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JAN 31 1994

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

January 28, 1994

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

**Subject: "Comprehensive Habitat Protection Process: Large Parcel Evaluation and Ranking"**

Dear Mr. Ayers:

On behalf of the 1.3 million members at World Wildlife Fund (WWF), I would like to comment on the Council's comprehensive large parcel evaluation and ranking system developed as part of the restoration efforts for the Exxon Valdez oil spill. We are pleased that the Council is moving forward with this bold initiative to restore natural resources within the oil spill region that were injured by the 1989 oil spill. As your work has documented, the oil spill injured many of the diverse fish and wildlife species that occupy the region and damaged the economies and subsistence of numerous local communities. As part of our mission, WWF is committed to helping to find a comprehensive solution to the restoration of injured natural resources that were specifically damaged by the oil spill. Both the natural resources and the economies of indigenous communities on Kodiak Island were particularly affected by the oil spill and as such WWF supports the Council's consideration of the Kodiak Island parcels in helping to recover injured resources.

### **Resources Injured by the Exxon Oil Spill**

Some of the largest impacts from the oil spill were detected in the Kodiak Archipelago. Mortalities to seabird colonies, seaducks, bald eagles, and salmon were the largest recorded anywhere in the spill region. Many of these resources still have not fully recovered from the spill. In addition, the Fish and Wildlife Service indicates that reproductive rates of seabird colonies continue to remain below pre-spill levels, sea lion numbers have dropped within the Kodiak Archipelago, and even-year, pink salmon runs continue to remain well below pre-spill levels. In particular, the loss of salmon populations could represent a future economic hardship for the indigenous communities on Kodiak that depend on the island's diverse fisheries for subsistence. WWF concurs with the Trustee Council and the Habitat Protection Working Group that full recovery of these resources and the communities they support can only be achieved through ecosystem protection.

#### **World Wildlife Fund**

1250 Twenty-Fourth St., NW Washington, DC 20037-1175 USA  
Tel: (202) 293-4800 Telex: 64505 PANDA FAX: (202) 293-9211

*Incorporating The Conservation Foundation. Affiliated with World Wide Fund for Nature.*



recycled paper

### **Suggested Revisions to the Council's Ranking System**

Since the Council has chosen a restoration plan that focuses on resources damaged by the oil spill and protection of ecosystems, we feel strongly that this can best be accomplished by protecting enough land to ensure the full range of ecosystem processes. An ecosystem approach, must be based on protection of all components of the food chain from the bottom (producer organisms) to the top (predators). To achieve this, we recommend the following:

- \* include inland refugia as undisturbed habitat for wide-ranging species injured by the spill and as vital linkages to coastal areas;
- \* emphasize linkages between large parcels and small, ecologically diverse ones; and
- \* emphasize ecosystem cohesion rather than parcel size.

We agree with the Council that large parcels are important in protecting ecosystems. For instance, large parcels provide essential habitat for wide-ranging species including top-level predators like the bald eagle, which wander over large expanses in search of feeding, nesting, and wintering areas. In addition, salmon migrate over entire watershed areas that span jurisdictional boundaries. However, by concentrating only on the large parcels distributed along the coast, essential habitat in adjacent parcels further inland may be lost due to development threats. These inland parcels provide essential refugia for wide-ranging species like eagles and salmon. **Therefore, we recommend that the Council give greater weight to the value of inland refugia habitat that are linked to coastal parcels.**

**In addition, small, ecologically diverse parcels should be linked to larger ones to ensure presence of intact food webs.** Although most of the coastal islands surrounding Kodiak Island are small in comparison to large parcels, they are occupied by the full complement of species forming the backbone of complex food webs, ranging from intertidal organisms that cling to submerged rocky surfaces to nesting seabirds that find shelter along rocky island terrain. The value that these small islands provide cannot be simply measured by their area alone. Area measurements are insensitive to the structural complexity of small islands and their value in maintaining ecosystem processes. Protection of small parcels is necessary to ensure that species with narrow ecological niches and limited dispersal capabilities are included as part of intact, ecosystem units.

Some of the best information gathered in the oil spill zone exists for the Kodiak Archipelago. It is apparent, however, from the Council's ranking system that some data vital to the recovery of injured resources on Kodiak was overlooked during the rankings. In particular, the Council should consult with the Pacific Seabird Group and the biologists of the Alaska Maritime National Wildlife Refuge which have conducted extensive recent surveys

Mr. James Ayers  
January 28, 1994  
Page 4

species, occurs in large numbers (counts as high as 2,411) along coastal islands in this region of Kodiak Archipelago.

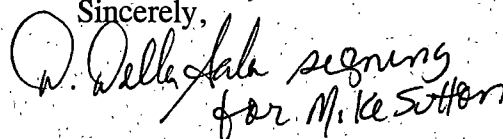
Although the Council has included some small islands in its parcel rankings, WWF is concerned that others may have been missed. For instance, several other seabird colonies occur on small coastal islands ranging from 5 to several hundred acres near Aiaktalik Island and in Alitak Bay (see Figure 2). Some of these islands are owned by Akhiok-Kaguyak.

In addition to linking small and large parcels, the Council should reevaluate the moderate rankings assigned to large parcels containing substantial inland acreage located on the western shore of Kodiak Island. Specifically, the KON05 and KON06, which are located along Halibut Bay and Sturgeon River, respectively, contain valuable refugia habitat for wide-ranging species like salmon and eagles. The Fish and Wildlife Service has identified these areas as important salmon spawning and eagle wintering locations. For instance, chum salmon escapement along the Sturgeon River is in excess of 90,000 fish which supports 80 to 100 eagles during the winter. Proposed development within these areas threatens the integrity of refugia habitat for these injured resources. **Therefore, these inland areas should receive higher rankings because of their value as refugia habitat for wide-ranging species and their vital linkages to coastal parcels.**

WWF also understands that the Council is considering disbanding the Habitat Protection Working group. We fully support the outstanding work this group has done to begin the difficult process of parcel selection and highly recommend that the Council continue to keep this group active during all land inholding acquisitions.

Finally, the Council is in a unique position to help resolve the decades of land ownership conflicts that have jeopardized the integrity of the refuge and have restricted the economic prosperity of the Native corporations. Protection and acquisition of Kodiak parcels would provide the Council with an opportunity to both redress oil-related injuries to Kodiak's natural resources and to resolve the fragmented land ownership patterns that threaten resource recovery. We appreciate your time in reviewing our comments and we are available to meet with the Council at any time should you have any questions. Please feel free to contact Senior Program Officer Dr. Dominick DellaSala at (202) 822-3465.

Sincerely,



Michael Sutton  
Acting Vice President  
U.S. Land and Wildlife Program

Enclosures

## REFERENCES

- Alaska Maritime National Wildlife Refuge, Comprehensive Conservation Plan/Environmental Impact Statement/Wilderness Review/Final*. 1987. U.S. Fish & Wildlife Service, Anchorage, Alaska, 533pp.
- Forsell, D.J. & P.J. Gould. 1981. *Distribution and abundance of marine birds and mammals wintering in the Kodiak Area of Alaska*. FWS/OBS-81/13.
- Gould, P.J., D.J. Forsell & C.J. Lensink. 1982. *Pelagic distribution and abundance of seabirds in the Gulf of Alaska and Eastern Bering Sea*. Biological Services Program. FWS/DOI.
- Kodiak refuge and adjacent waters bird survey for three species: marbled murrelet, harlequin duck, and pigeon guillemot*. June 1993. Conducted by Dennis Zwiefelhofer, Kodiak National Wildlife Refuge Staff, U.S. Fish & Wildlife Service.
- Sowls, A.L., S.A. Hatch, & C.J. Lensink. 1978. *Catalogue of Alaskan seabird colonies*. Biological Services Program. FWS/OBS; Department of Interior.
- Zwiefelhofer, D.C. & D.J. Forsell. 1989. *Marine birds and mammals wintering in selected bays of Kodiak Island, Alaska: A five-year study*. Kodiak National Wildlife Refuge. Alaska Fish and Wildlife Research Center.

Figure 1

Seabird Colony Catalog  
U.S. Fish and Wildlife Service

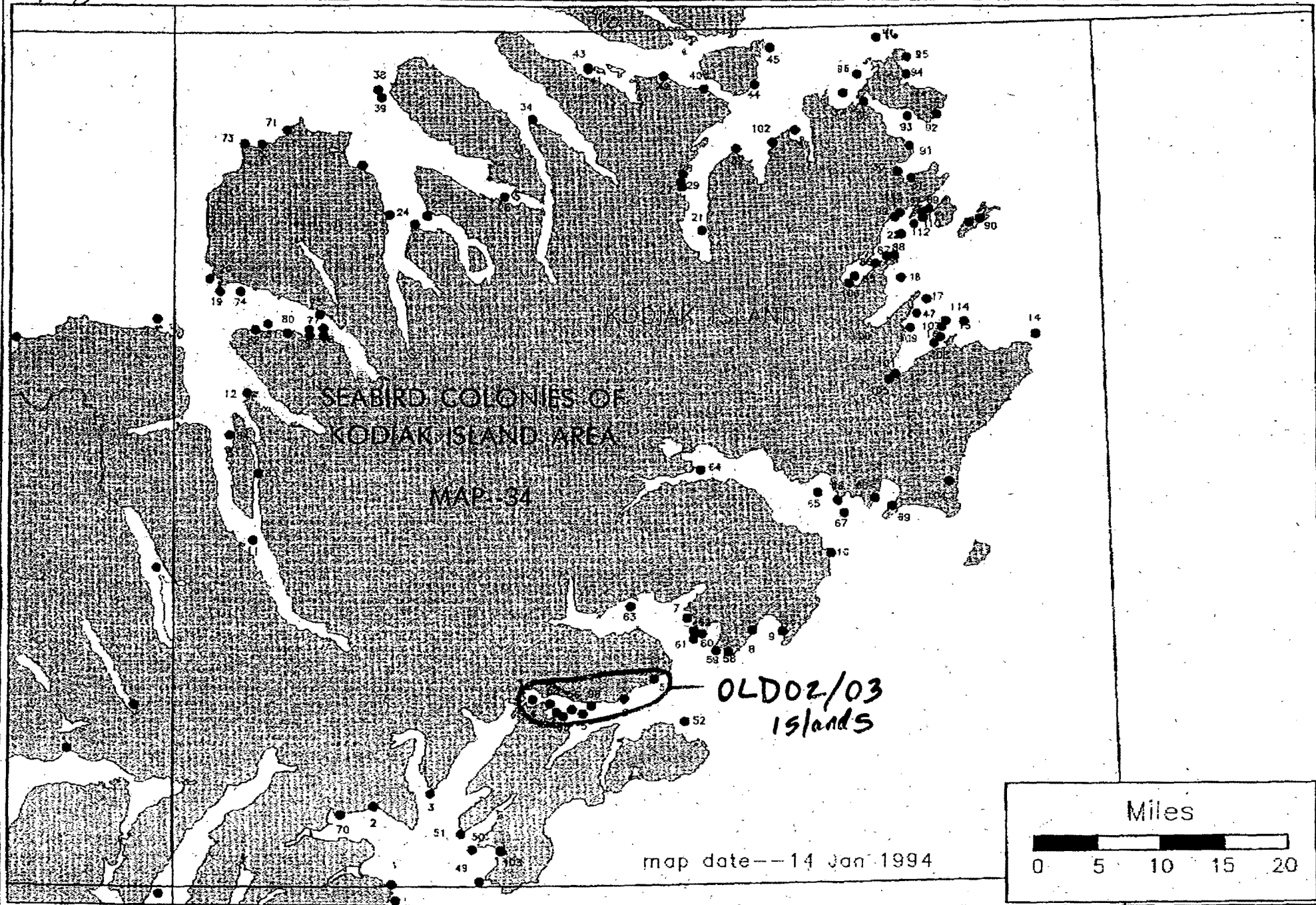


Figure 1

Figure 2

Seabird Colony Catalog  
U.S. Fish and Wildlife Service

SEABIRD COLONIES OF  
TRINITY ISLANDS AREA

MAP 32

SEABIRD COLONIES OF  
KAGUYAK AREA

MAP 33

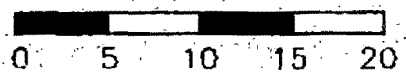
TUGLOK ISLAND

KODIAK ISLAND

Alitak Bay

Aiaktalik  
Island

Miles



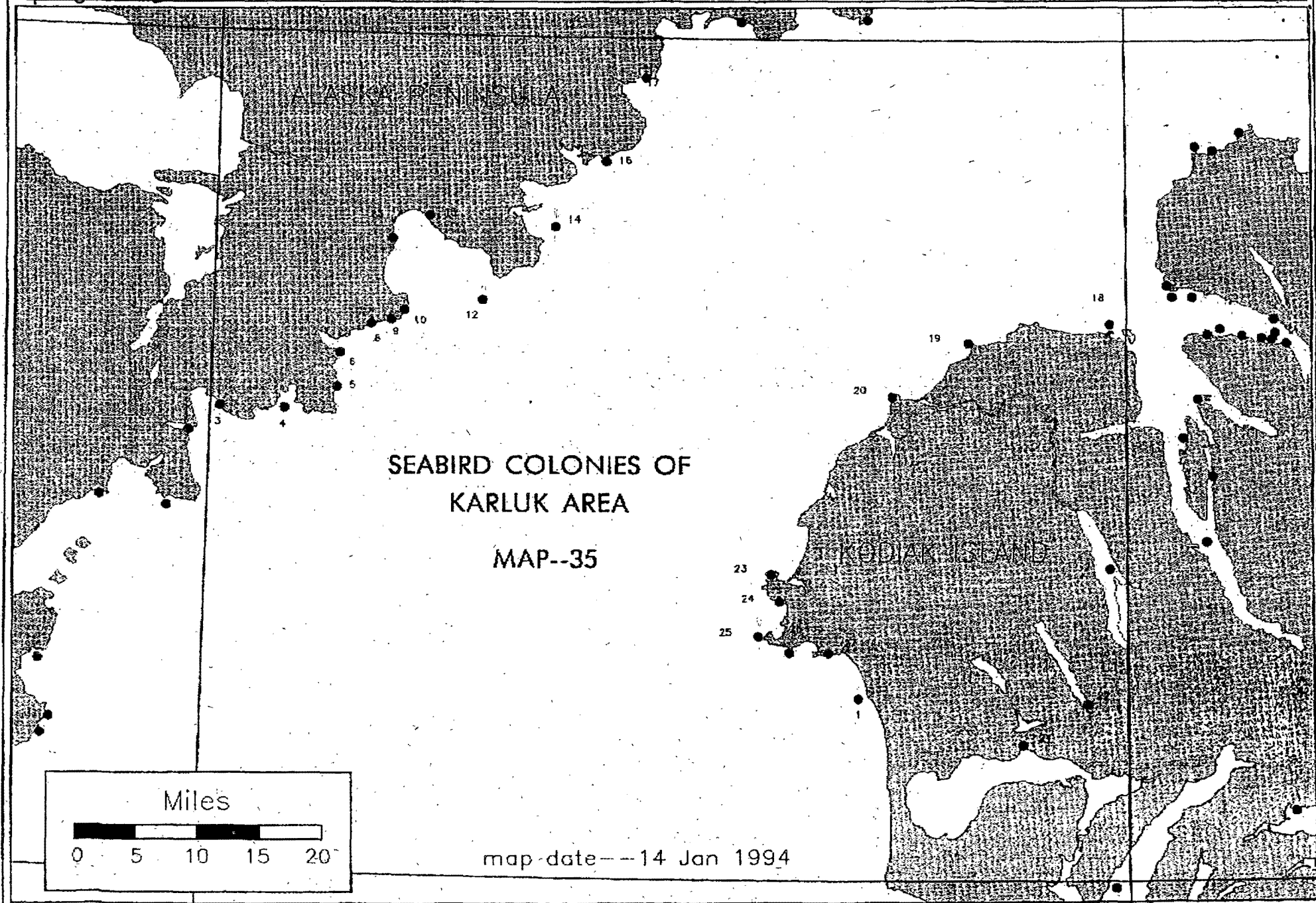
map date--14 Jan 1994

Figure 2

*Additional Seabird Colonies On Kodiak*

Seabird Colony Catalog  
U.S. Fish and Wildlife Service

*Figure 3*



*Figure 3*

Figure 4

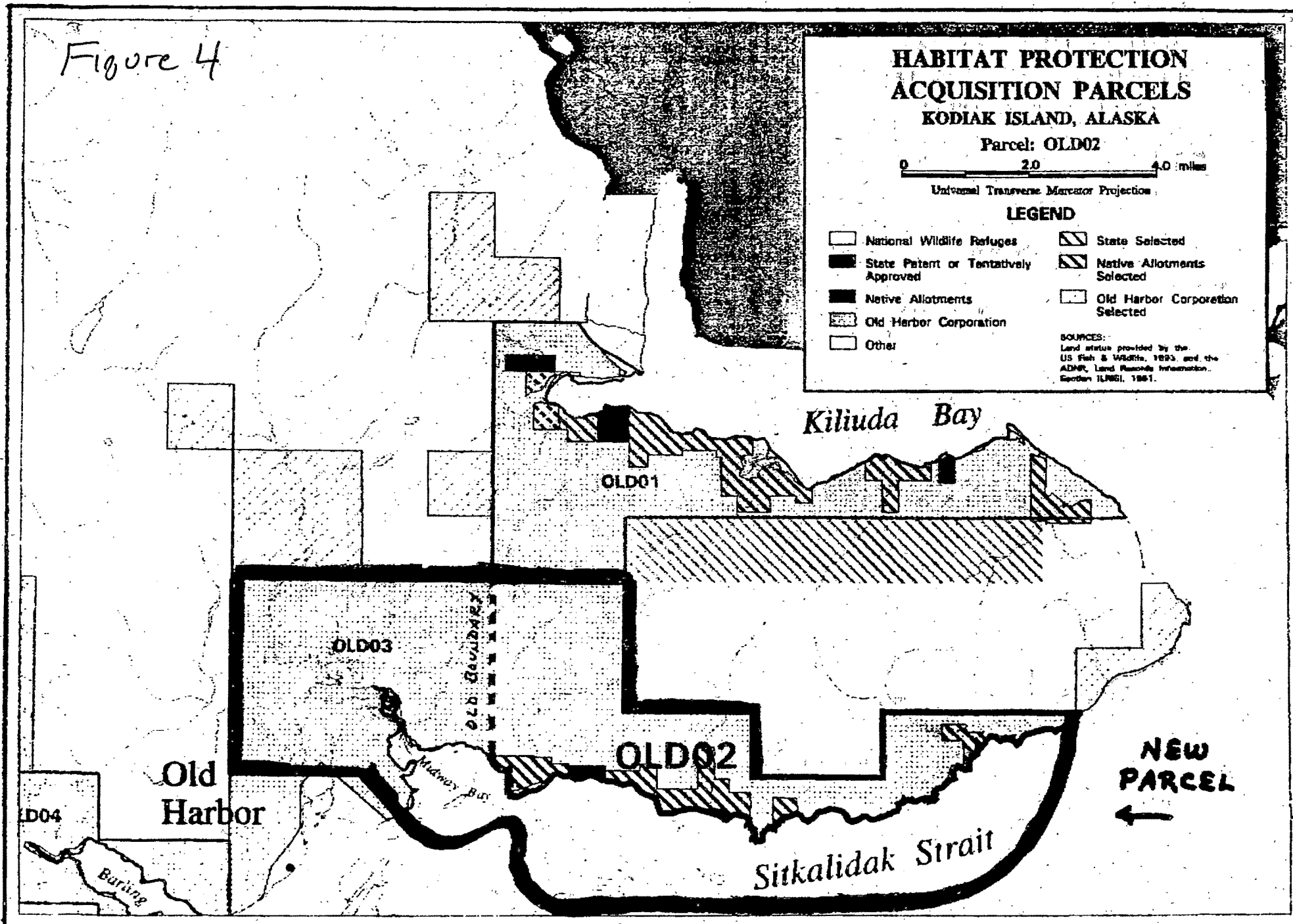


Figure 4

94-HP-011

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JAN 31 1994

EXXON VALDEZ OIL SPILL

27 Jan 1994 TRUSTEE COUNCIL

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

Dear Trustee Council:

I have received the "Working Document - Comprehensive Habitat Protection Process; Large Parcel Evaluation & Ranking Volume 1 Habitat Protection Evaluation Parcels prepared by the Exxon Valdez Oil Spill Restoration Team Habitat Work Group.

As a concerned citizen from the state of Minnesota I want to say congratulations for all your work on this document. You have gone to great lengths to put out a very good first volume. My concern is that as much of the Exxon Valdez monies for restoration as possible be applied to lands in Kodiak Island and the nearby Afognak and Shuyak Island. As you know, the native corporations own about 470,000 acres of private land within the Kodiak National Wildlife Refuge. An opportunity could not be better to buy some of this critical land that the great Kodiak Brown Bear needs to roam and flourish. Development will ruin this island and its population of 2500 to 3000 bears which appear to be dwindling every year. Therefore I urge you to buy those parcels of high priority, especially those parcels that may be threatened by development. I view Kodiak and Afognak Islands as the most critical areas for purchase of inholdings by the native peoples.

Thank you for your opportunity to comment and I wish to remain on the list to receive future documents from the Oil Spill Restoration team.

Sincerely



Marc Olson

Box 185

Barrett, MN 56311

# Pacific Seabird Group



DEDICATED TO THE STUDY AND CONSERVATION OF PACIFIC SEABIRDS AND THEIR ENVIRONMENT

Craig S. Harrison  
Vice Chair for Conservation  
4001 North Ninth Street #1801  
Arlington, Virginia 22203

January 26, 1994

RECEIVED  
FEB 02 1994

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

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

## Re: Support of Appeal of Old Harbor Native Corporation

Dear Mr. Ayers:

These are the comments of the Pacific Seabird Group (PSG) regarding the work of the Habitat Protection Working Group. PSG is an international organization that was founded in 1972 to promote knowledge, study and conservation of Pacific seabirds. PSG draws its members from the entire Pacific Basin, and includes biologists who have research interests in Pacific seabirds, state and federal officials who manage seabird populations and refuges, and individuals with interests in marine conservation. PSG has hosted symposia on the biology and management of virtually every seabird species affected by the Exxon Valdez oil spill, and has sponsored symposia on the effects of the spill on seabirds.

Although PSG has commented on the use of the trust funds at every opportunity, and despite the fact that PSG has consistently supported habitat acquisition (and has provided the Trustee Council with a detailed list of seabird islands to be purchased by letter dated August 6, 1993, including those at issue in this appeal), PSG had no notice of the Habitat Working Group meeting on June 7-8, 1993. The settlement documents that established the trust fund require the Trustee Council to "establish procedures for meaningful public participation." PSG is deeply concerned that it has not had a meaningful opportunity to participate in the deliberations of the Habitat Protection Working Group.

PSG supports the appeal of Old Harbor Native Corporation concerning the ranking of its parcel in the Sitkalidak Strait area by the Habitat Protection Working Group. PSG recognizes the

enormity of your task, the time pressures that you operate under, and the high quality of much of your habitat and ecosystem assessment. Nevertheless, PSG urges the Trustee Council and the Habitat Protection Working Group to reconsider two factors in the ranking of Old Harbor's lands in the Sitkalidak Strait area. The first factor is parcel design. The second relates to full use of existing data on the Sitkalidak Strait in the scientific literature.

## I. ECOSYSTEM APPROACH TO PARCEL DEMARCATION

PSG supports the Trustee Council's emphasis on an ecosystem approach to land acquisition. However, the dividing of Old Harbor's Kodiak National Wildlife Refuge inholdings (parcels OLD02 and OLD03) from its Alaska Maritime NWR inholdings across Sitkalidak Strait, and the further division of the inholdings into large parcel/small parcel categories fragments an intact ecosystem that should encompass both shores of Sitkalidak Strait, and the seabird colonies in the Strait.

To summarize PSG's concern, the current parcel boundaries exclude the Kodiak Native corporation with the most productive and abundant seabird habitat from a "high priority" land owner status in a system supposedly weighted toward seabirds as injured species. PSG agrees with Old Harbor Native corporation's appeal that its land holdings deserve to be looked at as one ecosystem in the case of the current parcels OLD02, OLD03, the Sitkalidak Strait seabird colonies, and the north eastern shore of Sitkalidak Island that were oiled with the rest of the Kodiak Archipelago.

We suggest that ownership patterns and size should always take secondary priority to an ecosystem approach, particularly when an identifiable ecosystem is owned by one land owner. For example, in several cases regarding seabird colonies, other rankings in the Kodiak Archipelago do reflect an ecosystem approach, such as AJV03, AK104 and KONO1 where the parcel's injured seabird scores are higher because of adjacent nearshore rocks and islets which serve as seabird colonies and essential habitat areas when combined with the adjacent shoreline. Also in parcel KON02, both shores of Uyak Bay are counted because the identified injured species clearly use both shores of the parcel, as they do in Sitkalidak Strait. PSG supports this application of ecosystem parcel scoring to the nearshore rocks/islets and both shores of Sitkalidak Strait.

## II. EXISTING LITERATURE ON SITKALIDAK STRAIT SEABIRD HABITAT

PSG's interest in the Old Harbor appeal is underscored by our desire that policy-makers use all available biological data when making important habitat protection decisions. In reviewing

the supporting documentation of the Exxon Valdez Large Parcel Rankings, we were pleased that the Catalogue of Alaskan Seabird Colonies by SOWLS et al. (1978) was used to provide a comprehensive look at the seabird resources of Alaska, including the oil spill region.

In considering the Sitkalidak Strait appeal, we urge the Habitat Protection Working Group to review the updated figures of seabird colonies available from the Alaska Maritime National Wildlife Refuge System office in Homer, as well as other published studies of seabirds in the Sitkalidak Strait. These include Baird and Moe (1978); Baird and Hatch (1979); Forsell and Gould (1981); Gould et al. (1982); USFWS (1988); Zweifelhofer and Forsell (1989), and the unpublished results of transects and observations conducted last summer by of the Kodiak National Wildlife Refuge by Zweifelhofer (1993).

All seven sources demonstrate that not only are the seabird colonies in Sitkalidak Strait critical nesting and feeding habitat for oil spill injured species, but they also are among the most studied and well documented seabird colonies in Alaska.

Sincerely,

*Craig S. Han*

#### REFERENCES

- Baird, P. A., R. A. Moe. 1978. The Breeding Biology and Feeding Ecology of Marine Birds in the Sitkalidak Strait Area, Kodiak Island, 1977. In Environmental Assessment of the Alaskan Continental Shelf Annual Reports 3:323-525.
- Baird, P. A., M. A. Hatch. 1979. Breeding Biology and Feeding Habitat of Seabirds in Sitkalidak Strait, 1977-1978. In Environmental Assessment of the Alaskan Continental Shelf, Annual Reports 2:107-186.
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- Gould, P.J., D.J. Forsell, and C. Lensink. 1982. Pelagic Distribution and Abundance of Seabirds in the Gulf of Alaska and Eastern Bering Sea. OBS/FWS/DOI.
- U.S. Fish & Wildlife Service. 1988. Alaska Maritime NWR Comprehensive Conservation Plan Final Summary.
- Zweifelhofer, D. C., D. J. Forsell. 1989. Marine Birds and Mammals Wintering in Selected Bays of Kodiak Island, Alaska: A Five-Year Study.
- Zweifelhofer, D.C. 1993. Unpublished Seabird Observations and Transects for East Sitkalidak Strait/Kiliuda Bay, West Sitkalidak Strait, Alitak Bay, Uyak Bay, Foul Bay, Ban Island.

## AKHIOK KAGUYAK, INC.

January 28, 1994

HAND-DELIVEREDRECEIVED  
FEB 02 1994EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

EXXON VALDEZ Oil Spill Trustee Council  
c/o Mr. James Ayers, Administrative Director  
645 "G" Street  
Anchorage, Alaska 99501

Dear Mr. Ayers:

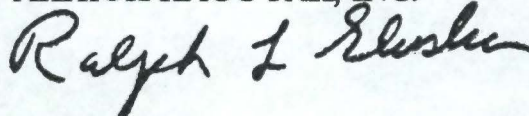
This letter and attached parcel analysis represent the written comment of Akhiok-Kaguyak, Inc. (AKI) to the Draft Comprehensive Habitat Protection Process: Large Parcel Evaluation & Ranking, Volume I and II.

In general, AKI is pleased with the parcel scoring methodology adopted by the Trustee Council and the Habitat Protection Working Group and the application of the ranking system to our Kodiak National Wildlife Refuge inholdings. As indicated in more detail in the attached parcel analysis, we believe that four of AKI's parcels warrant higher scores. We look forward to meeting with you and the appropriate staff of the Trustee Council next week to discuss specifics of AKI's parcel rankings in depth.

Thank you for your interest in our reaction to the parcel rankings.

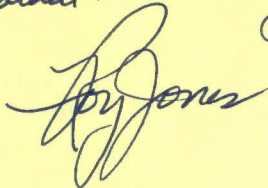
Sincerely,

AKHIOK-KAGUYAK, INC.



Ralph L. Eluska  
President

*Copy of this letter was  
hand delivered to Jim Ayers.  
Jim asked that the original  
be forwarded to Anchorage.*



## AKHIOK KAGUYAK, INC.

January 28, 1994

HAND-DELIVEREDRECEIVED  
FEB 02 1994EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

EXXON VALDEZ Oil Spill Trustee Council  
c/o Mr. James Ayers, Administrative Director  
645 "G" Street  
Anchorage, Alaska 99501

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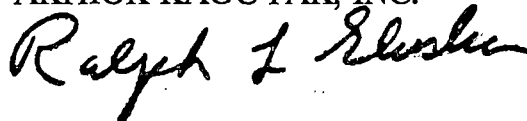
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Thank you for your interest in our reaction to the parcel rankings.

Sincerely,

AKHIOK-KAGUYAK, INC.



Ralph L. Eluska  
President

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RLE/cl  
438-1\Ayers.1

COMMENTS OF AKHIOK-KAGUYAK, INC.  
to the LARGE PARCEL RANKINGS  
of the EXXON VALDEZ  
TRUSTEE COUNCIL

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After careful review of the "Comprehensive Habitat Protection Process: Large Parcel Evaluation & Ranking - Volumes I and II" prepared by the Exxon Valdez Oil Spill Restoration Team Habitat Protection Working Group, AKI believes that four of its parcels warrant higher scores.

AKI01, Kaiugnak Bay;

AKI02, Kiavak Bay;

AKI03, Jap/Kaguyak Bay;

AKI05, Sulua/Portage Bay.

In each case, these parcels should be scored higher based on two approaches.

First, the "linkage for injured resources and services," and the "potential for benefit that habitat protection would have for each linked resource and service" warrants a higher score for one or more injured resource or service on each parcel.

Second, these parcels deserve higher scores based on the application of the Evaluation/Ranking Criteria to these parcels.

AKI believes that AKI01 and AKI05 should score HIGH instead of MODERATE, and AKI02 and AKI03 should score MODERATE instead of LOW.

---

## AKI01 - KAIUGNAK BAY PROPOSED PARCEL RANKING

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AKI believes Kaiugnak Bay warrants higher scores for three injured resources and services plus a YES score on Evaluation/Ranking Criteria #6. Accordingly, this parcel should be raised from a MODERATE ranked parcel to a HIGH parcel.

---

There are three injured resources/services which AKI believes warrant higher scores than in the current parcel evaluation. River otter and cultural resources score MODERATE, but both could rank HIGH if field inspections were carried out.

### RIVER OTTER

In the case of river otter, the "possible denning" score could be shown to have "known high use of parcel for denning/latrine sites." Since river otter are present, and they aren't known for migratory behavior, and steep mountains lie on all inland sides of this parcel, river otter must have denning and latrine sites on the parcel and therefore meet the requirements for a HIGH score.

### CULTURAL RESOURCES

As for cultural resources, aerial inspections of the spit extending from the south shore of the inner bay area show clear evidence of a prehistoric village site with an estimated population of over one hundred people. AKI believes that this evidence warrants a more thorough investigation of the entire parcel by trained archaeologists.

### SUBSISTENCE

One LOW ranked score for Subsistence in Kaiugnak Bay warrants at least a MODERATE score. There is "known historic subsistence use" of the area, and it not only "may be used again," it is used annually by village deer and duck hunters, and rural resident deer hunters.

## EVALUATION/RANKING CRITERIA #6:

All of AKI's parcels receiving comment have received 'NO' scores on criteria #6 which states "Essential habitats/sites on a parcel are vulnerable to or potentially threatened by human activity."

AKI's lands are more heavily used for sport and subsistence hunting and fishing than is officially recognized. Further, the pristine condition of most of AKI's land holdings appears to have been taken as evidence that they are not "vulnerable to or potentially threatened by human activity" due to either remoteness or accessibility factors such as good boat anchorages, beach access or float plane access. This is false perception.

The actual reason for the high wilderness qualities of AKI's lands is that for the past several years, the corporation has been willing to work with the Department of Interior, U.S. Fish & Wildlife Service and the Kodiak National Wildlife Refuge manager to pursue federal reacquisition of substantial portions of AKI's ANCSA holdings. Central to the success of such an acquisition from the federal government's point of view, has been the maintenance of outstanding wilderness qualities, and AKI has complied with federal government wishes that the inholdings be left undeveloped.

To an outside observer, the lands may appear not to be vulnerable to or threatened by human activity. This appearance is artificial.

Instead, AKI has been operating under a de facto management agreement with the federal government since 1985 to resist "threatening human activity," but now finds itself penalized in the Exxon Valdez ranking system on criteria #6 because it was a good environmental steward of high value lands sought by the federal government.

In the case of AKI08, Upper Station Lakes, where the corporation erected a private use cabin in 1992, the parcel scored YES for criteria #6. There is no objective reason why all of AKI's parcels could not be developed profitably in an identical fashion.

It is ironic that because we voluntarily forestalled our development efforts that we may have jeopardized our ability to complete the transfer of these lands to the federal government.

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## AKI02 - KIAVAK BAY PARCEL RANKING APPEAL

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AKI believes Kiavak Bay warrants higher scores for six injured resources and services plus a YES score on Evaluation/Ranking Criteria #6. Accordingly, this parcel should be raised from a LOW ranked parcel to a MODERATE parcel.

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### BALD EAGLE

With eight nest sites on 4,200 acres, AKI02 has one of the highest ratios of eagles per acre in the Kodiak Archipelago. Based on the data available, this equates to one nest per 525 acres. If the purpose of the criteria were to measure the density of eagles per parcel, then on a per acre basis, this parcel would be one of the highest ranked parcels in the Kodiak Archipelago. However, the criteria used for rating benefit of parcel for a HIGH bald eagle score was on a per mile of shoreline, not a per acre, basis.

In the case of AKI02, the narrow inner bay shorelines should count as virtual "river banks" rather than typical Kodiak bay shores. In practice, to measure each side of the narrow section of the bay counts the same ecological space twice. However, the ecological significance to a flying predator for that space is as one area, not two. If the shoreline along the narrow section of Kiavak Bay were instead counted once, the parcel would have one eagle nest per mile of shore density and would qualify for a HIGH ranking.

### OTHER INJURED SPECIES

AKI shareholders who use the area and who are familiar with the resources, believe the parcel score for Harlequin Duck, Marbled Murrelet, Pigeon Guillemot, River Otter should rank HIGH, not MODERATE. AKI requests a field inspection of the parcel to resolve questions of whether nesting for birds and denning for otters are "probable" or "actual."

### SUBSISTENCE

AKI02 is a "known historic subsistence area, which may be used again," thus meets the moderate criteria. Kiavak Bay is used now by villagers from Akhiok and Old Harbor, as well as rural residents for deer, duck and salmon.

### EVALUATION/RANKING CRITERIA #6

AKI includes by reference the discussion of "human threat vulnerability" which appears in the AKI01 - Kaiuqnak Bay proposed parcel ranking.

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## AKI03 - JAP/KAGUYAK BAYS PROPOSED PARCEL RANKING

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AKI believes Jap/Kaguyak Bay warrants higher scores for seven injured resources and services plus a YES score on Evaluation/Ranking Criteria #6. Accordingly, this parcel should be raised from a LOW to a MODERATE parcel.

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Seven injured resources/services receiving MODERATE "potential for benefit" scores in the current parcel ranking may deserve HIGH scores.

Black Oystercatcher, Harlequin Duck, Pigeon Guillemot are injured birds present in the parcel, all scored MODERATE in the current parcel ranking and all were evaluated to have "probable nesting" on the parcel. The inner lagoon of Kaguyak Bay provides outstanding duck habitat for several species of migratory and resident ducks. It would be surprising if Harlequin Duck did not nest on this parcel.

Harbor Seal are known by former Kaguyak villagers, and current subsistence hunters to frequent haulouts in Old Kaguyak Bay.

Cultural Resources on, and adjacent to, this parcel are significant and well documented in the "historical" era from the Russian period up to the tsunami which wiped out Kaguyak in 1964. Remains of a Russian Orthodox church are on the Kaguyak townsite adjacent to this parcel.

In addition to harbor seal subsistence, the parcel is heavily used by former Kaguyak residents, Akhiok and Old Harbor villagers, as well as rural resident hunters utilizing float plane operators from Kodiak. The U.S. Coast Guard base also uses Kaguyak Bay heavily for recreational and subsistence hunting for deer.

Lastly, River Otter are recognized as "possibly denning" on the parcel, and AKI requests that the aforementioned field inspection for Black Oystercatcher, Harlequin Duck and Pigeon Guillemot include this injured resource/species.

### EVALUATION/RANKING CRITERIA #6

AKI includes by reference the discussion of "human threat" vulnerability which appears in the AKI01 - Kaiugnak Bay proposed parcel ranking.

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## AKI05 - SULUA/PORTAGE BAY PROPOSED PARCEL RANKING

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AKI believes Sulua/Portage Bay warrants higher scores for five injured resource/services plus a YES score on Evaluation/Ranking Criteria #6. Accordingly, AKI05 should be raised from a MODERATE to a HIGH ranking.

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### PINK SALMON

The parcel currently scores MODERATE for pink salmon. Although there are no weir sites on AKI05, the Alaska Department of Fish & Game conducts aerial surveys and could speak to population estimates of this species. Anecdotal evidence for high pink salmon productivity includes commercial fishermen who harvest significant amounts of pink salmon for the parcel.

Further, the pink salmon runs show no odd year/even year dominance, and this compares favorably to other HIGH ranked parcels in the Kodiak area such as KON01, Brown's Lagoon, which has an approximately 120,000 escapement of pinks in even years, but only 15,000 in odd years.

The consistent even and odd year pink salmon production on AKI05 suggests the system is not adequately characterized by the MODERATE criteria for "rating benefit of parcel" which reads:

"Average density of pink salmon streams  
on parcel; average production."

Taken as an ecosystem, AKI believes the seven spawning streams on the parcel represent an above average rating benefit.

In addition, although the ECOLOGICAL SIGNIFICANCE summary of AKI05 notes the presence of chum salmon, the escapement of that species is well known to be abundant, in excess of 300,000 according to Kodiak fisheries authorities. This chum salmon abundance speaks to the richness of the ecosystem of AKI05. Further, the current characterization of the ECOLOGICAL SIGNIFICANCE of the parcel states "Moderate density brown bear habitat." Presumably this evaluation was drawn from the Draft Land Protection Plan of the Kodiak National Wildlife Refuge. The final plan has elevated the brown bear habitat to HIGH priority.

## BLACK OYSTERCATCHER

As stated in AKI's accompanying parcel comments, the corporation feels a field inspection of AKI05 is warranted to determine the proper evaluation of one injured resource - Black Oystercatcher - which is ranked MODERATE because of a 'probable nesting' estimate.

## CULTURAL RESOURCES

Similarly, the MODERATE score for cultural resources based on "evidence of cultural resources on site," could deserve a HIGH score if a field inspection of the parcel were conducted. In almost every instance of archaeological inspection of AKI's lands, the more they've looked, the more they've found. Generally, speaking, prehistoric human use of the south end of the island is now being recognized as much higher than in previous estimates. This factor could benefit AKI05's score if a field inspection were carried out.

## SUBSISTENCE

One LOW scoring resource on the parcel evaluation deserves at least a MODERATE score and probably a HIGH score. Subsistence is currently valued as a LOW score, but the standard for MODERATE, "Known historic subsistence use area, which may be used again," falls short of accurately characterizing current use by both Akhiok villagers and rural resident deer hunters from Kodiak. The parcel is annually accessed by float plane operators and boats for deer hunting. The parcel provides good anchorage and good beach access.

## DOLLY VARDEN

AKI also questions whether the LOW score for Dolly Varden is warranted. Sport fishermen report catching Dollies on parcel rivers and two lagoons/small lakes on the parcel may provide over-wintering habitat for this injured species.

## EVALUATION/RANKING CRITERIA #6

AKI includes by reference the comments regarding "human threat vulnerability" which appears in the AKI01 - Kaiugnak Bay proposed parcel ranking.

**OLD HARBOR NATIVE CORPORATION**  
**P.O. Box 71**  
**Old Harbor, Alaska 99643**

January 30, 1994

RECEIVED  
FEB 03 1994

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

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

Dear Mr. Ayers:

On behalf of Old Harbor Native Corporation, I would like to submit comments on the Draft Comprehensive Habitat Protection Process: Large Parcel Evaluation and Ranking, Volumes I and II.

We realize that the work of the Habitat Protection Working Group had to be carried out in an expedited way relying on past field work versus new or original field work. We also appreciate the dedication with which the Trustee Council Members and staff have undertaken their duties. We are aware of no comparable effort in recent decades. Therefore, our comments are made with recognition of this background and in the spirit of raising several matters which we believe warrant consideration in connection with the ranking of two parcels of our lands.

We are requesting the merger of two of our parcels and a reevaluation of them founded on the fact that considering the watershed, the restoration values of injured species involved, the benefits to inure from protection of them, and consideration of ecosystem management, parcels OLD02 and OLD03 should be considered as one parcel, along with the national wildlife refuge system islets and bird rookeries in the Sitkalidak Strait and the shoreline of Sitkalidak Island itself. With such a merger, we believe that parcel will score a 72, well exceeding the score required for a "high" value ranking using HPWG criteria.

Of all the landowner parcels rated in the national wildlife refuge system on Kodiak, the OHNC lands have the most abundant shorebirds and waterfowl. In light of that, and the link to injury from the EVOS oil spill of shorebirds and waterfowl, we believe that one OHNC parcel should qualify as "high" under the HPWG scoring system.

Although our view is that other lands of the OHNC on which we have communicated with the EVOS Trustee Council in the past, should qualify for acquisition based on their resource values

Mr. Jim Ayers  
January 30, 1994  
Page -2-

and their role in the Kodiak ecosystem, we are focussing here on the merged parcel which we contend warrants a "high" rating.

We will appreciate the consideration of the Trustee Council and its staff of our request for considering rating an ecosystem parcel within our land holdings as "high" under the EVOS HPWG ranking system.

We look forward to discussing our comments with you and the Council staff at your earliest convenience.

Sincerely,

A handwritten signature in cursive script that reads "Emil Christiansen". The signature is written in dark ink and has a long, horizontal flourish extending to the right.

Emil Christiansen  
President

Enclosure: Comments on Draft Comprehensive Habitat Protection Process

**OLD HARBOR NATIVE CORPORATION'S  
COMMENTS ON THE DRAFT COMPREHENSIVE  
HABITAT PROTECTION PROCESS  
LARGE PARCEL EVALUATION & RANKING - VOLUMES I & II**

**OVERVIEW**

Old Harbor Native Corporation's (OHNC) comments on the large parcel rankings are intended to maximize the restoration objectives of the Exxon Valdez Trustee Council for the injured species, resources and services on OHNC lands.

OHNC recommends a modification to the draft parcel rankings of its lands within the Kodiak National Wildlife Refuge and the Alaska Maritime National Wildlife Refuge.

These comments propose a merger of two parcels--OLD02 and OLD03--into a new parcel that would also include adjacent seabird rookeries in Sitkalidak Strait and the northern shoreline of Sitkalidak Island.

OHNC believes the protection priority established by the Trustee Council is enhanced by the merger of OLD02, OLD03, the seabird islets in Sitkalidak Strait, and the northern coast of Sitkalidak Island.

The area encompassed by the proposed parcel is traditionally recognized by the U.S. Fish & Wildlife Service as one ecosystem, with an abundance of high quality seabird habitat in the area (also referred to in referenced surveys as "East Sitkalidak Bay").

General rationale for combining OLD02 and OLD03 (See attached map):

1. Parcels OLD02 and OLD03 are contiguous and are part of the same ecosystem.
2. These parcels both share as habitat, feeding and resting areas for colonies of birds which inhabit or otherwise utilize the islets of Sitkalidak Strait.
3. The OHNC is prepared to place the lands across the Sitkalidak Strait from these two parcels in a protected status through the sale of interests in the lands which would assure long-term protection for fish and wildlife habitat, including habitat for injured species.

The attached proposed score for the new "Sitkalidak Strait" parcel is based on retaining the score of the higher ranked parcel, either OLD02 or OLD03, for eight injured species/resources:

Herring - High  
 Bald Eagle - High  
 Harbor Seal - High  
 Harlequin Duck - High  
 Intertidal/  
     Subtidal - High  
 Recreation/  
     Tourism - Moderate

The proposed merged "East Sitkalidak Bay" parcel warrants, we contend, a higher score for six injured species/resources:

Dolly Varden - from Low to Moderate  
 Black Oystercatcher - from Moderate to High  
 Common Murre - from Low to High  
 Marbled Murrelet - from Low to Moderate  
 Pigeon Guillemot - from Moderate to High  
 Cultural Resources - from Moderate to High  
 Pink Salmon - from Moderate to High

No changes are proposed for four species/resources:

Sockeye  
 Cutthroat  
 Sea Otter  
 Subsistence

#### **RANKING CRITERIA**

	1	2	3	4	5	6	7	8	Total
8H, 8M	Y	Y	Y	N	Y	Y	Y	Y	72.0

The seabird islets within the Sitkalidak Strait are small acre parcels recommended for acquisition by the Pacific Seabird Group because they are among the most productive and well documented seabird colonies in the Kodiak archipelago.

Because both OLD02 and OLD03 were divided from the adjacent seabird islets because of "large acre parcel" - "small acre parcel" categorization, this highly productive river, shallow bay, and seabird islet ecosystem did not qualify for a "high" EVOS HPWG ranking even though it is a haven for the injured resources of the oil spill. To separate the parcels and not include the other resources in the immediate vicinity defeats the habitat protection intent of the EVOS process by fragmenting an interdependent ecosystem.

The following are a few of the comments from the cited references which address the seabird resources of the Sitkalidak Strait area:

#### Common Murres

Forsell and Gould, 1981, found Kodiak Island to be a major foraging and resting area for adult and young murres in fall and winter. "They observed one exceptional concentration of 120,000 - 130,000 birds in the east entrance to Sitkalidak Strait in February, associated with exceptionally large numbers of capelin."

#### Pigeon Guillemots

Recent reports from the USFWS indicate that 40 Pigeon Guillemots were observed on Cathedral Island and another 40 at Ghost Rocks, both islets owned by the OHNC in the Sitkalidak Strait nearby OLD02 and OLD03.

The catalogue of Alaskan Seabird Colonies "recorded 95 pigeon guillemots on Amee Island and 34 on Sheet Island . . . both are located in Sitkalidak Strait . . ." Uyak Bay Islands and other areas in the vicinity had Pigeon Guillemots but none over 10 birds. (Uyak Bay area was rated "high" under the HPWG rating system.)

#### Marbled Murrelets

Forsell and Gould, 1981, estimated that "17,800 marbled murrelets wintered in the Bay systems of Kodiak Island. . . . We found large numbers during small boat surveys of many Kodiak and Alaska bays: 200-400 birds per hour in such areas as . . . Kiluda Bay . . ." [OHNC lands].

### **SURVEYS/REFERENCES**

Catalogue of Alaskan Seabird Colonies; Biological Services Program; FWS/OBS; Department of Interior, by Arthur L. Sowls, Scott A. Hatch, and Calvin J. Lensink, 1978.

Pelagic Distribution and Abundance of Seabirds in the Gulf of Alaska and Eastern Bering Sea; Biological Services Program; FWS/DOI, by Patrick J. Gould, Douglas J. Forsell, and Calvin J. Lensink, 1982.

Marine Birds and Mammals Wintering in Selected Bays of Kodiak Island, Alaska: a Five Year Study; KNWR, Alaska Fish and Wildlife Research Center, by Dennis C. Zwiefelhofer and Douglas J. Forsell, 1989.

Alaska Maritime National Wildlife Refuge, Comprehensive Conservation Plan/Environmental Impact Statement/Wilderness Review/Final Summary, and others.

# HABITAT PROTECTION ACQUISITION PARCELS









KODIAK ISLAND, ALASKA

Parcel: OLD02

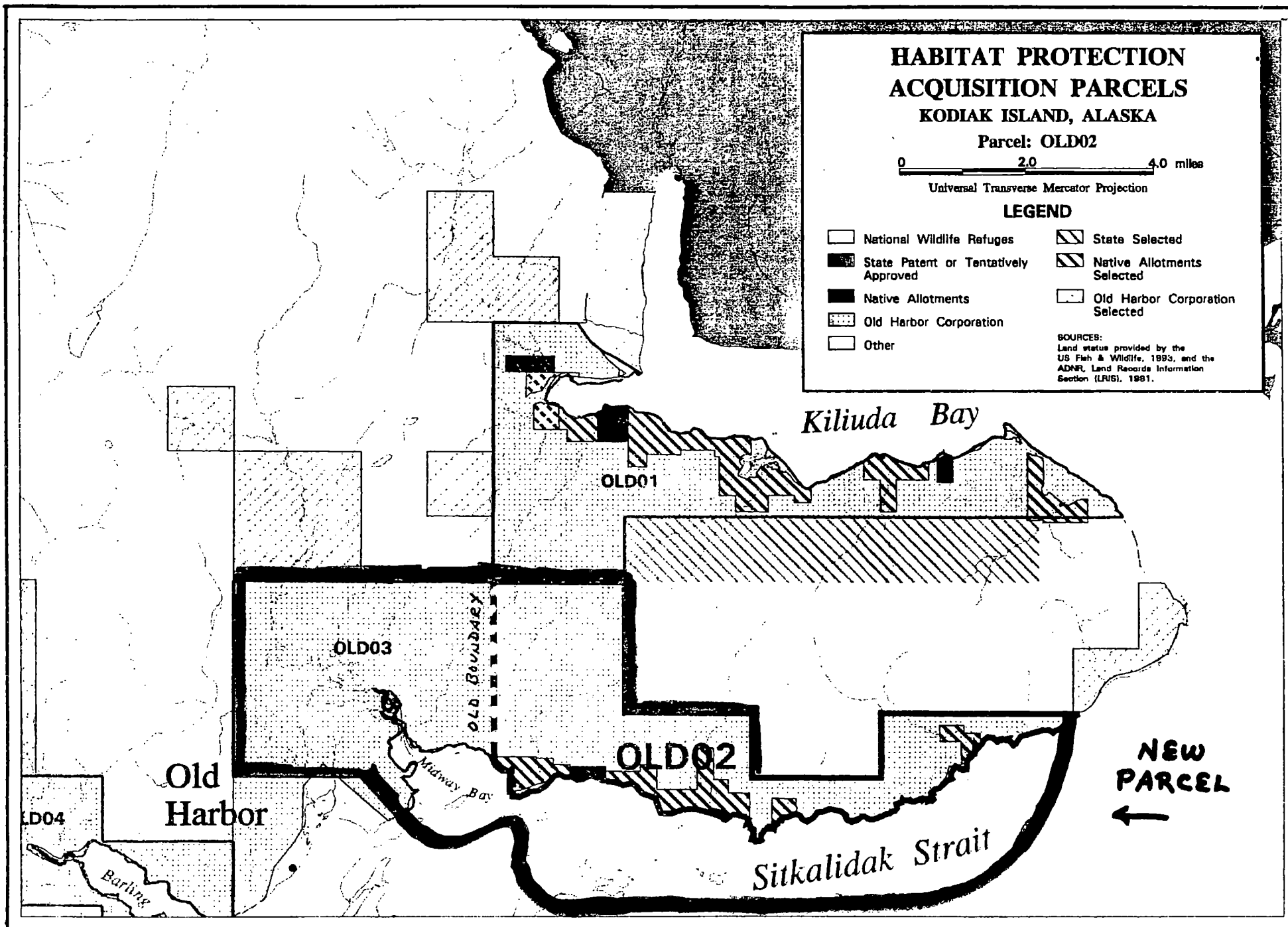
0 2.0 4.0 miles

Universal Transverse Mercator Projection

## LEGEND

- |  |   |
|--|---|
|  National Wildlife Refuges            |  State Selected                  |
|  State Patent or Tentatively Approved |  Native Allotments Selected      |
|  Native Allotments                    |  Old Harbor Corporation Selected |
|  Old Harbor Corporation               |   |
|  Other                                |   |

SOURCES:  
Land status provided by the  
US Fish & Wildlife, 1993, and the  
ADNR, Land Records Information  
Section (LRIS), 1991.



NEW  
PARCEL  
←

JAN 03 1994

PRINCE WILLIAM OIL SPILL  
December 30, 1993

My name is Nellie Murray. I am a commercial salmon setnet fisherman in Alitak Bay on the south end of Kodiak Island. I have read through the "Large Parcel Evaluation and Ranking Document" dated November 30, 1993 and I would like to offer my comments.

I fully support the Restoration team's rankings of those Kodiak and Adognak parcels that have been scored as "high". The comments I have are about three parcels on the south end of Kodiak Island that have a "moderate" score. Those parcels are Solva / Portage Bays (AK105), Sukhoi / Kempff Bay (AK109) and Kaiugnak Bay (AK101).

Because of the remoteness of these parcels there is less accurate biological data available than on other Kodiak parcels. What all three of these parcels have in common is their extremely large lagoon and estuary habitat.

The south end of Kodiak receives far more migratory birds and ducks than the north end of the island. These lagoons are critical to these

migrating birds and also provide valuable wintering areas.

Sukhoi lagoon and Portage Bay both provide early dog runs. The Fish & Wildlife Service has determined these early runs to be of significant importance to brown bears. The dog runs are also of commercial value.

All three lagoons provide critical spawning areas for herring and rearing areas for juvenile salmon. In addition these areas are important to bald eagles, oystercatchers, common murre, harlequin ducks, pigeon guillemots, river otters and harbor seals. Sea otters are just beginning to be seen as they reestablish their range to the south end of the island. Pink and silver salmon are also present.

The Sukhoi / Kempl Bay area is a traditional subsistence area for red salmon and ducks for the people in the village of Akhiok.

Although these areas have not received the publicity that Seal Bay and Karluk have they are

undeveloped, rich in diversity and provide homes to an abundance of plant and animal life. Please review these parcels with a topographical map in front of you. Please keep in mind how many undeveloped parcels with large lagoons have been rated "high". All three of these parcels need to be considered as critical to the biological diversity that exists on Kodiak. They need to be among the first in any buy-back program.

Sincerely,

Nelle Murray  
P.O. Box 2181  
Kodiak, AK 99615  
(907) 487-4360

RECEIVED

94-HP-002

JAN 04 1994

4387 Roswell Rd  
Augusta, Ga 30907  
22 December 1993

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

EVOS Trust Council  
Dear Sir,

First, I was very pleased to get your Comprehensive Habitat Protection Process document. I for one (I assume one of many) believe this is the ONLY way to go. Thanks for all of your efforts in regard to Habitat Protection.

Second, realize you never hear the good. You only hear recommended corrections. My comments are only meant to make a GOOD document better.

Comments on your document:

1. American Brown Bear survival into the 21st Century and beyond is a primary concern of mine. The Brown Bear of the lower 48 is going extinct because our Federal Government's Survival Plan does not support the concept "Habitat is Critical to Survival" of this large species. They seem to think the Brown like the Black can live WITH man's roads and homes. DO NOT MAKE THE SAME MISTAKE WITH YOUR BROWN BEAR.

Please put the Kodiak bear on your animals to protect.

I believe the large size of an animal make the amount of habitat even more critical for a species.

Look and see if AJV04, AJV06, AJV05, AJV02 are not critical to survival. If so may they not be moved to HIGH ?

Please give special concern to obtaining Kodiak Island Bear Habitat land. Your report did not indicate which lands that are available are currently or potentially could be Kodiak Bear Habitat areas if the population is allowed to expand.

2. Please keep in mind that long delays "MAY" cause some currently interested land owners to change their mind. Please keep them informed of what you are doing, why and how long the process will take. Then make every effort to abide by that schedule.

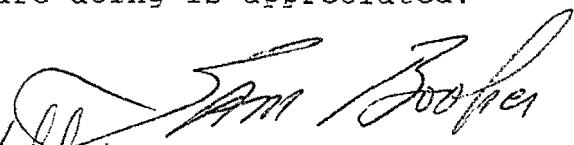
3. I am impressed with the entire report. A lot of good work was done. There is one area that I did not find. That is a category of combined areas. An example:

While CAC03, CAC04, CHE10 are each rated LOW. If you can obtain all three, you would have the entire island and would make security a lot easier and value as Wildlife Habitat increase. Should this then give them, if combined, a higher rating ?

Also, CHE04 is rated MODERATE. CHE05 is LOW. If you can get CHE04 would that not elevate CHE05 to at least above LOW. I would suggest HIGH. PLEASE LOOK FOR OTHER EXAMPLES.

4. Since I live in Georgia, I was very pleased to see that the Nature Conservancy is part of your process. This makes myself and I am sure a lot of others very confident with the whole process. What you are doing is appreciated.

SAM BOOHER  
4387 ROSWELL DRIVE  
AUGUSTA, GA 30907

*Have a nice holiday.*  


The Kodiak Audubon Society  
P.O. Box 1756  
Kodiak, AK 99615

94-HP-003  
**RECEIVED**  
JAN 05 1994  
EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

December 16, 1993

Dear Members of the Exxon Valdez Oil Spill Trustee Council,

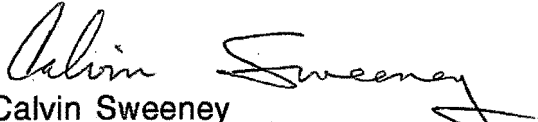
We would like to thank you for the purchases of Seal Bay and Katchemak Bay and your continued work toward future habitat protection. We believe habitat protection to be the most efficient way to aid recovery of the resources injured by to Exxon Valdez oil spill.

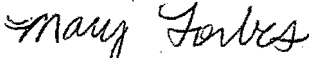
We have reviewed the Comprehensive Habitat Protection Process: Large Parcel Evaluation & Ranking Volume 1 and are pleased to see so many parcels from the Kodiak area included in the publication. We are particularly pleased to see the high ranks received by the Pauls/Laura Lake, Shuyak Straight, Shuyak Island and Karluk River parcels. The Kodiak Audubon Society is especially concerned with these four parcels for two reasons.

Much of Afognak Island is rapidly being destroyed by clear cut logging practices. We would like to see as much Afognak land permanently protected from logging as possible. The Pauls/Laura Lake area would be an excellent addition to the newly acquired Seal Bay Parcel. This combined parcel would enhance resource recovery as well as provide citizens with a prime recreation area. Similarly, the Shuyak Straight and Shuyak Island parcels would be first rate additions to Shuyak State Park.

Recent developments in the zoning practices of the Kodiak Island Borough place new threats on the Kodiak National Wildlife Refuge. Changes in the Conservation and Rural Development zoning requirements on private land have opened the door to unplanned, excessive development with little supervision by the Borough. While this will affect all parcels within the refuge, we are particularly concerned with the Karluk River area. This is prime Kodiak Brown Bear habitat and is very important for summer feeding. The bears are sure to suffer if development occurs along the Karluk River. All efforts should be made to protect the integrity of the Kodiak National Wildlife Refuge.

Thank you for the opportunity to comment.

  
Calvin Sweeney  
President, Kodiak Audubon Society

  
Mary Forbes  
Conservation Chair, Kodiak Audubon Society

94-HP-004

PRINCE WILLIAM SOUND SETNETTER'S ASSOCIATION

P.O. Box 110263 Anchorage, Alaska 99511

January 3. 1994

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

Dear EVOS Trustee Council Members:

We, a concerned group of Prince William Sound commercial fishermen, wish to convey our preferences and opinions regarding the Comprehensive Habitat Protection Process and the eventual large parcel selections.

As setnet fishermen we are limited to the Eshamy District of P.W.S. and depend upon the health and production of the Eshamy sockeye salmon stock. Currently the Eshamy is the largest sockeye run in P.W.S. Parcel CHE 01 Eshamy Bay contains the habitat critical to this important fisheries resource. CHE 01 is ranked 6th overall in the comprehensive parcel analysis and 4th in the P.W.S. subgroup.

The Eshamy Bay parcel encompasses 7,900 acres and several significant resource populations. The Eshamy sockeye stock mentioned above is the premier fisheries resource in the parcel. The Eshamy sockeye is highly valued by both commercial and recreational resource harvesters. It is one of the latest sockeye runs in the State and is of a very high quality. The Eshamy sockeye is also a lake spawning stock, Eshamy Lake and River are included in the CHE 01 parcel.

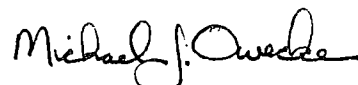
The Eshamy River and Lake system are also home to one of the most western populations of cutthroat trout. The population is now greatly reduced which we understand may be spill related. The Eshamy Bay parcel also encompasses several pink salmon streams and is home to many of the birds and mammals injured by the spill. The Eshamy Lagoon is a unique and special piece of P.W.S. both as a scenic area and being rich in natural resources.

In the selection process it is also noteworthy that large portions of Eshamy Bay and adjacent shorelines were subject to extensive and heavy oiling due to the Exxon Valdez oil spill.

For the reasons mentioned we believe that parcel CHE 01 Eshamy Bay should be of the highest priority in the large parcel selection and acquisition process. Parcel CHE 02 Jackpot Bay is home to another of the few sockeye stocks in P.W.S. and it also deserves a high priority in the selection process. Though less critical parcel CHE 03 would combine with 01 and 02 to form a sizeable unified parcel of 35,000 acres and many miles of shoreline.

Thank you for your consideration.

Sincerely,



Michael J. Owecke, Pres.

94-HP-005

RECEIVED  
JAN 10 1994

Odin E. Brudie  
1960 Wildwood Lane  
Anchorage, AK 99517  
(907)258-9453

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

January 4, 1994

Exxon Valdez Oil Spill Restoration Trustee Council  
645 "G" St.  
Anchorage, AK 99501

Dear Trustees:

There is a place that I've been that I would like to describe to you; it is also a place that you are considering for acquisition, to restore or replace resources damaged by the oil spill. I would also like to briefly state, that to restore land into public ownership is the most valuable long term step we can take in the settlement of oil spill damages.

The place is the heart of Kenai Fjords National Park. Delight and Desire Lakes, McCarty Lagoon, and the surrounding bays and beaches of McCarty Fjord are to be patented to the Port Graham Corporation. This land contains the best juxtaposition of wildlife habitat and recreation that exists in the park. Access by floatplane is excellent and popular. The Fjord, the Park Service cabin, and the camp sites make McCarty one of the best places to visit in the park. McCarty Lagoon is a haven for otters and eagles. I have quietly floated among a raft of three dozen sea otters. From the beaches you can catch dolly varden, pink and sockeye salmon in the right season, and from the boat, halibut. If it sounds like the best kept secret in southcentral Alaska, it probably is. For this reason you may not have heard or seen enough about it. That is why I write.

McCarty Fjord is the longest of the fjords in a park named after these features. The Port Graham Corporation land is exactly the type of resource defined in your criteria for habitat acquisition:

- 1) Kenai Fjords National Park was directly impacted by the oil spill. In fact much of the statewide and national publicity after the spill focused on the asphalt-covered beaches and the damaged otters, birds, and tourism in this park.
- 2) In McCarty Fjord and Lagoon reside the species affected by the spill, most notably sea otters, harlequin ducks, bald eagles, pink and red salmon, and dolly varden. The sockeye runs of Delight and Desire Lakes/Creeks are special; they are wild stocks which have not yet been enhanced or stocked in any way.

McCarty Fjord  
January 4, 1994  
Page 2

3) The recreational use of the area is significant and will only grow in popularity; the Park Service cabin is new, the access is primarily by air, but it is only a 20 to 30 minute flight from Homer.


4) To top it all off, this land is completely within a National Park. The only reason it has been cookie-cut out of the park is the oversight in the ANCSA which later forced the Interior Department to open this land to selection by the village corporations.

It is an excellent candidate for acquisition.

In the case of McCarty Fjord you do not have the seller coming at you pushing the sale, or threatening to move in with the chain saws. Port Graham Corporation is a reasonable company that has every right to own this land. Please do not forego any opportunity to strike a deal with a willing seller and to restore the heart of this national park.

This you know, and I can guarantee: Kenai Fjords National Park is one of the most visible and scenically famous of all of the areas affected by the spill. Nowhere else will the benefits of the settlement be better stated. Thank you for reading.

Sincerely,

  
Odin E. Brudie  
Anchorage

cc: Chip Dennerlein; National Parks and Conservation Association

94-HP-006

JAN. 20, 1994

RECEIVED

TO TRUSTEE COUNCIL

JAN 24 1994

EXXON VALDEZ OIL SPILL

TRUSTEE COUNCIL

I HAVE REVIEWED THE LARGE  
PARCEL EVALUATION PROCESS.

ALL IS WELL AND GOOD AS  
WRITTEN, HOWEVER IT LOOKS  
BOGUS AND ONLY ANOTHER WAY  
TO JUSTIFY A HUGE "GOVERNMENT  
LAND GRAB". LEAVE THE LANDS  
BE, "MOTHER NATURE" WILL CURE  
SPECIES ILLS MUCH BETTER  
THAN "UNCLE SAM" EVER CAN.

SINCERELY,

Samuel Beaman

SAMUEL BEAMAN

JUNEAU, AK 99803

PS: THE NATIVE CORPS WILL DO OK  
WITH THEIR LANDS, SO THEY MAY CUT  
SOME TIMBER

94-HP-007

RECEIVED  
JAN 27 1994

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

January 21, 1994

Dear Sirs;

I would like to comment on the "Large Parcel Evaluation and Ranking Document". Although I agree with the other parcels that you have ranked as "high" I believe more lagoon and estuary habitat should be added to the list. Specifically Sulua/Portage Bays (AK105), Sukhoi/Kempff Bay (AK109) and Kaiugnak Bay (AK 101).

Most of the birds and animals that have been used to determine a ranking are found in these three areas. There are both pink and silver salmon along with chum salmon. There are common murre, harlequin ducks, bald eagles, oystercatchers, and pigeon guillimots. There are harbor seals and river otters present. Sea otters are being seen more frequently as they reestablish their range to the south end of Kodiak Island.

The village people of AKhiok use Kempff Bay and Sukhoi Lagoon for subsistence salmon and ducks.

The south end of Kodiak is a remote area so far. Every year there is increased use by hunters and sport fishermen. Now is the time to set aside these rich and diverse areas to maintain the abundance and variety of fish and wildlife.

Sincerely,

Joni Munsey  
734 Willow Cr.  
Kodiak, Ak.

99615

94-HP-008

RECEIVED

JAN 28 1994

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

January 19, 1994

Dear Sirs;

I have spent many years on Kodiak Island observing the fish and wildlife. I have just finished reading the "Large Parcel Evaluation and Ranking Document" and would like to offer my comments.

I would like to see every parcel on Kodiak included in any buy-back program, but I'm especially concerned about the estuary habitat. The areas that I'm especially concerned with are Sulua/Portage Bay (AK105), Sukhoi/Kempff Bay (AK 109) and Kaiugnak Bay (AK101).

These areas are undeveloped and support a wide variety of fish and wildlife. It's well known that the south end of Kodiak is a resting area for migrating birds. Sukhoi and Portage Lagoons have early chum runs that are important food for brown bear. These estuaries provide critical rearing areas for juvenile salmon and spawning areas for herring. In 1992 there were thousands of common murre using the area.

Please review these areas and consider adding them to the list of parcels with a "high" rating.

Sincerely,

*Wendy A. Close Ekow* P.O. Box 338 Kodiak AK 99615



IN REPLY REFER TO:

# United States Department of the Interior

## NATIONAL PARK SERVICE

Alaska Regional Office  
2525 Gambell Street, Room 107  
Anchorage, Alaska 99503-2892

94-HP-009

TAKE  
PRIDE IN  
AMERICA

L1425 (ARO-OL)

James R. Ayers  
Executive Director  
Exxon Valdez Oil Spill Trustee Council  
645 G. Street, Suite 402  
Anchorage, Alaska 99501

JAN 26 1994

RECEIVED

JAN 31 1994

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

Dear Mr. Ayers:

We request that the evaluations and rankings performed for the Comprehensive Habitat Protection Process for the Native corporation lands within Kenai Fjords National Park be reviewed and modified as appropriate by your office. We ask that the rankings be reviewed in light of the concerns and comments expressed below.

Parcel # ENB04. The parcel(s) is almost entirely surrounded by lands in public ownership. We believe the ranking for criteria #7 should be changed to a "yes."

Parcel # ENB05. The parcel is surrounded by water or public lands on all sides except the north side. The north boundary is approximately 15% of the entire boundary of the parcel. Additionally, the north boundary is in an area of extreme topography that would restrict movement of species between the subject parcel and the one to the north. For these reasons we believe the ranking for criteria #7 should be changed to a "yes."

Parcel # PTG02. This parcel has what appears to be a commercial stand of trees in a valley bottom in the middle of the parcel. This stand is probably the most extensive, compact and accessible in the Fjords. With a sawmill close by in Seward, owned by Chugach Alaska Corporation, this stand appears particularly susceptible to harvest. Additionally, the Port Graham Corporation has identified the northern end of this parcel for potential lodge development. For these reasons we believe the ranking for criteria #6 should be changed to a "yes."

Parcel # PTG03. This parcel is surrounded on nearly all sides by water or public land. We believe ranking criteria #7 should be changed to a "yes."

Parcel # PTG04. This parcel has substantial water frontage, borders overselections (which will definitely remain in public ownership) on the northeast, and borders other Native corporation lands on the west and south. The extreme topography and

hydrographic divides are significant ecological barriers. For these reasons we believe ranking criteria #7 should be changed to a "yes."

Parcel # PTG05. For the reasons given for preceding parcels, we believe ranking criteria #7 should be changed to a "yes."

Parcel # PTG06. For the reasons given for preceding parcels, we believe ranking criteria #7 should be changed to a "yes."

Regarding the existing evaluations of pigeon guillemots in many of the parcels within Kenai Fjords National Park, for no parcels were high scores determined. This apparently results from nesting being characterized as "probable," not confirmed. While no nests have been positively identified in this area to our knowledge, it can be stated with certainty that nesting occurs on many of the parcels. It is known that this species nests in shoreline boulder jumbles and rock crevices and does not travel far from nest sites for feeding and resting. It can be stated with great certainty that nests are present in the vicinity of small groups of pigeon guillemots found along rocky shorelines. U.S. Fish and Wildlife Service surveys of seabirds in this area have recorded occurrences of pigeon guillemots along many shorelines within the park. We are informed by Edgar Bailey, seabird biologist, USFWS, Alaska Maritime NWR, who has surveyed these shorelines, that nesting does occur in these areas. Pigeon guillemots have been observed flying into and out of boulder jumbles and rock crevices in this area. We have reviewed the surveys and have determined that pigeon guillemots nest within a number of parcels within the park. Please refer to the enclosure for parcel-specific information. We request that scores for these parcels be changed to "high" for pigeon guillemots.

We appreciate your consideration of our concerns, and would be pleased to provide any further information possible. Please call Charles Gilbert of this office at 257-2584 as needed in this regard.

Sincerely,



*John M. Morehead*  
John M. Morehead  
Regional Director

Enclosure

Evaluation of Nesting Potential for Pigeon Guillemots (*Cepphus columba*) Along Selected Sections of the Coast of Kenai Fjords National Park

January 13, 1994

Michael Tetreau and Jeff Troutman, Resource Management Division, Kenai Fjords National Park

Much of the rocky shoreline of the park is suitable for nesting by pigeon guillemots. "Pigeon guillemots typically nest in natural cavities with boulder beaches, talus slopes, and broken cliffs at low elevations providing suitable nest sites" (Sowls, Hatch, and Lensink in Catalog of Alaskan Seabird Colonies, USFWS, 1978). Another source cites that "crevices and cavities in cliffs and amongst boulder rubble most commonly used...." (Peter Ewins in The Birds of North America, No. 49, 1993). As a result, this species is seen regularly along most of the coastline. Another indicator that nesting is probably scattered along much of the shoreline is that "in summer, most foraging occurs within 0.2-7.0 km of the colony" (Peter Ewins in The Birds of North America, No. 49, 1993). Although the location of several small colonies is known, it is highly probable that many more small colonies exist along the coast.

The following table presents data from seabird surveys along park coast from 1986 to 1992. The table also contains anecdotal information from documented wildlife observations (database kept at the park) and other surveys along the coast, as well as comments by the authors regarding the general suitability of the shoreline for nesting. For the survey data (columns 3-7) the numbers indicate the number of individuals seen along the shoreline segments indicated in column 1 (Nishimoto and Rice, "A Re-Survey of Seabirds and Marine Mammals Along the South Coast of the Kenai Peninsula, Alaska During the Summer of 1986", 1987). Asterisks indicate that a segment was not included in the survey.

Seabird Survey Segment	Habitat Acquisition Parcel	JUNE/JULY 1986	JULY 1989	AUGUST 1989	JULY 1990	JULY 1992	Notes/Comments
018	PTG07	16	1	11	8	3	Several pairs or singles foraging in the water (6/4/84)
200	PTG07	4	*	*	9	*	
201	PTG07	5	*	*	3	*	
202	PTG07	2	*	*	1	*	
203	PTG07	1	0	0	0	0	
204	ENB07, PTG07	2	*	*	0	*	
205	ENB03, ENB07	4	*	*	0	*	
206	ENB03	2	*	*	1	*	
207	ENB03	1	*	*	4	*	
208	ENB03	1	*	*	5	*	
209	PTG06, ENB03	3	*	*	7	*	
210	PTG06	0	*	*	0	*	
211	PTG06	2	*	*	3	*	
212	PTG06	16	15	26	3	4	
213	PTG06	12	12	24	8	0	20 nest sites in an overhanging cliff with crevices. The young could be heard after adults flew in with small fish (7/13/83).
214	PTG06	2	*	*	0	*	

Seabird Survey Segment	Habitat Acquisition Parcel	JUNE/ JULY 1986	JULY 1989	AUGUST 1989	JULY 1990	JULY 1992	Notes/Comments
215	PTG06	*	*	*	0	*	
300	PTG06	2	0	*	0	6	
301	PTG06	18	*	1	6	*	
302	PTG06	9	8	9	8	4	
303	ENB06	2	8	0	6	5	15 in water and on rocks in cliff face...some seen in cliff crevices, presumably on nests (7/15/93).  Common south of mouth of James Lagoon (7/23/93)
304	ENB06	39	*	*	22	*	15 in water and on rocks in cliff face...some seen in cliff crevices, presumably on nests (7/15/93).  Common south of mouth of James Lagoon (7/23/93)
311	PTG05	16	1	3	3	1	
312	PTG05	*	*	*	10	*	
313	ENB05, PTG05	16	*	*	3	*	
314	ENB05	1	1	8	9	0	
315	ENB05	1	*	8	2	*	
401	ENB05	37	*	*	1	*	The headlands and outer areas of Chance cove provide excellent nesting habitat. PIGU's commonly seen along this area.
402	ENB05	16	4	27	1	2	This area has excellent nesting habitat. PIGU's commonly seen along this area.
403	PTG04	23	*	*	8	*	Many adults in area; in water and flying to and from sea cliffs (7/24/93).  12 PIGU's...the cliffs at the south end of the bay are clearly a seabird nesting colony (oil spill assessment team, SSAT, 4/90).
405	ENB04	14	66	73	17	6	Location where there may be nesting is not near parcel
406	ENB04	6	*	*	3	*	
407	ENB04	22	*	*	10	*	Cliffs at Cloudy Cape contain small seabird colonies and PIGU's are commonly seen flying around the cliffs.

Seabird Survey Segment	Habitat Acquisition Parcel	JUNE/ JULY 1986	JULY 1989	AUGUST 1989	JULY 1990	JULY 1992	Notes/Comments
409	ENB04, PTG03	12	*	*	4	*	
410	PTG03	13	*	*	3	*	
411	PTG03	4	*	*	4	*	
413	PTG03	8	*	*	11	*	
501	PTG02	8	*	*	3	*	Good nesting habitat
502	PTG02	81	*	*	10	*	Good feeding areas around Beard's Hollow and good nesting habitat towards Cup Cove
503	PTG02	15	*	*	30	*	Excellent feeding area, but not a real good nesting habitat
506	ENB02	6	*	*	9	*	
507	ENB02	5	*	*	3	*	
508	ENB02	52	20	4	5	6	Good feeding and nesting habitat
509	ENB02	21	*	*	13	*	Good feeding and nesting habitat
510	ENB02	0	*	*	3	*	
602	ENB02	36	*	*	15	*	Good feeding and nesting habitat
603	ENB02	38	24	18	17	8	Good feeding and nesting habitat
607	PTG01	2	7	4	1	1	
608	PTG01	11	*	*	1	*	
609	PTG01	14	*	*	7	*	
610	PTG01	2	*	*	3	*	
611	PTG01	3	1	1	12	0	
612	PTG01	24	6	10	9	0	Good feeding and nesting habitat
614	ENB01	18	*	*	6	*	Good nesting habitat
615	ENB01	24	6	8	7	2	Good feeding and nesting habitat
704	ENB01	19				*	