Goose	feeding
Green-winged Teal	nesting
Mallard	nesting
Northern Pintail	nesting
Northern Shoveler	feeding in migration
American Wigeon	nesting
Bald Eagle	feeding
Sandhill Crane	feeding
American Golden-Plover	feeding in migration
Lesser Yellowlegs	nesting
Whimbrel	feeding in migration
Short-billed Dowitcher	nesting
Common Snipe	nesting
Red-necked Phalarope	feeding in migration
Bonaparte's Gull	nesting
Mew Gull	nesting
Arctic Tern	nesting
Aleutian Tern	nesting
Tree Swallow	feeding
Violet-green Swallow	feeding
Bank Swallow	feeding
Cliff Swallow	feeding
Steller's Jay	feeding
Black-billed Magpie	feeding
Northwestern Crow	feeding
Wilson's Warbler	nesting
Savannah Sparrow	nesting
White-crowned Sparrow	feeding
Dark-eyed Junco	feeding
Lapland Longspur	feeding in migration
Rusty Blackbird	formerly nesting
Pine Siskin	feeding
Moose	feeding, calving

I believe that acquiring the subject property (and other adjacent lands) to protect the Aleutian Tern colony and nesting area of the many other species of birds will have great benefit to recreational wildlife watchers and photographers and enhance Homer's tourist potential.

Sincerely,



George C. West, Ph.D.  
Professor of  
Zoophysiology, Emeritus  
University of Alaska Fairbanks

Alutian and  
Arctic Tern Nesting  
Colony

NUMBER AIRPORT  
INDUSTRIAL PARK  
14 (H85-117).

179-13

DEC 14 1967

FOR 1955 GOLD

160-03	70	71
160-02	71	51
160-01	72	55

Assessor's Map  
Kenai Peninsula Borough, Alaska

NOTE - Approp's Block Numbers Shown in Ellipses

# STATE OF ALASKA

WALTER J. HICKEL, GOVERNOR

## DEPARTMENT OF FISH AND GAME

### DIVISION OF WILDLIFE CONSERVATION

333 RASPBERRY ROAD  
ANCHORAGE, ALASKA 99518-1599  
PHONE: (907) 267-2179  
FAX: (907) 344-7914

July 1, 1994

Mr. Paul F. Sandhofer  
P.O. Box 91333  
Anchorage, AK 99509

Dear Mr. Sandhofer:

You asked the Department of Fish and Game to support the nomination of your property, located east of Lampert Lake in Homer, to be considered by the EXXON Valdez Oil Spill Trustee Council for purchase. Purchase of your property should have a high priority for maintaining a valuable recreational opportunity on adjacent state land.

Your property is adjacent to the Lampert Lake Aleutian tern colony. The tern colony has very high recreational value on a statewide, and even worldwide, scale because it is the only known Aleutian tern colony that one can drive to. Most Aleutian tern colonies are in remote locations. Two small Aleutian tern colonies were documented near Soldotna in 1980 and 1981; however, neither is easily accessed from the road system. The Lampert Lake colony has been known for years by birders, and several recent guidebooks have pinpointed the colony location for any interested viewers.

According to A Birder's Guide to the Kenai Peninsula, Alaska (1994) by George West, the colony once supported over 80 nesting pairs of arctic and Aleutian terns. Since 1992, mew gulls have nearly displaced the terns. Dr. West believes that increasing human presence from the airport and neighboring properties has led to an increase in magpies and other egg and chick predators, such as the mew gulls, which have affected tern nesting success. We also believe that this is a likely cause for the declining colony.

A good look at even one Aleutian tern is enough to attract birdwatchers to the site. Ideally, however, the site should be protected from additional human disturbance and a viewing blind provided to minimize disturbance by birdwatchers. With careful management and some predator control, the Aleutian terns might be encouraged to rebuild their colony.

We wish you luck in the evaluation process. Please let me know if I can provide additional information to assist you.

Sincerely,



Rick Sinnott  
Wildlife Biologist





**PARCEL PWS- 40**

**NO PUBLIC COMMENT RECEIVED ON  
THIS PARCEL**

KEN  
41

**PARCEL KEN-41**

**NO PUBLIC COMMENT RECEIVED ON  
THIS PARCEL**

KEN  
42

**PARCEL KEN-42**

**NO PUBLIC COMMENT RECEIVED ON  
THIS PARCEL**

KEN  
43

**PARCEL KEN-43**

**NO PUBLIC COMMENT RECEIVED ON  
THIS PARCEL**

PWS  
44



**PARCEL PWS- 44**

**NO PUBLIC COMMENT RECEIVED ON  
THIS PARCEL**

KEN  
45

**PARCEL KEN- 45**

**NO PUBLIC COMMENT RECEIVED ON  
THIS PARCEL**