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# Eyak Public Comments

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**Public Comments** 



# EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL

1120 Huffman Road #362 Anchorage, Alaska 99515

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May 15, 1997

EVOS Trustee Council 645 G Street Anchorge, Alaska 99501

Gentlemen:

I am writing to request that you purchase as much land as possible from the Eyak and Afognak Joint Venture corporations. Particularly in the forest surrounding Paul's and Laura Lakes on Afognak Island.

Thank you for your attention.

Very truly yours,

7 (Mrs.) Donna White

Dear Trustee Council, My name is Jennifer Rose Smith I am an "8" year old Eyak Indian. and I am writing you because I yoy to donit Wan yy my land around Eyak Lake, Eyak River, and Power Creek. do, not only me but a whole уоч other People will be Please don't take our land away from us! Signed, Jenn!fer Rose Smith DECEIV 6 box 25 6 1997 EXXON VALOEZ OIL SPILL Cordova, Alaska 99574

Carol Hoover 148 Oak Springs Drive San Anselmo, CA 94960 415/454-2436/ph 415 455 0748/fax choover@triad.inc.com

Date: 1 May 1997

To: Molly McCammon / Exxon Valdez Oil Spill Trustee Council

From: Carol Hoover

Pages: cover plus 2

1 May 1997

Molly Mc Cammon Exxon Valdez Oil Spill Trustee Council 645 G Street Suit 401 Anchorage Alaska 99501

Dear Molly:

I appreciate the comprehensive package and documents you sent to me regarding the Exxon Valdez restoration plan. The package was not comprehensive on the subject of fee simple acquisitions and why it is happening to Native lands in the spill zone, and that was my main inquiry. The only attempt at an explanation I saw is that it would be easier to manage the preservation and restoration issues if the land was owned by the US Government. That there is no Native representation on the Trustee Council is also a sad fact. Why is this?

I remain solidly against the fee simple transactions that are happening on Native American lands in the name of preservation and restoration. Their loss of title will mean a loss of culture, and an un-estimateable loss of value to them now and to their children. These lands are worth way more per acre than the price that is being offered. I contend that these lands can be placed in trust, with agreements in place in perpetuity that would allow transfer of title if the agreements concerning preservation and restoration were broken. If the lands are sold fee simple, we are wiping out cultures as well. Their history and heritage will become plaques on US park service kiosks for us to wonder about.

What needs to be strived for is a protection of bio-diversity within natural environments. We need to protect the issues of sovereignty. It is OK to have Native Americans on their lands, possibly turning on their computers and communicating around the world, and then going subsistence fishing for themselves and their families. A blending of living traditional cultures with the trends of the future is attainable— and disparately needs to be protected in these times. We are in danger of a becoming a crass mono-culture, ruled by profits, with the glimpses of past cultures in muscums and in forbidden roped off areas, for us to view and "please do not touch."

You stated that no lands are being sold to unwilling parties. But, less money is being offered for conservation easements, etc. More money is being offered for fcc simple. And, not all the people involved really understand the finality of their Boards decisions, nor are they being fully informed before the fact. Is the Trustee Council helping the Native people protect their restoration settlements to see that the money lasts in perpetuity too? A sum a month seems like a gift, especially since many of these "only for profit" ANCSA corporations have not performed very well in their extractionary policies in the PWS area.

These monies should be put in trust funds for the benefit of not only the preservation and restoration of the region, but for the preservation and restoration of living Native cultures.

It would be a phenomenal accomplishment, a worldwide precedent. The Trustee Council can help make this possible. Why not?

I am also making a specific request. It is my hope that concerning the Eyak Corporation that you purchase only conservation easements around Eyak Lake, Eyak River and Power Creek and not offer to buy the land in fee simple title from the Eyak Indian people. True habitat restoration can still be achieved without buying their ancestral land.

The Native Americans in Alaska have a right to their land. They have fought for it, just like us. I contend they, Native Americans, are being duped, again, and that this is a brilliant yet insidious way to gain title of prime ANCSA lands for the US Government.

Sincerely,

Carol Hoover Cordova landowner and concerned American citizen

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28 April, 1997

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

#### Subject: Eyak Habitat Protection and Acquisition

Dear Ms. McCammon:

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On behalf of the 1.3 million members at World Wildlife Fund (WWF), I would like to comment on the proposed Eyak fish and wildlife habitat conservation and restoration lands package (Eyak parcels EYA 01 through EYA 13). Because these lands include coastal temperate rainforests that have otherwise been under represented in the EVOS land acquisitions, the Council could make significant reparations for the recovery of numerous injured fish and wildlife species associated with this and other habitat types as well as ensure continued subsistence use and public access to the proposed acquisitions.

A recent computer mapping (Geographic Information System) and conservation assessment by WWF of 116 North American ecoregions (large geographic areas having similar species assemblages and ecological processes) ranked the coastal temperate rainforest region of Alaska as "globally outstanding." This region received the highest ranking for biodiversity attributes evaluated by WWF because it contains some of the most productive marine and terrestrial ecosystems in the world as well as one quarter of the world's declining temperate rainforests. Therefore, it is vital that the Council acquire all temperate rainforest lands from willing sellers in the spill region in order to sustain the verdant natural resources that such lands provide and to ensure recovery of injured fish and wildlife species that local communities depend on for subsistence. The Eyak land acquisitions would allow the Council to make strategically significant acquisitions within a region that is of global as well as local importance.

In addition, to WWF's computer analysis of this region, the Eyak lands are some of the most productive and biologically rich parcels in the entire spill region. These lands are vital to the recovery of injured fish and wildlife for the following reasons:

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Ms. Molly McCammon 28 April, 1997 Page 2

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• Over 80 anadromous fish streams (many of which serve as important corridors for passage of migrating salmon), numerous lakes and lagoons, approximately 50 miles of freshwater shoreline, and 150 miles of saltwater shoreline. Such aquatic areas are vital to the recovery of injured salmonids (all five species of salmonids occur in moderate to high numbers) and intertidal organisms.

■ High nesting concentrations of bald cagles; 85% of the lands received high rankings for eagles, due primarily, to the juxtaposition of suitable nesting habitat and high concentrations of spawning salmonids.

■ High concentrations of seabirds, particularly those injured by the oil spill: marbled murrelet, harlequin duck, black oystercatcher, and pigeon guillemot (several parcels received moderate to high rankings).

■ High water quality and watershed values. Several of the parcels are crucial for maintaining city drinking water supplies and have been designated as "Areas Meriting Special Attention" under local coastal zone management plans. Protecting these areas from logging would ensure continuation of high quality drinking water and fish habitat that the region is dependent on.

Important pupping, feeding, and halout areas for harbor seals and sea otters.

• Opportunities to create ecosystem-based management and coordinated conservation strategies in the spill region. Many of the Eyak lands are juxtaposed with USDA Forest Service lands and highly productive wildlife areas (e.g., Olsen and Beartrap bays, Copper River Delta). When joined to other protected areas, the Eyak lands would contribute to overall ecosystem integrity and resource recovery beyond their immediate importance by providing large core reserves (refugia from human disturbances) and connecting corridors for the passage of fish and wildlife. In addition, because the Eyak lands include a mixture of terrestrial, riparian, and marine environments their protection would better ensure recovery of resources spanning multiple and interconnected habitat types.

Ecologically significant lands for many species and community types at their geographic limits. Eyak lands include one of the few areas in Prince William Sound where Alaska cedar, muskeg, alder, cottonwood, and wintering trumpeter swans occur.

• Logging and related road building activities and development would jeopradize resource recovery in the spill region. Local economic pressures could exert a profound effect on the areas natural resources if such lands are not acquired or put into conservation easements to provide resource dependent communities with alternatives to unsustainable development and logging. A combination of surface fee acquisitions and conservation easements (particularly timber easements) would allow the region to appropriately balance Ms. Molly McCammon 28 April, 1997 Page 3

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economics with conservation and would direct development away from ecologically fragile lands. Such a comprehensive approach to resource management would ensure that the regions high subsistence and recreational values are maintained in an ecologically appropriate manner, offering sustainable economic opportunities for local communities. This approach is consistent with the Council's other important acquisitions in the spill region that have balanced economic use with conservation of injured resources such as the Kodiak habitat acquisitions.

In closing, we support the Council's previous landmark acquisitions in the spill region and we hope that the Council will now continue these bold steps to recovering injured resources by completing the Eyak conservation and restoration lands package in this globally outstanding region. Please feel free to contact me at 202-822-3465, should you have any questions regrading my comments. Once again, thank you for all the hard work the Council has done to recover the regions' injured resources.

Sincerely, Nadal

Dominick A. DellaSala, Ph.D. Director U.S. Forest Conservation Program



April 24, 1997

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

First Street P.O. Box 99 Cordova, Alaska 99574 (907) 424-7260



EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL

Dear Ms. McCammon and Members of the Trustee Council:

The Cordova Chamber of Commerce supports the ongoing negotiations between the Exxon Valdez Oil Spill (EVOS) Trustee Council and the Eyak Corporation for acquisition and conservation of 78,820 acres offered to the Council. The economic health of the City of Cordova depends largely on the health of our fishing industry. Included in the parcels for discussion are areas sensitive to fish habitat. The Chamber of Commerce strongly encourages any bargaining that will safeguard this vulnerable region.

The fund administered by the Trustee Council was intended to finance restoration projects and protect natural resources and the sensitive ecosystems contained within the oil polluted areas of the Prince William Sound and surrounding areas. The proposed parcels offered by the Eyak Corporation for consideration fall directly in line with the criteria needed for acquisition. In addition, an agreed settlement would generate capital for Eyak shareholders to foster economic growth by giving them the ability to diversify business development opportunities while creating long term habitat conservation in many areas sensitive to our fisheries.

The commitment of the EVOS Trustee Council to restore and protect the Prince William Sound is evident and appreciated by the community. We *strongly* encourage the Council to complete negotiations with the Eyak Corporation to a successful end. Finalizing the agreement will be in the best interest of the people and land encompassed by Prince William Sound. Thank you for your attention.

Sincerely,

Cordova Chamber of Commerce

Belen Cook, President

Carolyn Swanson 5941 Camino Lane #5 Paradise, CA 95969

Exxon Valdez Oil Spill Trustee Council 645 G St. Anchorage, AK 99509

Dear Trustees,

Government studies show that, five years after the Exxon Valdez oil spill, most populations of injured wildlife, including sea otters, seals, harlequin ducks, murrelets, and wild salmon, have not yet begun to recover. These species depend on the rain forest for their continued existence. However, large areas of forest along the 1500 mile stretch of coastline affected by the spill are scheduled for clearcutting in the near future.

The \$600 million from the settlement paid by Exxon that the Council controls can be utilized to permanently protect this unique and precious region along the Gulf of Alaska. Many of the Native-owned corporations that control inholdings scheduled for logging would prefer to sell the lands or timber rights for habitat protection, rather than see them logged.

I strongly urge you to spend ALL of the settlement funds to acquire the private lands within Chugach National Forest, Kenai Fjords National Park, Afognak Island, and Kodiak National Wildlife Refuge. Only in this way can the wildlife populations of the region recover.

-12.

Sincerely

Carolyn Swanson

Helen Faraday Young 716 N. June St. Los Angeles, CA 90038

Exxon Valdez Oil Spill Trustee Council 645 G St. Anchorage, AK 99509

Dear Trustees,

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Government studies show that, five years after the Exxon Valdez oil spill, most populations of injured wildlife, including sea otters, seals, harlequin ducks, murrelets, and wild salmon, have not yet begun to recover. These species depend on the rain forest for their continued existence. However, large areas of forest along the 1500 mile stretch of coastline affected by the spill are scheduled for clearcutting in the near future.

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I strongly urge you to spend ALL of the settlement funds to acquire the private lands within Chugach National Forest, Kenai Fjords National Park, Afognak Island, and Kodiak National Wildlife Refuge. Only in this way can the wildlife populations of the region recover.

-18.

Sincerely Helen Faraday

# Cordova District Fishermen United

Celebrating 62 Years of Service to Commercial Fishermen in Cordova, Alaska P.O. Box 939 Cordova, Alaska 99574 / Telephone (907) 424-3447 / Fax (907) 424-3430

April 23, 1997

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



# EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL

Dear Ms. McCammon and Members of the Trustee Council:

Cordova District Fishermen United (CDFU) is writing this letter in support of the ongoing negotiations between the Exxon Valdez Oil Spill (EVOS) Trustee Council and the Eyak Corporation for acquisition and conservation of 78,820 acres offered to the Council. The expressed mission of CDFU is to preserve, promote and perpetuate the fisheries in the Prince William Sound and the Copper River. Included in the parcels for discussion are areas sensitive to fish habitat. These are consistent with our mission goals and therefore, CDFU strongly encourages any bargaining that will safeguard this vulnerable region.

The fund administered by the Trustee Council was intended to finance restoration projects and protect natural resources and the sensitive ecosystems contained within the oil polluted areas of the Prince William Sound and surrounding areas. The proposed parcels offered by the Eyak Corporation for consideration fall directly in line with the criteria needed for acquisition. In addition, an agreed settlement would generate capital for Eyak shareholders to foster economic growth by giving them the ability to diversify business development opportunities while creating long term habitat conservation in many areas sensitive to our fisheries.

The commitment of the EVOS Trustee Council to restore and protect the Prince William Sound is evident and appreciated by CDFU. We *strongly* encourage the Council to complete negotiations with the Eyak Corporation to a successful end. Finalizing the agreement will be in the best interest of the people and land encompassed by Prince William Sound. Thank you for your consideration.

Sincerely, CORDOVA DISTRICT FISHERMEN UNITED

Chevi Show Cheri Shaw, Executive Director

April 23, 1997

TATAL P. 81

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

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Dear Molly,

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I am writing this letter as a Cordova resident who is concerned about the pace, price, and potential outcome of the pending EVOS Trustee Council negotiations with Eyak Corporation over lands in eastern Prince William Sound. I think it is important to state the obvious: that perspectives differ and while the Trustee Council is negotiating on behalf of habitat protection and restoration, Eyak Corporation is weighing benefits and consequences that will surely accrue, whether now or in the future, from loss of its land base.

**}**...

Eyak Corporation has asked my support for successful conclusion of the ongoing negotiations between the Trustee Council and the corporation over the comprehensive habitat protection package involving its lands in castern Prince William Sound.

For the past two years I have been involved with a citizen initiative to diversify the local and regional economy of the Copper River watershed while protecting the cultural heritage and the environment. I must make it clear that this letter is my own, however my past work has influenced my present philosophy of land management and ownership. I find that what is missing in many of Alaska's citizens is a land ethic, a sense of caring and stewardship, a balance of economic and environmental concerns, instead of raw environmental exploitation. I can only conclude at this point that this missing ethic in part stems from the dominant land ownership by the federal government. Therefore, I support retention of land by private owners, particularly for Alaska's Native people whose culture is so intimately tied to the land.

1 reviewed the discussion draft map and observed that the bulk of the negotiation (55,000 acres) is for fee simple title, while the remainder is for conservation easements (6,400 acres) and timber conservation easements (17,500 acres).

I strongly encourage the Trustee Council to get creative and purchase for less than fee title, especially in areas of cultural importance to the Eyak people. It is my understanding that the area around Power Creek, Eyak Lake, and Eyak River is of particular cultural sensitivity. It is an area meriling special attention, because the City of Cordova has also annexed the bulk of these lands. I believe it is in the best interests of everyone, present and future, if these lands were to be included as super restrictive conservation easements, rather than as fee title.

There is an opportunity, through these negotiations, to create a sustainable future for this region by integrating comprehensive conservation for critical fish and wildlife habitat, and protections for subsistence and recreational resources, with development opportunities for Eyak Corporation and long-term benefits for its shareholders. I believe this opportunity would be best seized through more conservation easements and less fee title purchases.

Nonetheless, I encourage the Trustee Council to complete its negotiations with Eyak Corporation over these land parcels. Whatever the result, the future of the region will be determined by your decisions. *Carpe diem*! Seize the day.

Best wishes for successful closure,

Take Ott

ALASKA RAINFOREST CAMPAIGN

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

Dear Trustee Council Members,

Thank you for your continuing efforts to negotiate an agreement with the Eyak Corporation to protect habitat in eastern Prince William Sound, for the benefit of fish and wildlife, and the people who depend on them. It has been a long and time consuming process so far, and we greatly appreciate the Trustee Council's patience and the corporation's willingness to be flexible and return to the table with a fresh approach.

Protection of the habitat belonging to the Eyak Corporation has always been and still remains a high priority for the members of the Alaska Rainforest Campaign. We strongly urge both parties to negotiate a comprehensive deal including protection of Eyak's land on the coast of Prince William Sound, as well as the Eyak Lake / Eyak River / Power Creek area and the Rude River drainage.

We urge you to persevere towards conclusion of a comprehensive agreement, as you have done so successfully now with nearly all of the willing sellers of large parcels from Prince William Sound to the Kodiak Archipelago. Protection of these lands will be a critically important addition to the Trustee Council's extraordinary legacy of restoration of the Exxon Valdez disaster.

Sincerely,

Suy Pitnich

Greg Petrich Wildlife Conservation Director

Kevin Harun, Executive Director Alaska Center for the Environment

Uly Kabisch

Sally Kabish, Associate Alaska Representative Slerra Club

Milla

Michael A. Francis, National Forest Program The Wilderness Society

ALASKA OFFICE: 419 WEST SIXTH AVENUE, \$318 • JUNEAU, AK 99801 FAX 907-463-6716 • PHONE 907-274-7246 AKRAIN @ IGC.APC.ORG (INTERNET)

Eric Jorgensen, Campaign Co-Chair Sierra Club Legal Defense Fund

aurice

Nathaniel Lawrence, Counsel Natural Resources Defense Council

Buck Lindekugel, Conservation Director Southeast Alaska Conservation Council

Robert Dewey, Habitat Conservation Director Defenders of Wildlife

MAIN OFFICE: UNITED METHODIST BUILDING 110 MARYLAND AVE. N.E., #203 • WASHINGTON, D.C. 20002 FAX 202-544-5687 • PHONE 202-544-5396 AKRAIN2 @ :GC.APC.ORG (INTERNET)

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April 23, 1997



April 23, 1997

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EXXON VALDEZ OIL SPILL

TRUSTEE COUNCIL

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

Dear Ms. McCammon:

I am writing in support of the Exxon Valdez Oil Spill Trustee Council's purchase of 78,820 acres of Eyak Corporation land in Prince William Sound, specifically in Port Gravina, Sheep, Simpson and Windy Bays, and Eyak Lake and River. The acquisition of these lands or conservation easements will accomplish a number of important goals for Eyak Corporation and other residents of both Cordova and Prince William Sound.

The acquisition of these lands will offer protection for many injured resources in Prince William Sound, create long term habitat conservation, enable capital investment by Eyak Corporation and enhance economic activity in Cordova's struggling economy. Proceeds from this acquisition may also create a permanent settlement trust for Eyak Corporation Shareholders, which could provide long term benefits and protection of recreational and subsistence activities.

When the EVOS Trustee Council completes this acquisition, an important era of pain and mistrust will begin to heal. The residents of Cordova will finally realize a milestone that has been anticipated for many years. Although difficult to quantify, the emotional satisfaction this acquisition creates will benefit us all.

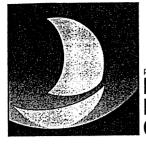
If you have any questions regarding my position and support of the Eyak Corporation's proposal, please contact me at (907)424-6200. I appreciate your help.

Sincerely,

P.K.Sonford for W. Scott Janke City Manager

cc: Brian Lettich, Eyak Corp.

602 Railroad Avenue P.O. Box 1210 Cordova, Alaska 99574 Telephone (907) 424-6200 Fax (907) 424-6000



ECONOMIC DEVELOPMENT COUNCIL



EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL

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

April 22, 1997

RE: Eyak Habitat Project

## Dear Molly,

I'm writing in support of the Eyak Habitat Project. Approximately 78,820 acres of Eyak lands have been offered to the Exxon Valdez Oil Spill Trustees for consideration for acquisition. The purchase of these lands by the Trustees would promote the restoration of Prince William Sound by enhancing the recovery of species and resources damaged in the 1989 spill. The purchase would create long-term habitat and conservation areas in Port Gravina, Sheep Bay, Windy Bay, Simpson Bay and Eyak Lake and River.

In addition to enhancing and promoting the recovery of spill impacted species, the purchase would open up numerous possibilities for sport fishing, hunting, camping, hiking and other outdoor activities. The project would also generate capital for Eyak Corporation to use to promote economic growth and local job creation. Eyak would also be able to diversify business activities and further stimulate job growth and development.

The Eyak Habitat Project would allow the creation of a settlement trust to pay long-term benefits to Eyak shareholders and provide solid protection for subsistence and recreational resources. Please consider the Eyak Habitat Project. A decision to acquire these lands will be a very positive step for the Eyak people. It will aid the recovering resources of Prince William Sound. and provide benefits to the residents and visitors who use the Sound for recreation, employment and substance harvest.

Sincerely,

James Winchester Executive Director

> Regional Office: Box 2353 • Valdez, Alaska 99686 • (907) 835-3775 • Fax (907) 835-5770 • EMAIL: pwsedc@alaska.net Satellite Office: Box 1909 • Cordova, Alaska 99574 • (907) 424-7261 • Fax (907) 424-7266

April 21, 1997

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

EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL

RE: Eyak Negotiations

Dear Trustee Council Members,

Thank you for your continuing efforts to negotiate an agreement with the Eyak Corporation to protect fish and wildlife habitat. As you know, such an agreement is of great importance to the people who live in Cordova, and who depend on commercial fishing, subsistence and tourism for a vital economy. Protection of fish and wildlife on Eyak's lands is also a high priority for the conservation community in Alaska and in the nation. We appreciate your willingness to return to negotiations, and Eyak's willingness to accept stronger levels of protection than they had originally planned.

We urge you and the Eyak Corporation to negotiate a comprehensive agreement to protect Eyak's fish and wildlife habitat on the coast of Prince William Sound, along the Rude River, and in the Eyak Lake, Eyak River and Power Creek area.

The Trustee Council has developed a magnificent legacy of restoration of the <u>Exxon Valdez</u> oil spill -- a legacy of fish and wildlife protection that will be cherished by present and future generations of Alaskans and other Americans. We greatly appreciate the hard work and dedication that you and your staff have shown. Eyak can and should be a major addition to your legacy. Thank you for your help.

Sincerely,

Pamela Brodie Environmental Representative EVOS Trustee Council Public Advisory Group P.O. Box 1139 Homer AK 99603 907-235-3855; fax 907-235-6306 April 17, 1997

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



# EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL

#### Dear Molly,

I understand that the Trustee Council and the Eyak Corporation will be sitting down together again shortly to discuss a potential comprehensive habitat protection package for coastal habitat in eastern Prince William Sound, and I just wanted to offer my complete support for the successful conclusion of this long and painful process.

The Council and the Eyak Corporation are to be commended for staying committed to closing a deal in the interest of Restoration and the healthy future of the region. I would respectfully counsel everyone involved to keep your eyes on the prize - the permanent, comprehensive protection of coastal fish & wildlife habitat and public use values of Eyak Corporation lands. It is not at all overstated to suggest that the future of the region will be determined, in large part, by the results of your upcoming negotiations. Without a successful, comprehensive habitat deal here, the character, productivity, and vitality of this magnificent area will, without question, continue to deteriorate. If, however, you agree on a permanent protection package with the Eyak Corporation, the region will be able to look forward to a bright, sustainable future. It is somewhat like the old parable of someone having to choose one of two doors not knowing which leads to eternal hell and which to eternal happiness, except that in this case we know exactly what lies behind each door.

The choice here is just that clear and consequential, and it is entirely in the Council's and Eyak Corporation's hands. The critical nature of your upcoming negotiations is, I think, understood by everyone. All of us know the values of these lands, and all of us know what the right thing to do is. With all of the monies the Council has been provided with which to restore the injured ecosystem and/or offset the damage, there is simply no excuse whatsoever to not close a deal with the Eyak Corporation. Squabbles over the final price tag for a comprehensive deal must not be allowed to stand in the way of the deal. This is not a bargaining session for a used car, where it has become customary for both the buyer and seller to try to mislead and cheat each other and then if they don't succeed at getting everything they want they simply walk away and head down the street to the next lot. If I might be so presumptuous as to say so, your job here is not to go bargain shopping, but rather it is to protect all of the remaining threatened habitat in the Sound. Even if you can't get everything you want at the precise price you want it, you cannot simply walk away this time without fully understanding the dire consequences for the region. I would also reiterate my earlier request that you purchase less than fee title, particularly in areas of cultural importance to the Eyak people.

The successful completion of an Eyak deal will provide an important piece of your overall goal of assisting the full recovery of Prince William Sound. I wish you well, and look forward to celebrating your success with you.

Sincerely, Lick Spring

Rick Steiner, The Coastal Coalition 9940 Nearpoint Dr., Anchorage, AK 99507

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MRS. RICHARD H. TISDA 43 GREENWAY ST. CRANSTON, RI 02910-5913

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Exxon Valdez Oil Spill Trustee Council Attn: Molly McCammon 645 G Street. Suite 401 Anchorago, Alaeka 99501-3451 April 18, 1996

Re: Change of Heart

Dear Trustee Council,

I wish to notify the Trustee Council that from this point forward, I am no longer supporting any further land acquisition by the Council.

I now believe that Natives and community leaders would be best served through projects that promote land stewardship through self determination of culturally appropriate economic development of forested lands.

The relationship with the land provides the basis for the Native cultural identity. Natives must be allowed to retain the land and rekindle their ancestral bonds by determining their own land stewardship ethic – including options for forest management – as part of the legacy they wish to leave their children.

I fully realize that this may result in clear-cutting of some land parcels. But it may not if the Trustee Council and environmental leaders put the same energy that they are now putting into pressuring for land acquisitions instead into providing the people who own the land with a way to work together to build a common future with respect to forest use and management.

Ultimately, I believe that successful long-term stewardship of forested lands occurs when people own the land and own their choices for the land. The ideas for land management must come from the people, not from governments or corporations, however well-intended.

In closing I ask: Can you think of any purchase of indigenous peoples' land by any government that in hindsight was in the best long term interests of the Native people?

I would welcome working with the Trustee Council and others on projects that promote land stewardship and different options for forest management by working with all the people.

Sincerely, EIK OT Riki Ott

Governor Knowles
 Alaska environmental groups
 UFA board members
 Native corporations in the spill zone
 Native tribal councils in the spill zone

TATAL P AL

## LAW OFFICES BIRCH, HORTON, BITTNER AND CHEROT

CONNECTICUT AVENUE, N.W. . SUITE 1200 . WASHINGTON, D.C. 20038-4308 . TELEPHONE (202) 859-5800 . FACSIMILE (202) 659-1077

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April 15, 1997

## VIA FACSIMILE AND MAIL

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

## Dear Molly:

As you know, the grounding of the <u>Exxon Valdez</u> had a devastating effect on the City of Cordova and its residents. Fishing -- commercial, sport and subsistence -- long the mainstay of the City's economy, and the defining aspect of living in Cordova, has yet to fully recover from the spill. Because of the enormous dislocations resulting from the oil spill, even if the fisheries were to fully recover, it is certain that Cordova will be a community permanently affected by the grounding of the <u>Exxon Valdez</u>. The resources on which the community has been so dependent have also not recovered.

Of all the boaters who fished Prince William Sound, approximately 65% have lived in or berthed their boats in Cordova. The biggest fish processing plants in Cordova, also the biggest employers, the largest taxpayers and the largest utility customers, were forced to close during the spill. Most went bankrupt and remain idle to this day.

The oil spill, and that portion of the clean-up effort staged from Cordova, placed an almost unbearable strain on the financial and human resources of this fishing community. The community continues to struggle toward recovery. The stress created in the lives of the people and their families was enormous. At times in the past, the acuteness of this suffering was communicated to the Council in the outrage that was sometimes expressed by certain members of the community. Other than the village of Chenega, Cordova was unquestionably the community most severely impacted from the economic and social devastation wrought by the spill. BIRCH, HORTON, BITTNER AND CHEROT

Ms. Molly McCammon April 15, 1997 Page 2

The community would like to pick up the pieces of their lives and put them back together. To accomplish this in a way that will provide a lasting benefit to the community, the region as well as the spill zone, however, will necessitate some outside assistance, a portion of which could hopefully come from the Settlement Trust and related resources. In helping to represent the City, I would like to let you know that the City will submit to the Council within the next 90 days a request for its support of a comprehensive, community-based project linked to and aimed at furthering restoration goals of the Council while contributing to the recovery of the City, its residents and the resources on which the people are dependent. This project will include a significant contribution from the community itself, and is of paramount importance to the future of Cordova.

Although it is our understanding that this project request does not need to be submitted by April 15, 1997, to be considered for possible support during the coming fiscal year, the City Commission has requested that I inform the Trustee Council at this time that work is underway currently on the development of the project.

We look forward to working with you, other Council representatives, and the Council itself in the days ahead on this project which holds such promise to further restoration under the Consent Decree of the Court, while assisting the recovery of this community in the oil spill zone which was so profoundly and adversely affected by the spill.

Sincerely,

Roy Stapleton Jones, Jr. Representing the City of Cordova, Alaska

cc: Hon. Margie Johnson, Mayor Scott Janke, City Manager City of Cordova, Alaska

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Brian J. Lettich Box 2406 Cordova, AK 99574

April 10, 1996

Cordova City Council:

On 4/17/96, I will be in Washington, D.C., working to secure funding to help lower the cost of electric power in Cordova. Because I will be unable to attend your next meeting, I have put together within this letter, the comments that I wanted to make in person to you.

I was told that during the April 3rd Cordova City Council meeting that Glen Lankard, Jr. made an untruthful accusation in a public statement. To correct this attack on my character, let me state that the 3/22/96 letter I signed and sent to the Mayor of Cordova regarding The Eyak Corporation's selective timber harvest was authored by me, it was not written by my lawyer, nor by Luke Borer.

Right or wrong, I feel that it is important to give credit where credit is due. I am not sure what gave Glen Lankard, Jr. the cause to infer that I would ever sign a document for which I was not responsible for writing. Mr. Lankard's statement seems to purport fraud and I will have no part of it. I worked very hard to prepare the letter I sent to the Mayor and refuse to let anyone take credit for my efforts unless credit is due them.

Let me set the record straight-I do not need an attorney to help me write coherent documents, I definitely would never presume to take credit for work done by Luke Borer, and I've been publicly insulted by Glen Lankard's comments.

The letter that I wrote to Mayor Johnson was based on three items: 1) the petition circulating around the state opposing Eyak's logging operations, 2) comments made during the City Council meeting of 2/21/96, and 3) Dave Archambault's presentation to the City Planning Commission on 2/16/96.

The 3/22/96 letter is my attempt to reiterate Mr. Archambault's original operations presentation, elaborate on relevant issues in enough detail to address all of the public concerns I have heard, and restate The Eyak Corporation's position on the management of its private property. I felt that this letter was a constructive way to present all of this information. Perhaps, my letter doesn't go into enough detail to address all of your concerns and questions, please let me know what further information you might need. 04/30/96 05:00

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It is my opinion that it would be a prudent business practice for council members to contact me and discuss any questions that might arise before you raise these concerns in a public meeting. In this way you can have all of the information to consider, instead of only one side of any issue.

During the Cordova City Council meeting on 2/21/96, Eyak's logging operations were made part of the agenda and yet I was not contacted, informed, nor invited to answer council's questions or defend my actions. Incidentally, I cannot recall receiving any recent phone calls from any member of the Cordova City Council on any matter relating to Eyak's selective timber harvest operations. This troubles me, given the fact that the timber operations have been an agenda item during several recent council meetings. I am available almost every day to talk to any member of the Corodva City Council, please do not hesitate to contact my office should you need anything further regarding the logging issues.

The Cordova City Council has tough decisions to make in the coming weeks which will have long-term effects on Eyak's ability to develop its private property holdings. The Council is encouraged to understand all sides of all issues in order to make the best decisions possible. Please don't bow to pressure from a small minority of the public to act to expedite a severance tax, or a watershed bond as a means to "punish" The Eyak Corporation, without first carefully thinking out the consequences to the city and Cordova's residents. There will surely be unfavorable longterm effects to everyone, not just to The Eyak Corporation.

Please be reminded that The Eyak Corporation has a very large stake in the future of this area and the Corporation can be the most effective in the area's long-term development planning efforts as the City's partner. I don't believe the City can afford to have The Eyak Corporation as an opponent.

I am always willing to make time to work with you and if given the opportunity, I feel confident that I can point out significant actions that have been accomplished on the part of The Eyak Corporation that continue to support Cordova's economy in ways which negate the need for any punitive assessments.

Thank you.

Brian Lettich

"Whatever is rushed to maturity will surely break down early. Whatever is accomplished in a hurry will surely be easily destroyed. What is done without making consideration for the long run, and is hastily finished, is not of a far-reaching and great character."

-Lingyuan



# The Eyak Corporation

P.O. Box 340 Cordova, Alaska 99574 (907) 424-7161 Fax (907) 424-5161

March 22, 1996

Dear Mayor Johnson:

This letter describes the ongoing selective harvest project on Eyak Corporation land adjacent to Eyak lake and Eyak River. It outlines specific plans to minimize impacts on viewsheds, fish and wildlife resources and the Cordova community.

We feel these extensive efforts to minimize impacts on our lands eliminate any requirement for restoration bonds, taxes or any other needs that could potentially delay the project. These efforts have been developed with the assistance of two of the most experienced and environmentally responsibly forest products industry - related companies operating today. We want you and the Cordova community to know we are doing what we can to minimize any potential impacts that have worked hard to do so.

There will also be significant local economic benefits to this area. The project alone is expected to generate 35 direct jobs and approximately \$150,000 each month in payroll alone. All employees are either already living in the area or will be in the area for the duration of the project. In addition, there will be significant local purchases of supplies and services.

The harvest is being accomplished to generate additional revenues to better enable The Eyak Corporation to diversify its current operations from being primarily dependent on timber harvesting.

#### Project Overview

The Eyak Corporation is going to selectively harvest two, possibly three areas of Eyak Corporation lands adjacent to Eyak lake and Eyak river while minimizing the impact on viewsheds, fish and wildlife resources and the Cordova community. There is approximately 14,000 acres of timberland adjacent to Eyak Lake and Eyak river in the Cordova area and we plan to begin a selective timber harvest on approximately 1,000 acres this spring.

The management and professional services will be provided by Rayonler, inc. and Columbia Helicopter, inc. Rayonler, one of the oldest and most experienced forest products companies in the United States with a reputation for environmental responsibility, is managing the project for Eyak. Columbia Helicopter Inc., considered the most experienced and safest helicopter logging company in the world, will conduct the removal operations. Rayonier and Columbia have been working in Alaska for the last four years harvesting over 50 million board feet of timber, and they have experience working within areas such as Eyak Lake.

It is our intent to minimize impacts on our lands, and special efforts are being taken to protect fish and wildlife habitat and viewsheds. Harvest activities began in March and should conclude by mid-July. Since this is a selective harvesting project, at least eighty (80) percent of the trees in the areas will remain. Trees to be harvested were marked and cut beginning in March. From mid-April until mid-July, a single helicopter will transport logs to three landing sites near the project areas. They will then be loaded, banded and hauled by truck to an existing log transfer facility at Fleming Spit. From there they will be rafted, towed, and stored in Orca Narrows where they will be sold.

#### Benefits of Selective Harvesting

Selective harvesting with a helicopter is generally recognized as the most environmentally sensitive harvest method. As well as one of the most expensive methods. The use of a helicopter also permits the selective removal of harvested trees and reduces the potential of damage to other trees and fish and wildlife habitat. The importance of our area's fish resources, wildlife habitat and natural beauty are why selective harvesting by helicopter was chosen for This kind of harvesting minimizes soil this project. disturbance and reduces construction of logging roads and impacts on viewsheds. The use of selective harvesting rather than clear-cutting will reduce the impact on the viewshed. While there will be some visual impacts, on average only one of every five trees in the project area will be harvested and no clear-cutting will be done.

In selective harvesting, trees in the project area were first viewed by foresters on the ground. Mature trees with the best marketability that have no direct bearing on fish and wildlife were marked for logging. When harvested, selective trees are felled so that they do not harm other trees in the area or fish and wildlife habitat. The logs are then trimmed of limbs and lifted by the helicopter to a nearby landing where they are sorted and loaded for trucking.

#### Efforts to Protect Public Safety

As well as the selective harvesting, efforts are being taken to minimize community impact and maximize public safety. Columbia was hired to transport logs because of their safety record and experience. They will use a Boeing Vertol an aircraft with an excellent safety record. It has two engines and can land safely on one in the event of an emergency. Highly trained and experienced professional pilot and co-pilots, who have operated in all kinds of terrain will be on board at all times. Two crews will be used, and to ensure optimum safety, each crew only flies for one-half of the helicopter's operating time each day. Columbia's crew's are also subject to random monthly drug testing.

A maintenance crew will be on the project site at all times and will spend considerable time ensuring that the helicopter is in optimal flying condition. A thirty (30) minute maintenance check will be conducted at each day when flight crews are changed, in addition to checks performed at the end of each day. The helicopter will only operate under good flying conditions and it will not operate during inclement weather or foggy conditions. At no time will the helicopter fly over residential areas.

Log hauling will only last for approximately two (2) months on Power Creek road. Log trucks on Power Creek road will communicate with flaggers at check points and will be monitored via radio in an effort to minimize traffic impact and areas where log trucks enter and leave roadways will be posted. To minimize traffic congestion and insure public safety, log trucks will be required to use Railroad Avenue through Cordova.

We have met with ADOT/PF and reviewed with them the use of state roads to conduct our operations. We have a plan in process which should minimize traffic impact and allow immediate emergency access to the residents who live in the area of Power Creek. After review of our plan with the Cordova Police Department, it is our intention to use Railroad Avenue to move our timber through the business district in an effort to minimize our effects on the flow of traffic. If our use of this city road is to costly because of the "potential" for damage to the street, we can always change our plans and keep to the state highway and move our timber through the business district via first street.

As to the concern regarding trucking operations within popular recreational areas; please be reminded that all of the land in the areas of timber harvest operations is owned by The Eyak Corporation. Access is guaranteed along Power. Treek road but will be regulated to insure public safety. Because of potential liability from waving people in the timber harvest area, all public sportfishing, hunting and gathering, woodcutting, and recreation will not be permitted on the corporation's lands until our operations have been completed.

We have done significant work to consider public safety. As outlined above we have clearly taken actions appropriate to address concerns regarding helicopter and logging truck operations within the city. We believe we have done all that we are legally required to do in regard to the planned selective timber harvest operation. In fact, we feel that we have gone far beyond what the minimum standards require.

#### Efforts to Protect Water Quality

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If required to prevent runoff from the landing near lower power creek, small settling ponds, silt fences and straw bale filtering systems will be used. Runoff is expected to be minimal or non-existent with the use of these systems. All petroleum products will be stored in lined containment areas, and absorbent materials will be made available on site during all operations.

We have done much to consider public health as well. Concerns have been raised regarding adequate watershed protection for the city's water supply. Look at the type of operation we have planned. The whole concept to log with helicopters has increased our costs in an effort to mitigate any perceived damage to the lake. This type of logging operation is being utilized successfully in many areas where the same concerns exist. An oil spill contingency plan is being developed as well as an extra safeguard for the lake. We have also worked to mitigate effects on public drinking water by setting aside two areas around Eyak lake to convey to the city for watershed.

We are working within the proper channels to permit cutting within the riparian habitat. It is up to ADF&G to manage this habitat and up to ADNR to manage actions conducted under the Forest Resources and Practice Act. If harm to the habitat can be quantified by these agencies they will not permit our activities to take timber from within the riparian buffer zones or they will require our operations to include work to mitigate any hazards to the watershed. We are not going to conduct our operations without working first to obtain the authority to conduct our operations from the State of Alaska Department of Natural Resources, Division of Forestry as lead agency in regards to the Forest Resources and Practices Act.

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#### Economic Benefits

The Cordova economy has benefited from the development of native owned natural resources and lands. We would encourage the city council to create a regulatory climate that encourages and facilitates development; not impede, restrict and frustrate. We would encourage the council to look at insuring the conformity with the real economic and social needs of The Eyak Corporation's native shareholders when considering any actions which may affect development of our ANCSA landholdings.

We expect almost all of the individuals who are employed through the Eyak lake and Eyak river operations to rent and live in Cordova. This amount of money which will be brought to this community as a direct result of our logging operations, clearly shows that Cordova will benefit significantly from our logging operations. This economic development will increase income in Cordova. Wages will be spent on rent, food, utilities, and entertainment. Many of the supplies will be purchased from local entities. The sales <u>will</u> have an impact on increasing local sales tax revenues.

To this point in time, The Eyak Corporation has provided substantial benefits to the citizens of Cordova by providing at little, or no cost, free access to our private land holds in this area. Residents have had the ability to take firewood, fish and game, subsistence foodstuffs, and recreational opportunities. We have been good neighbors as a result of this practice and have asked for nothing in return except that individuals respect our private property.

#### Private Property Considerations

Certain individuals have circulated a petition in Corova claiming their efforts are the "last chance to protect Cordova's watershed" and pushing for a sale of timber to the EVOS Trustees Council. It seems we are being ordered by certain environmental extremists to sell our property at any cost, since the makers of the aforementioned petition have indicated their intention to fight our efforts to negotiate a potential deal with the Trustee's Council if trees are Their petition focuses development on native owned cut. lands in a direction that confers benefits, on non-natives and increases the costs to us of alternative economic development. We ask that the Cordova City Council not be drawn into this. We certainly will not be forced to act as a result of this extortion attempt. We will work via our established timeline to discuss a deal with the EVOS Trustee's council for habitat protection surrounding Eyak lake ..... If those who have circulated the petition in Cordevan really wanted to protect the waters of Eyak-lake and not just use this issue as a guise to attack us, they would work on cleaning up the many individual actions which cumulatively create a greater risk to human health and the watershed.

We wonder if this attack is aimed at Eyak specifically, or if these citizens are ready to spread the responsibility of protecting this area to all individual users? At this time their attack appears to us to be racially drawn. We warn the city to be careful when considering their demand of taxation and environmental bonding requirements and not open this Pandora's Box. If this concern over environmental integrity is not racially motivated then all users of this watershed area will eventually be drawn into this issue.

- Is it okay for fuel company operators to pass through the area without specific watershed bonding and contingency planning, but not our contractor's logging trucks?
- Is it acceptable for individuals to fuel their boats along Eyak River without contingency planning and specific watershed bonding, but not for our contractors?
- Is it fair for individuals to be able to clear cut old growth timber to make space for a homesite along the lake and river, but not for our contractors to selective harvest timber?
- Is it all right for uncontrolled development to occur along the land and river area on non-Eyak owned lands without consideration for social, cultural and environmental issues, but not acceptable for our contractors to conduct an operation that has a high level of control and consideration?

If the Cordova City Council presses the corporation to expend additional resources to protect watershed on lands where we own the watershed, we will work to oppose your efforts. We believe protection of area's habitat is an admirable action, but taxation, zoning or bonding plans should not be based on an emotional wave to insulate any habitat who's value to fish and human resources has never been quantified. If the city council is set on creating a tax for our operations, than the council's action may encourage us to look outside this community to invest our capital. We will also look at other ways to recover these added costs and may consider creating a "tax" of our own on the community by imposing user fees for all access to corporation land holdings.

We feel that it is important to reiterate our position

Eyak's position has always been that it will be us in compliance with State and Federal laws who will maintain ultimate authority over planning and zoning of our ANCSA land holdings. We remind you that ANCSA Section 22(1) requires that "no village or regional corporation shall select lands which are within two miles from the boundary, as it exists on the date of enactment of this act, of any home rule or first class city ... " the purpose of this section was to allow for expansion of cities without infringing upon native lands. The city ignored the 2-mile buffer in its entirety. The city annexed 68 square miles outside prior city boundaries and that only a very small percentage of land is in private ownership, other than those lands owned by The Eyak Corporation. The contention that is being made that the annexation will allow the city to plan and control likely development in this territory needs to be carefully examined by the city to avoid a "takings" issue.

#### Summary

Our bottom line is that The Eyak Corporation feels very good about what has been done to minimize the impact of this selective harvesting project on Eyak land and believes reasonable people in our community would to.

We believe there is no need for unnecessary burdensome efforts that could serve to add expenses to this project. Because we will be using the most sophisticated and environmentally sensitive logging practices there are today and the other steps we are taking, there will be minimal safety, public health, and natural resource impact and very positive economic benefits.

Thank you for this opportunity to describe this project. If you have any specific questions not addressed in this letter, please do not hesitate to contact myself. I would be happy to answer any questions you might have.

> Sincerely, THE EYAK CORPORATION

Brian J. Lettich General Manager



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#### HELICOPTER LOGGING FACT SHEET

- All of the property upon which the timber harvest is to occur is private property and access will be regulated to that property according to safety considerations and the laws governing private property access.
- Maximum allowable cut under contract is 5.2mmbf
- Maximum percentage of trees to be cut is 20% or 1 in 5. (Note: This 20% is to be balanced in each area. ie; If there is a 5 acre area and only one acre has acceptable trees the logger may not take all the trees off of that one acre and claim that they are within the contract. The logger would be limited to 20% of the trees on that one acre and would not harvest any trees on the other 4 acres.)
- Under the contract the logger shall not cut trees from any areas which would result in a new opening in the canopy larger than 4 of an acre with the exception of landings.
- A detailed transportation plan is being developed for DOTPF for use of Power Creek Road.
  - Flaggers will be used for traffic control.
  - There will be a company imposed speed limit in appropriate areas.
  - The trucks to be used are to be street legal.
  - There will be public traffic delays which should not be, in most cases, any longer than ½ hour.
  - For those persons involved in emergency services living in the traffic controlled section of Power Creek Road, arrangements are being made to facilitate their expedited movement in, through and around the traffic pattern.
  - The log haul will only last for approximately 2 months on Power Creek Road.
  - There will be some improvements done to the road.
  - For the most part, the logging operation will be doing routine maintenance to the road during the haul period.
  - In the event dust becomes a problem a reasonable solution will be determined.

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• The Cordova Police Department suggested the safest route for the loaded log trucks was Railroad Avenue as opposed to First Street.

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FROM : EYAKRAINFORESTPRESERVATIONFUND PHONE NO. : 907 424 5891

- In the event Railroad Avenue becomes too costly the trucker has the right to use First Street, a state highway, at no additional cost.
- There is a spill contingency plan being developed.
- The logs will be put into the water at the log crib at Fleming Spit.
- The helicopter operation will employ between 30 and 40 persons.
- There is a review of the Eyak lands involved in this operation being accomplished by a qualified archeologist.
- If all timber harves't operations occur in 1996 as planned there will be in excess of 70 full time and 30 part time jobs directly associated with those operations.
- It is contemplated that the work week will be six days.
- It is contemplated that the helicopter will operate approximately twelve hours per day.
- We have received no violations of compliance with the Forest Practices Act under the current management structure and in fact have received compliments from those involved in compliance review.

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FROM : EYAKRAINFORESTPRESERVATIONFUND PHONE NO. : 907 424 5891

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82/21/1996 16:28 FROM FRX\_MENORMADUN\_

## UBGENT PETITION TO PROTECT EYAK LAKE, EYAK RIVER & POWER CREEK

#### LAST CHANCE TO PROTECT CORDOVA'S WATERSHEDM

In response to the plans by Eyek Corporation to harvest 5 million board feet (about 20%) of trees around Eyak Lake, Eyak River and Power Creek starting March 15, we the undersigned have grave concerns about:

- public safety helicopter and logging track operations within city limits and in popular recreational areas,
- v public health adequate watershed protection for the City's water supply (under Area Meriting Special Attention or AMSA) and noise disturbance from operations,
- riparian habitat cutting a large number (61) of trees within the Eyak River stream side buffer may harm Eyak River fish habitat and saimon runs, and
- road maintenance the City and State should not be held liable to maintain roads damaged from Eyak Corporation's operations.

Since the proposed Eyak Corporation operations are under City jurisdiction as an annexed and AMSA area, we the undersigned request the City to aggressively advocate a deal between Eyak Corporation and the EVOS Trustee Council to purchase all timber rights in the Core Lands, including Eyak Lake, Eyak River and Power Creek as an alternative and prior to any logging. Further, we unge the City to NOT support acquisition of timber rights or fee simple title to these lands if any logging commences.

If negotiations to purchase the intact Core Lands are unsuccessful, we the undersigned expect the City to charge the full sales tax of 6% on all timber sales. Further, we request the City to have Eyak Corporation post a Restoration Bond sufficient to mitigate potential damage to the City's watershed, riparian habitat, City roads, State reads, and USFS trails.

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The Board of Directors of The Eyak Corporation have considered the February 28, 1996 offer of The Exxon Valdez Trustees Council and have concluded that the transaction that Eyak had been offered is unacceptable because it would require Eyak to terminate timber operations in the Cordova area in return for no certainty of any payment, during the extended time the Council and the shareholders of Eyak consider various parts of the transaction. The proposed transaction would require Eyak to receive a favorable vote from the shareholders to sell lands surrounding Eyak Lake, Power Creek and lower Eyak River. Eyak is disappointed with this offer and is continuing work with the Council to create an agreement with mutually acceptable terms.

Eyak informed the Council last fall of its intentions to proceed with a selective timber harvest operation within the Core Tract area. The Trustee's Council declined to buy Eyak out of its planned timber harvest. The council presented Eyak the offer with only two (2) weeks remaining before the start of the timber operations. The council's resolution indicates that the offer was valid until timber harvest operations began on the Core Lands.

Because of commitment's Eyak had with its logging operators the Council's resolution came too late to stop the operations without Eyak having to bear a financial loss for no guarantee of any level of payment at any time certain. We would have welcomed an offer earlier.

Eyak has been negotiating with the Council since 1991 in order to provide a mutually acceptable level of habitat restoration and protection to Eyak's land. Eyak has also worked with the State on other similar efforts, including House Bill 411 which passed the 1992 legislature and then was vetoed.

Eyak has made a number of proposals to the Council. The first proposal made in 1992, was for a moratorium on logging on Eyak's lands. The council had no mechanism to process that proposal, and it was referred to their staff; as a result, Eyak's second tier subsidiary, Sherstone, Inc. initiated work to log again.

In a July 1993 proposal, Eyak offered a conservation easement on the Eyak Lake lands, which would convert to fee title if the corporation's shareholders voted for it. Eyak was told the easement was not strong enough. In response, Eyak amended that offer on August 5, 1993 to strengthen the easement. The council stated it wished fee title instead of an easement, and so Eyak responded August 9 with a proposal for fee title, subject to a shareholder vote. In addition, Eyak was informed that the Council wished protection for the Orca Narrows area, north of Cordova, and so Eyak's August

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5th proposal contained a proposal for a moratorium on logging in this area.

Negotiations continued with the principal objectives of the Trustee Council as follows: 1)High level of habitat protection at Power Creek, Eyak Lake and lower Eyak River, 2)Limited protection on Eyak lands north and West of Shepard Point, 3)An acceptable timber harvest plan, if possible, for Orca Narrows lands.

1994 the Trustee's Council December 2, passed a On resolution which placed a price cap for the Core Lands for fair market value up to \$21.4 million, for a conservation easement it was \$16 million. If an appraisal reflected a fair market value in excess of these caps, The Eyak Corporation would not receive the extra value in cash. It would only be considered as a charitable donation to the If the Council's appraisal came in less Forest Service. than these caps, Eyak would get less, there was no guaranteed minimum amount.

Logging operations were halted throughout 1994 as Eyak negotiated with the Trustees Council. As a result of this year long negotiation process Eyak lost a large potential for timber harvest income and sold approximately 2,000 acres of commercial timber harvest rights only to the Trustees Council in the area of Orca Narrows. Eyak was paid only \$3.45 million even though the Trustee Council's original appraisal valued this timber at \$4.2 million. Further transactions fell through as Eyak was unable to meet the ever increasing demands of the Trustee Council for control of development rights in the Orca Narrows Area.

The Trustee's Council offer of February 28, 1996 supersedes the December, 1994 offer and dropped the value of the Core land package to \$7 million with the possibility of a larger payment if they determine through appraisal that fair market value is more. The Council's current appraisal work put the value of the Core Lands at between \$2.9 to \$3.9 million. Eyak feels that the property is worth more and is working to appraise that value.

The Council's appraisal method does not reflect a value consistent with what Eyak projects to make if the timber is harvested and does not appraise the timber rights for more than one timber cycle. The value Eyak places on its property interests is to be based upon an estimate of value with highest and best use considering commercial timber harvest. Eyak will work this year to create an appraisal to set a value which then can be incorporated into a serious counter offer back to the Trustee Council.

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D: Trustee's Council Attn: Molly McCammon From: DUNE LANKARD RE: Interesting correspondence April 3, 1996 Dear Molly, Hello! I thought you might find these letters interesting, since the Trustees areatopic of local conversation. The letter to Wayor (Borer) Johnson really should of started Jut ... "Dear Mom"... since Luke (Borer) and Guess > = Rude wrote it. Also the two (2) pager was given to the Eyek corporation shareholders at an informational meeting in covers on Friday 82 m2 of March. I can be reached at 907.424.5890 or fax number 907.424.5891 If you have any questions In spirit of peace friendship's respect, Dunelankardconcerned Eyakshareholder 



P.O. Box 22827 Juneau, AK 99802 Phone: 907-463-3038 Fax : 907.463.3280

Sustainable recreation and tourism for a quality future March 13, 1996

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

Re: Habitat Protection and Acquisition Program

As Executive Director of the Alaska Wilderness Recreation and Tourism Association (AWRTA) I would like to extend my support and thanks to the Trustees' for their continued efforts to further the habitat protection and acquisition program. In the comprehensive, balanced, ecosystem approach endorsed by the Trustees, habitat protection and acquisition is a means of restoring not only injured resources but also the services dependent on those resources.

However, AWRTA members have expressed concern about equal allocation of these funds. To date \$161.5 million of the \$375 million earmarked for habitat protection and acquisition has been spent; yet, some of the most seriously affected resources within the oil spill region remain threatened. While AWRTA recognizes the parameters within which the Trustee Council must work to successfully complete the complex negotiations, we would like to encourage the Trustee Council to now focus on Prince William Sound and the Kenai Peninsula.

The following summary of completed transactions highlights our concern:

Kodiak Region: Total of 278,089 Acres

41,549 acres private inholdings on Afognak Island (Seal Bay and Tonki Cape) 119,885 acres from Akhiok-Kaguyak Inc in Kodiak National Wildlife Refuge 31,000 acres from Old Harbor Inc in Kodiak National Wildlife Refuge 60,000 acres from Koniag Inc in Kodiak National Wildlife Refuge 25,655 from Kodiak Island Borough on Shuyak Island

Kenai Peninsula: Total of 23,800 Acres 23,800 acres private inholdings in Kachemak Bay State Park

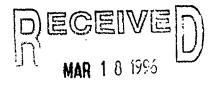
Prince William Sound: Total of 2,052 Acres 2,052 acres in Orca Narrows from Eyak Corporation

We support acquiring areas that are imminently threatened and have restoration value; however, we would like to see some acquisitions based on past damage. Alaska does not have an unending supply of wild and undeveloped land. Wild shorelines are a dwindling commodity but it is our hope that Prince William Sound and the Kenai Peninsula will continue to offer unique opportunities for the wilderness user. The habitat protection and acquisition program is the appropriate restoration tool to accomplish this end.

Thank you for your time and consideration of this issue.

Sincerely ren Selmhn

Steve Behnke Executive Director



EXXON VALUEZ OIL SPILL TRUSTEE COUNCIL

Printed on recycled paper





The National Outdoor Leadership School Alaska Branch PO Box 981, Palmer, Alaska 99645-0981 907-745-4047 Fax 907-745-6069 Don Ford Branch Director

March 12, 1996

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

Re: Habitat Acquisition in Southwestern Prince William Sound

As Director of the National Outdoor Leadership School (NOLS) I would like to extend my support and thanks to the Trustees' for their continued efforts to further the habitat protection and acquisition program. In the comprehensive, balanced, ecosystem approach endorsed by the Trustees, habitat protection and acquisition is a means of restoring not only injured resources but also the services dependent on those resources.

As a consequence of the Exxon Valdez oil spill, recreation in Prince William Sound (PWS) has been significantly affected. Recreationalists are still seeking areas that have not been disturbed by the spill and heretofore received little who use. Moreover, areas that have been previously impacted by recreation are now seeing additional visitation.

NOLS is concerned that Southwestern Prince William Sound not be overlooked when making acquisitions. To date \$161.5 million of the \$375 million earmarked for habitat protection and acquisition has been spent; yet, some of the most seriously affected resources within the oil spill region remain threatened. While we recognize the parameters within which the Trustee Council must work to successfully complete the complex negotiations, we would like to encourage the Trustee Council to now focus on Southwestern Prince William Sound

The following summary of completed transactions highlights our concern

#### Kodiak Region: Total of 278,089 Acres

41,549 acres private inholdings on Afognak Island (Seal Bay and Tonki Cape) 119,885 acres from Akhiok-Kaguyak Inc in Kodiak National Wildlife Refuge 31,000 acres from Old Harbor Inc in Kodiak National Wildlife Refuge 60,000 acres from Koniag Inc in Kodiak National Wildlife Refuge 25,655 from Kodiak Island Borough on Shuyak Island

Kenai Peninsula: Total of 23,800 Acres 23,800 acres private inholdings in Kachemak Bay State Park National Outdoor Leadership School

Fage 2

Prince William Sound: Total of 2,052 Acres 2,052 acres in Orca Narrows from Eyak Corporation

We support acquiring areas that are imminently threatened and have restoration value; however, we would like to see some acquisitions based on past damage Alaska does not have an unending supply of wild and undeveloped land. While shorelines are a dwindling commodity but it is our hope that Southwestern Prince William Sound will continue to offer unique opportunities for the wilderness user. The habitat protection and acquisition program is the appropriate restoration tool to accomplish this end.

Specifically, we encourage the Trustees to focus on the following areas:

Dangerous Passage South end of Knight Island East side of Knight Island Chenega Island Bainbridge/Evans/LaTouche Islands

We appreciate your efforts in soliciting public input and look forward to the progression of the habitat acquisition program. Thank you for your time and consideration of this issue.

Sincerely, Don Ford **Director NOLS Alaska** 

M.02

**Sierra Club** Alaska Field Office

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



February 13, 1996

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

RE: Eyak Corporation logging in "core lands"

Dear Trustee Council Members,

I have heard that the Eyak Corporation has filed notice that it intends to selectively log its lands at Power Creek, Eyak River, and Eyak Lake.

The Sierra Club and the seven other environmental organizations which comprise the Alaska Rainforest Campaign would oppose the Trustee Council purchasing these "core lands" fee simple if they have been logged. As you know, a fee simple purchase of the core lands would be very controversial in Cordova and within the Eyak corporation. A fee simple purchase <u>after logging</u> would retain all the problems of a fee simple purchase, without the benefit of protecting the forest and its resources.

I strongly urge the Trustee Council members to immediately communicate to the Eyak Board that you will not purchase the these areas if they are logged.

Thank you.

Sincerely,

Pam Brodie

Pamela Brodie Environmental Representative, Public Advisory Group

P.O. Box 1185 Cordova, AK 99574 February 23, 1995 P.01

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

Dear Council Members:

I' ALL

10:40

We appreciate your efforts in the negotiations with The Eyak Corporation and for keeping us informed at your public meeting held this afternoon in Cordova. As you could tell from the intensity of the testimony and the size of the turnout -rare for a meeting called on such short notice in Cordova- the outcome of your efforts will have profound consequences for our community.

While the information you conveyed to us was not the news we looked forward to, we continue to believe that a successful conclusion to the negotiations is still possible. We urge you to exercise as much flexibility as feasible.

Specifically, we strongly support, at minimum, the purchase under consideration for the core land parcels. However, we feel that this alone would fall far short of our highest hope which is the preservation of habitat and scenic values in eastern Prince William Sound. This will only be guaranteed by the comprehensive purchase of the core parcels and timber rights in the Orca Revised and Other Lands.

Although we are not privy to Eyak's latest counter-offer, we suspect that it includes retention by the corporation of certain development rights other than timber harvesting. We ask that you carefully and realistically balance the risks of these development possibilities against the longer term and greater consequences of large scale clearcut logging on the lands under consideration.

We understand that there are opportunities to employ the good offices of President Jimmy Carter and/or Robert Redford to facilitate in these negotiations. Their willingness to participate in this process is further confirmation of the unique and magnificent character of our home. Please consider their offers seriously.

Thank you for taking the time to come here and for your willingness to listen.

Very truly yours. Karl Becker

IN:

cc: Board of Directors, The Eyak Corporation

PHONE COMMENT LOG Affiliation Phone Address Name Jan Buckley P.O. Box 374 424-7591 Jackson Cordova 99574 Add to mailing list? Yes X No Newsletters only X Technical Docs + Date of call: \_3/4/96 Comment taker: Molly Mc Cammon Subject of comments: Eyak Core Lands. Comments: Eager for Truster Council to come up with serious offer. Why not timber rights only? Would like to be notified of any televonferences on this issue.

PHONE COMMENT LOG Address Affiliation Phone Name - 3446 Leitzav 830, Gordova AK 99574 Add to mailing list? Yes \_\_\_\_\_ No \_\_\_\_\_ Newsletters only \_\_\_\_\_ Technical Docs + \_\_\_\_\_ 7/19/95 Talked to: Eric Myers Date of call: \_\_\_\_ Subject of comments: Wanted update on Eyzk land negotiation. because she had seen a dear art in the Viewshad. Comments: Eric called July Leitzav in risponse to her phone Message asking for an explanation of what was going on with the Eyak negotiations. Eric explained the most recent impasse on the value for value exchange; noted that the TC remained interested in a land aquisition if gossible given Eyzkis interest in pursuing logging on its lands. Evic explained the problems encountered during the mediation regarding the Best Interest Finding provision And the Eyzk pointing that it needed immediate agess to the viewshad timber that would be traded to the TE if their (Eyziki) logging were halted. A copy of the most recent pers release on this topic was serting mail. Eric asked Charri to add the name to the database.

7

#### Public Meeting July 20, 1995 on Draft 1996 Work Plan

On line via teleconference: Cordova and Homer Legislative Information Offices

Molly McCammon and Bob Loeffler gave brief overviews of the restoration program and the 1996 Draft Work plan. Two individuals made comments, which are summarized below.

**Paul Swartzbart (Cordova)** - I want to know more about the Eyak negotiations. The people in Cordova are very much hoping that you can conclude or achieve some kind of comprehensive deal that will be good for Eyak shareholders as well as tourist operators and fishermen in Cordova. We haven't given up and we hope you haven't either.

Henry Makarka (Cordova): I am a shareholder in Eyak Corporation, but I am speaking to you today as an individual. My concern is about the on-going process you've been conducting with Eyak. I've had thoughts of my own about your obligations and objectives and I've thought very seriously about what is your objective, especially in that you have a responsibility of restoration of the oiled areas. You mentioned about ongoing negotiations with Eyak and it seems to me there is a stalemate situation or a gridlock. I think because of the precedent set with Seward and Kachemak and Kodiak, I feel that the Trustees are probably negligent regarding habitat protection in Prince William Sound.

The meeting adjourned at 7:35 PM.

4

June 5, 1995

- TO: EVOS Trustee Council Eyak and Sherstone Boards of Directors
- FR: The Coastal Coalition
- RE: proposal for comprehensive habitat protection deal on Eyak lands

Hello folks. Our perception of the current status of negotiations between your groups is as follows:

- 1. Everyone wants a comprehensive deal
- 2. Everyone wants, at a minimum, commercial timber harvesting rights on Eyak lands acquired in perpetuity
- 3. Everyone seems to now understand that this deal simply cannot be done in a piece-by-piece fashion - it is taking far too much time and money on all of your parts, and by drawing the issue on and on, it is exacting an unacceptable psychological toll on all involved, particularly the community of Cordova.
- 4. Everyone is growing weary and fatigued by all of this
- 5. Extnsive clearcutting has not yet occurred at Orca Narrows or on any other Eyak lands in Prince William Sound.

To us, all this means that this deal is at its peak ripeness for resolution - the possibility for a deal will only deteriorate from here on out.

It is clear to us that all of you are still committed to achieving a comprehensive habitat protection deal on Eyak lands.

In light of the above, we respectfully ask for your consideration of the following proposal:

 An amount of \$32,600,000 be withdrawn immediately from the Court Registry at the request of the Trustee Council to be applied to a comprehensive habitat deal with Eyak this is \$100,000 per Eyak shareholder. This is an amount that all will easily understand, and will increase confidence on all sides.

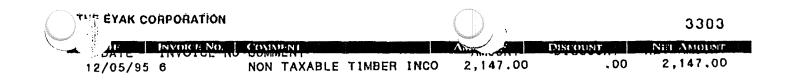
- Of the \$32.6 million, \$22.6 million shall be secured in an interest-bearing escrow account, and \$10 million be paid directly to Eyak Corporation by July 1, 1995.
- 3. Eyak and Sherstone cease all logging activity immediately upon agreement that the foregoing two steps will occur
- 4. The \$32.6 million paid by the Trustees will be offset against the final purchase price of the comprehensive deal with Eyak
- 5. The remaining \$22.6 million in escrow be made available to Eyak when and if that amount of habitat protection value is transferred to the government
- 6. The \$10 million immediate payment to Eyak secures \$10 million of habitat protection that both parties agree upon
- 7. The Trustee Council commit any and all additional funds necessary, beyond the \$32.6 million, to close on a final, comprehensive habitat protection deal with Eyak (as the Council has already budgeted at least \$50 million)

This way, we all commit - Eyak gets \$10 million to satisfy its financial obligations up front, and at least another \$22.6 million upon agreement of further habitat protection. The Trustees get at least \$32.6 million worth of habitat protection on Eyak lands. Both sides lock into the deal that simply has to be done.

We all can agree that, at least, \$32.6 million will be spent on habitat protection on Eyak lands. The brinksmanship and gaming has to stop <u>now</u>. Please.

We are writing this communication at about 7 pm, June 5, 1995, from an office on pillings in the old Cordova Harbor. Immediately after writing the last sentence - "Please." - a 5.7 earthquake shook the office here. The epicenter of the quake was at about Hinchinbrook Entrance, where all the inbound and outbound tankers pass.

At the risk of further exciting the goddess of Gaian plate tectonics, we will simply reiterate ---- Please.



CHECK: 003303 12/05/95 GLEN E. LANKARD, JR. (DUNE) TOTAL: 2,147.03 O: TVUSTEE COUNCIL From: Dune Lankard Re: EVAL Corp. dividend check FACH 276.7178 the three(3) largest dividend checks ever paid to the Eyak Corp. Anarchdolers are as alons one W NOL dividend \$15,000 @ 1993, two (2) this check \$2147.@ -which s stated as Timber Income" and three (3) \$1550.@ which is a reported divided from the Timber Rights Only" Trustee deal on the Orca Narrow's subparcel.

This check (\$2,147,22) × 326 Eyak Corp. shareholders = \$700,000.22, which is approximently the amount left over from the Orca Narrows subparcel deal after taxes and "Sound Development" settlement. We will not receive an audited financial until after two (2) full years of logging operations, which will be at the annual neeting in the fall of 1996. So we work know until then, where this dividend check actually came from.

	PHONE CON	MMENT LOG		
Name	Affiliation	Phone	Address	
Denny K. Weath	1ers			
Box 1791, Deep	Bay, Hawkin	5 Island,	via Cordova,	AK99574
Add to mailing list? Yes	₃_X No Ne	wsletters only _	V Technical Do	)CS +
Date of call: $3/1/2$ Subject of comments: _	25 Com Opposed to	iment taker: EYAK AC	Quisition 5	

Comments:

that purchase of ber night do not lee areas which were not touc is an appropriate use of the funds. under consideration are 25-the oil came ashore.

By making such deals I feel the Trustees will only benefit the Native shareholders, not the overall people, fisheries, marine mammals or other animals that were injured by the oil spill. 1 0 23 1333 20.30

Feb. 23, 1995

TO: Eyak Board and Trustees Council

FR: Rick Steiner

RE: this afternoon's meeting in Cordova

Hi folks. I would imagine your all doing a little "downloading" at the moment concerning our meeting today.

It is very, very, very, very sad to me, and I know most of us, to see what the lack of resolution of this issue has done to our community here. As I stood at the back of the room, strategically located next to the nearest exit, I watched the crowd and saw alot of teary eyes as they left, one by one.

I just wanted to say that it is truly condidered a sign of dignity and social accomodation to be able to change our minds every once in awhile.

It is a basic, innate, instinctual human desire to be friends with one another. I think we all want that.

It seems were all finding out that someone leaving the autopilot on, on a fully loaded supertanker headed directly for a rock reef, is really, in the end, the least of our problems.

At any rate, I felt compelled to remind all of you of Robert Redford's very genuine and sincere and heartfelt offer to reconvene this at Sundance, if you all think that might help.

It has been my experience that the most difficult conflicts are the ones most worth resolving. This one is, as you all know, extremely difficult. I can't imagine any of you being faced with a more difficult challenge than this in your entire professional lives. It is also, as you all saw this afternoon, extremely worth resolving.

As you all heard loud and clear today, please hang in there. Get a deal here.

Please.

TOTAL P.01

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## ASKA CENTER for the ENVIRONMENT

C (D ( L ( D

C. 111



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

February 21, 1995

#### PRESS RELEASE:

As you know, recent events are putting a lot of pressure on attempts to save Eyak lands from large scale destruction. The moratorium which prevented clearcutting for the last year expires NEXT WEEK! Cordova residents, Eyaks, fishermen, environmentalists, scientists and tour operators are all scrambling to assist those trying to make a deal...

AND NOW JIMMY CARTER has weighed in on the side of protection and resolution.

For your information, we attach his letter.

Contact people:

Rick Steiner (Cordova) -- 424-5509 (eve); 424-3446 (day) Caryl Boehnert (ACE) -- 274-3621 Eyak Corporation -- 424-7161 Phil Janik, USFS Negotiator -- 586-8863 Jim Ayers, State of Alaska -- 465-3500 EVOS Trustee Council -- 278-8012 FEB-21-1995 16:34



JIMMY CARTER

February 21, 1995

To the Boards of Directors of the Byak Corporation and Sherstone Corporation, and Exxon Valdez Oil Spill Trustee Council

I have been committed to the preservation of the Alaksan wilderness since before my administration. As Honorary Chair of the Alaska Wilderness League I am kept abreast of news concerning Alaska's great wilderness.

I understand that you are involved in negotiaions to purchase timber rights and conservation easements that would protect the coastal forests of the Prince William Sound, an area currently protected by a moratorium on logging which ends March 1, 1995. The Sound is now threatened by large scale logging, which would start March 2, due to the stalled negotiations.

I urge you to finalize your arrangements before the moratorium expires. The protection of this area is essential to maintaining the diverse and fragile ecosystem of the Prince William Sound and the home of the Byak people.

Sincerely,

Carter

THE CARTER CENTER . ONE COPENHILL - ATLANTA, GEORGIA 30307

TOTAL P.02

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#### ISHING & PLTING

P.01

Steve Ranney Box 2105 Cordova, AK 99574

To: 011 Spill Trustee Council

Feb. 21, 1995

Dear Council Members;

This fax is to urge your continued negotiation on the Eyak lands near Cordova.

While there may be an understandable amount of frustration on the part of your negotiators as this time consuming process drags on, please remember a large portion of Prince William Sound depends on your success.

You already have heard years of testimony and reports as to the high value of the habitat, of the valuable fish streams and abundant wildlife.

There is a strong feeling in Cordova that the Trustee Council may be tempted to take the easy way out of a difficult negotiating process by buying only the so called "core" lands. Please don't take this route!

I feel that this would only hasten the destruction of the Prince William Sound by providing the capital needed for large scale logging on the remaining Eyak lands.

While the process has been difficult for your negotiators, please remember that the goal is definitely worth the adversity encountered.

Thank you for your continued interest in the Eyak lands and we are all definitely waiting with bated breath in Cordova!

Sincerely, stove Ranney 2

Cordna Alaska Fax 424-3764 Ph 424-3324

JUDYLIETZAU P. O. Box 2195 Cordova, Alaska 99574-2195 907-424-7273

February 21, 1995

Molly McCammon, Director EVOS Trustee Council FAX: 907-278-8012

Dear Ms. McCammon,

As a resident of Cordova, I am concerned about the end of the logging moratorium March 1 and the resumption of clearcutting in our community and the immediate vicinity. Thank you for your deliberations up to now with Eyak Corporation. I know the meetings have been extensive and taxing; however, it is important to us here that the negotiations don't stop now.

I request that you institute another moratorium until such time as an equitable solution can be reached between the EVOS Council and the Eyak/Sherstone Boards of Directors. If necessary, contract with an independent mediator who can help you to accomplish this goal as was used in the Kodlak buyback.

It is essential to the health and well-being of our community that we keep our ecosystem intact and this buyback of Eyak lands would do much to ensure the stability of our fishing community. Thank you for your attention.

Sincerely,

Judy Lietzau

PS Please copy to all members of the Council.

14300 Teton Place Anchorage, AK 99516 P.01

February 13, 1995

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

Dear Council members:

Please! Please find a way to purchase timber rights on Eyak Corporation lands!

I am grateful for all the trees you have saved so far-especially Chenega Corporation land. But it is way past time to resolve the issues with the Eyak Corporation and make a deal. The clearcutting that has gone on in the Sound since" the spill is atrocious and serves the interests of no one. Now it is time to protect what is left: Port Gravina, Sheep Bay, Simpson Bay, Orca Narrows.

You have an incredible opportunity to do the right thing--for all Alaskans, Native and non-Native, for all Americans, for the trees. Please! Use the settlement money from the oil spill tragedy to protect the rainforest of Prince William Sound.

Sincerely,

Marybeth S. Holleman

Dear Council: Please save the trees. I am worried about them. I don't, like cutting trees. Jamie Holleman (31/2 years old) (He's latting about Eyak Corp. lands -) - his Mama

2350 Captain Cook Anchorage, AK 99517

Phil Janik, Regional Forester

709 West 9th St., #549 Juneau, AK 99802

Dear Mr. Janik:

I was very pleased to see that the Trustees acquired habitat on Kodiak at the last meeting. It showed that the Council is motivated and capable of making land deals which protect the Spill area.

I am an Anchorage resident. My family and I vacation in the Sound, and the area means a great deal to us. I hope that you will invest all your efforts into bringing about a deal for the Eyak lands near Cordova. If this area were to be clearcut it would devastate the town and the Sound. Similarly, deals with Tatitlek and Chenega would also set aside some habitat, although this would not replace a comprehensive Eyak deal. Thanks for all your hard work.

Sincerely.

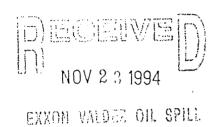
Matt Claman

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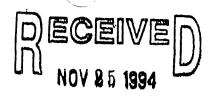
TO THE EUDS TRUSTEE. Council.

1 would like to Aay I am in Yotal Gavor of the buy back proposal and hope you may Consider my openion when making your decision Thankyon Kusti a Clemens Heward, alaska



28167年1月6日月年1日

 $-\alpha_{ij}$ Dear Trustee Consul members I am working (as a private citizen) to much you to denote as much as possible of the soon financial settlement to the acquisition of habitat, specifically private lands within Chugach National Forest Kenai Fjords National Park, Afognak Island and Kodiak Matinal Wildlife Reture. IF then is any silver living in the cloud created by the Exton Valder disaster at is the opportunity to acquire and preserve ecologically significant lands with selfiment money. Smeenly ErceN. Lundquist ตัดสู่ก็สุดแรกขณุย์กับรอย์ได้มีขณฑิที่ที่มีมีมีได้มีมีสามาย์กับการและเจลนอย่าวเฉลาไหญญญญญญญญญญญญญญญญญญญญญญญญญญ 1661 SHSU 0 ANCHORTOF HIS 16:25 66 15 -9 5.69 SPILL TRUSTEE COUNCIL JA 57 BEXYON NYCHES OF 766/ AUX 1. Alexandria, VA 22314 Wc 427 Old Town Court teiupbniJ .N ona



#### EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL

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11/22/44 Dear Surs I support the built boek of the Coastal. lands- from Nature Queners and placing these Condin tindes park ownership; these Cande cure Natural for particulation and are important to the Seword Tourist industry.

Sincer the. DSchopen 610, 00 05 120-500, 00 65 120-

1332 West 12th Avenue Anchorage, AX 99501

Mr. Phil Janik Regional Forester US Forest Service 709 West 9th St., Room 540 Juneau, **A**X 99802

Dear Trustee Janik:

I was very encouraged by the recent agreement regarding habitat acquisition on Xodiak reached by the Irustee Council and Native representatives. Now I am hopeful that you will also be able to reach agreement with the Eyak Corporation for a deal regarding Eyak lands near Cordova. I love Prince William Sound and feel that we have not done enough to restore it from the Spill. The Irustees have yet to acquire habitat in the Sound, and Eyak lands are the perfect candidate. It will also help Cordova recover.

Please use all your energy to pursue a successful habitat acquisition agreement for Eyak before December 2.

Thank you for all your hard work.

Sincerely,

Dela INM

Debra Stump

cc: Irustee Council

NCV 10 1994 🔬 OIL SPILL EXX0 COUPLON.

November 16, 1994

Please copy to all Truster members. Thanks.

Phillip Janik and Members of the Trustee Council FAX: 586-7840

Dear Mr. Janik,

We appreciate the work you all have done recently to purchase native lands on Kodiak Island and to preserve the integrity of the ecosystem there. Your endeavors in this difficult decision-making process are commendable.

We would like to encourage you to continue the progress on negotiations with the Eyak Corporation and Sherstone regarding the lands around Cordova and Orca Inlet. This area is of utmost importance to our community here that it be preserved in its entirety.

Thank you for your attention.

Sincerely,

Zetzau Tudy Larry & Judy Lietzau

Larry & Judy Lietzau PO Box 2195 Cordova AK 99574 (907) 424-7273

### Exxon Valdez Oil Spill Trustee Council

Executive Director's Office 709 West 9th Street, Room 859A P.O. Box 20122 Juneau, AK 99802-0122 Phone: (907) 586-7238 Fax: (907) 586-7589



#### FAX COVER SHEET

Please deliver the following pages to:

то:	George T. Frampton, Jr.	FAX NUMBER: 202-208-4684	
OFFICE: Dept. of the Interior		DATE:	November 18, 1994
PHONE #:	202-208-4416	TIME SENT:	3:08 pm

From: James R. Ayers Executive Director

COMMENTS:

Copy of a letter from Larry and Judy Lietzau.

Total Number of Pages (including this cover sheet):

2

Fax sent by: \_\_\_\_\_

If you do not receive all pages, please call: Mary Rivera at 586-7238.

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

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#### TRANSMISSION OK

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#### Exxon Valdez Oil Spill Trustee Council

Executive Director's Office 709 West 9th Street, Room 859A P.O. Box 20122 Juneau, AK 99802-0122 Phone: (907) 586-7238 Fax: (907) 586-7589



#### FAX COVER SHEET

Please deliver the following pages to:

TO: See Distribution Below	FAX NUMBER:					
OFFICE: Trustee Council Members	DATE:	November 18, 1994				
PHONE #:	TIME SENT:	<u>8:10 am</u>				
From: James R. Ayers Executive Director						
Distribution:Fax #:Phone #:Bruce Botelho/Craig Tillery, Department of Law278-7022269-5274Paul Gates/Deborah Williams, Dept. of Interior271-4102271-4962Phil Janik, Forest Service586-7840586-8863Steve Pennoyer, National Marine Fisheries Service586-7249586-7221Carl Rosier, Department of Fish & Game465-2332465-4100John Sandor, Dept. of Environmental Conservation465-5070465-5050COMMENTS:Copy of a letter from Larry and Judy Lietzau.465-5070465-5050						
Total Number of Pages (including this	cover sheet):	2				
L						

Fax sent by: \_\_\_\_\_

If you do not receive all pages, please call: Mary Rivera at 586-7238.

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

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		ERR	OR					

110V 0 1 1994

Alaska Waveriders Alaska Waveriders Alaska Waveriders (907) 279-8247

November 4, 1994

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

Dear Mr. Ayers:

Alaska Waveriders is a statewide organization of surfers, bodyboarders, kayakers, sailors, in-water recreationists, and commercial fishermen. Our membership stretches from San Diego to Unalaska and uses the waters from Dixon Entrance to the Pribiloffs. We are committed to maintaining the quality of Alaska's waters and those lands bordering the Gulf Of Alaska. We are writing to urge the Trustees Council to use Exxon Valdez settlement monies to acquire timber rights to lands threatened by logging from Icy Bay west to Kodiak.

Restoration/Habitat Acquisition Rather than Research

Given that there is little we can do to reverse the damage caused by the Exxon Valdez Oil Spill, the highest and best use of Exxon Valdez settlement monies is the acquisition and preservation of the highest terrestrial wildlife habitats in the North Gulf and Prince William Sound. Scientific research is important, but will only occasionally and indirectly result in restoration. Furthermore, legitimate researchers will always be able to tap funding sources such as their own institutions and the National Science Foundation. On the other hand, when it comes to acquiring threatened habitat, there is no other place than the Trustees Council to turn. The State has proven generally unwilling to protect its own lands from logging; the federal government is not likely to interfere; and, even if they wanted to, the Directors of Native Corporations cannot forego logging without compensating their stockholders for revenues lost.

Alaska Waveriders believes that those areas which are most important for fish and wildlife and most threatened by logging, mining, or other resource development should be acquired first.

North Afoqnak

Last year, the Council protected North Afognak lands on the east side of Seal Bay because they were in imminent danger of being logged and because the people of Kodiak recognized their high importance for wildlife. Alaska Waveriders applauds the Trustees' action. Now, the lands on the west side of Seal Bay are threatened. If the Pauls\Lauras Lakes area is logged, anyone. standing on the shore of Seal Bay is going to be staring across Mr. Jim Ayers - November 4, 1994 Page 2

this beautiful waterbody at clearcut-ravaged hillsides. We urge the Trustees to use settlement funds to protect your previous investment in Seal Bay and ensure that both shores remain unspoiled and productive for wildlife.

#### /Eyak

Alaska Waveriders understands that Eyak is similarly threatened. We believe that Eyak deserves the Trustees Council's immediate attention. Since the spill occurred in and most heavily impacted Prince William Sound, it seems appropriate that the Trustees would focus its efforts there.

Icy Bay-Yakataga Forelands-Cape Suckling

While we agree that Exxon Valdex Settlement monies should not be used for non-coastal restoration projects, Alaska Waveriders has never understood the logic that has excluded lands east of Prince William Sound from consideration. Every day, these shorelines face the potential for spills from laden tankers outbound from Valdez and are subject to imminent and massive logging. In fact, the 27 mile long clearcut west of Icy Bay is one of the few manmade features on the planet visible to the naked eye from the Space Shuttle. Logging on the east side of Icy Bay threatens to ruin the foreground of one of the most spectacular sights in the entire world, the view of Mt. St. Elias as seen from cruise ships entering Icy Bay. Alaska Waveriders urges the Trustee Council to revisit the issue of buying out the timber operator at Icy Bay. The prepatory work that they've done could form the basis of a world-class tourist resort. In addition to aestheticsm, the lands around Icy Bay provide high value fish and wildlife habitat. This area is also intimately connected to Prince William Sound and other oiled waters. Many of the migratory birds and marine mammals that visit Prince William Sound and the Western Gulf of Alaska each summer stop to feed in the Icy Bay-Yakataga Forelands-Cape Suckling area enroute. It is inconcievable to us that the state or federal government or anybody else would let this National Park entrance be thrashed, but thus far, that is exactly what is happening.

Please distribute this letter to the Trustees. If you have any questions, or if there is anything else that Alaska Waveriders can do to assist the Trustees protect terrestrial wildlife habitat and compensate the environment for the insult of the Exxon Valdez oil spill, please contact us.

Sincerely,

Mike Mary

Mike Macy, Director of Public Policy

HC52 Box 8505 Bird Creek, AK 99540 November 14, 1994

Mr Philip Janik Regional Forester US Dept. of Agriculture Forest Service 709 W 9th Street, Rm 549 Juneau, AK 99802

Dear Trustee Janik:

I am still very worried that nothing has been protected in the Sound. This area suffered directly in the Spitl, and is still suffering. I know first hand the effects which clearcuts have on tourists: tourists go elsewhere - they don't want to see them. Please protect the Eyak lands near Cordova, and prevent another Two Moon Bay from hurting the tourism industry.

Thank you for your active negotiating in this area -- It not only protects habitat, but safeguards the economic wellbeing of us working in ecotourism.

Sincerely on Bantz

Nicole Whittington Evans

November 16, 1994

Philip Jahik US Forest Service 709 West 9th St., Room 549 Júneau, AK 99802

#### Dear Mr. Janik:

Having moved from Southeast to Anchorage, I am very familiar with the sight of massive clearcuts along our Alaskan waterways. I am also familiar with the damage this does to tourism: If you had a choice in where you would visit between cut-over and non-cutover lands, which would you prefer? So I really understand concerns in Prince William Sound that the area is going to look just like Two Moon Bay in under five years. And where will they be then for any tourism potential which exists?

The Sound is Anchorage's back yard, its recreational area. More and more people are realizing that the Sound is beautiful and accessible, tour operators are also learning this. With the Whittler Road going in, it will be a lot more accessible. I am very atraid that it will be cut before many tolks realize just what will be lost.

The Trustee Council, in the waning days of the Hickel Administration, has the chance to do a whole lot of good for the Sound, and the communities that depend on it. Cordova has traditionally been a tishing town, now residents are trying to diversify. Clearcutting Eyak property will ruin this economic possibility. They are beautiful lands, rich in wildlife and fish. The Trustees, especially you, can work out a deal with Eyak to protect the lands. Please do sol

I also want to add that I support conservation easements and commercial limber right purchase, because I understand that many Natives do not want to sell their land outright I appreciate your attempts to work out a deal for something other than fee simple.

What happens to Eyak lands is very important. Please make a comprehensive deal possible. Please use your influence to make the negotiation process work, so that we can have another win-win deal, like for Kodiak! And thanks!

Sincerel

Gina Macdonald PO Box 91534 Anchorage, AK 99509

November 15, 1994

Mr. Philip Janik US Forest Service 709 W. 9th St., Rm 549 Juneau, AK 99802

Dear Mr. Janik:

One reason I moved to Alaska a few years ago was its natural beauty and vast open spaces that were not yet ruined. I also liked the openness of the people and the independent thinking that went along with it. We have the chance to do things right here, where in the lower 48, they've blown their chances. Being from Oregon, I am very aware of ecosystem damage and the pitfalls of ruining wildlife habitat. I have also watched their tourism industry struggle to cope with increasing land areas being destroyed by clearcutting.

I enjoy being on the water, going along the coast line and looking at the forests of Prince William Sound. I have not been very active in the EVOS process, and I have not been at Trustee Council meetings. However, I understand that you are a public agency Trustee, and the public can have input.

The town of Cordova has been hit very hard in the spill. It is difficult to see large land acquisitions being purchased in other areas when nothing is bought yet in the area around Cordova, in the Sound. The Eyak lands are very important. The town of Cordova has been remarkably unified in asking you to make a deal with Eyak. Because you are at the top of the agency doing most of the work in Eyak negotiations, I ask you to make the process flexible enough to do a deal. Time is running very short. You may never get the same opportunity to do comprehensive large deals. The Trustees have already proven that you CAN make big deals in Kodiak: now I'm asking you to do the same for Eyak.

Massive clearcuts in the Cordova area will destroy what exists of their developing tourism industry. They cannot make money off herring after the Spill, and many people in town want to branch out to tourism for money. NO ONE IS GOING TO WANT TO STAY IN THAT AREA WITH MASSIVE CLEARCUTS. We are going to see many difficulties in Cordova if the area is cut. And from the townspeople who live there, they believe Eyak Corporation will cut the timber, not just threaten to do so.

Please use all of your creativity and power to make this deal. Thank you for your time.

Gary Loomas

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cc: Trustee Council

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November 10, 1994

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

## Dear Jim,

I Am writing this letter in response to a bulletin I received from the Alaska Rainforest Campaign. Spectacular forested wildlife and recrational areas on private land in Prince William Sound and Nothern Afogank Island face huge clearcuts. Additional focus is required on the Eyak Corporation lands near Cordova, primarily Port Gravina, Sheep Bay and Simpson Bay, request that the Trustees punchase all of the Eyak timber rights utilizing the Multi-Million Dollar court settlement from the Exxon Valdez oil spill.

It is further requested that all of North Afognak Island be purchased, prioritizing the Paul and Lauras Lake Area. This area is the highest biologically rated area in your study.

I wish to thank the Trustees for all their efforts to date and know that furture considerations will get the same priority.

Sincerely,

1. Wagner Reid E Wagner 6430 E Northern Lights Unit #8D Anchorage, Ak. 99504

# CAROL JENSEN 4800 E. 112th Avneue Anchorage, Alaska 99516-1612 (907) 346-3321

November 1, 1994

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

Mr. Ayers & Council:

I'm writing to urge you to take action to acquire and protect the following areas, which otherwise will be clearcut by logging companies:

All of North Afognak Island (highest priority...Pauls & Lauras Lakes area) Port Gravina, Sheep Bay and Simpson Bay (near Cordova)

Successful management of habitat, wildlife, all land and water resources depend on a committment to total ecosystem management. One enemy of this type of management (and an enemy of wildlife and their habitat) is the timber industry. Unfortunately, this industry, as well as other environmentally damaging industries, has enmornous support within the Federal and State governments. If Coghill or Campbell are elected governor, we will see protection for all state timberland destroyed, and along with it the wildlife, jobs and recreational, fishing and tourist opportunities and dollars.

Time is running out for protection of these lands. The purchase of all of Eyaks timber rights is essential to insure protection to maintain a healthy habitat and diverse wildlife populations.

The above areas are particularly important due to their extraordinary wildlife and marine habitats and their proximity to other heavily logged timber areas that are displacing the wildlife. The public has indicated it wants as much land protected from development as possible. These are very difficult decisions that have been placed in your hands. I believe hearing directly from the public on specific areas should be helpful to you.

Thank you for your attention, consideration, and most of all your hard work.

Sincerely,

Jensen

Carol Jensen

To: James Ayers, Executive Director Exxon Valdez Settlement Trustee Council 625 G Street Anchorage, AK 99501

Sue Post Box 1075 Homer, AK 99603 235-6382

Dear Mr. Ayers:

I'm writing this letter to urge you and the Trustee Council to keep working for comprehensive, spill wide habitat protection packages which will include Chenega Lands, areas up for sale on Afognak Island and the Eyak parcels near Cordova.

I commend the great work you and the Trustees have already accomplished. Your foresight and stewardship means future generations of Alaskans will be able to enjoy the magnificence of Seal Bay and Kachemak Bays. Now you must dig in and consummate deals that will save Chenega's, Afognak's and Cordova's forests as well.

Thanks again for all your hard work so far but please remember, the job is far from done.

Sincerely Kast Drug Sue Post Homer, Alaska

Nov. 1, 1994

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John Mangiameli Anchorage, AK 99501

Jim Ayers and Trustee Council members Exxon Valdez Oil Spill Trustee Council 645 G Street Anchorage, AK 99501

Dear Mr. Ayers and Trustees:

Tomorrow you will be meeting to dedicate funds for habitat protection and other restoration projects. I believe this is an unparalleled opportunity to purchase timber rights, conservation easements, and land to protect areas that might otherwise be developed in a manner that would deal another blow to the populations of fish, wildlife, and birds that were devastated by the oil spill. I understand that you expect to act on Kodiak Refuge parcels. While these areas are very important, they are part of a larger, comprehensive program that will protect habitat across the spill area.

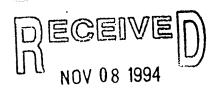
Please don't stop with these deals. Eyak Corporation and Chenega Corporation own hundreds acres of densely forested land that is prime habitat for fish and wildlife. Parcels on North Afognak and the coastline in Kenai Fjords are also vital parts of the puzzle. Please continue to pursue these deals.

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John Mangiameli Anchorage, AK

# Martina Winn



EXXON VALDEZ OIL SPILL

-DUCTER COUNDE

658 Lincoln Avenue St. Paul, Minnesota 55105-3530 612-222-5476

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2 November 1994

Exxon Valdez Oil Spill Trustee Council 645 "G" Street Anchorage, AK 99509

Dear Sir or Madame:

I am writing to urge you to use all of the settlement funds to acquire the private lands within Chugach National Forest, Kenai Fjords National Park, Afognak Island, and Kodiak National Wildlife Refuge. I believe that protecting habitat while funds are available to do so is the best way to ensure the sound's eventual recovery.

Thanks you for considering my views in this matter.

Sincerely,

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12, Tung il im

## Martina Winn

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

Trustee Council,

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

1. The Port Gravina/ Orca Bay; The old growth forests of eastern Prince William Sound near Cordova provide exceptional habitat for spill-injured species and support high value wilderness recreation and tourism.

2. Port Fidalgo; On-going logging activities here threaten the densely forested habitat along sheltered bays near Valdez and Tatitlek.

3. Knight Island Passage; Rugged mountainous island with intimate bays support growing wilderness recreation/tourism use and provide habitat for spill impacted species such as killer whales, harbors seals, bald eagles and salmon.

4. Kenai Fjords National Park; One of Alaska's crown jewels, the hearty of this rugged coastline is threatened by logging and development on private lands within the park.

5. Port Chatham; This is the last stretch of intact forest habitat along the tip of the outer Kenai Peninsula coast.

6. Shuyak Straits; The Sitka spruce forest on northern Afognak is home to marbled murrelets, salmon, brown bear, elk and deer. The Shuyak Straits are a highly productive aquatic environment, a virtual " maritime interstate highway" for marine life.

7. Kodiak National Wildlife Refuge; Although logging poses no threat here, other proposed development activities would jeopardize prime brown bear habitat and other wildlife values.

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

Jean M. Conger S. 3406 Grand Bl. #206 Spokane, WA 99203

Exxon Valdez Oil Spill Trustee Council 645 G St. Anchorage, AK 99509

Dear Trustees,

Government studies show that, five years after the Exxon Valdez oil spill, most populations of injured wildlife, including sea otters, seals, harlequin ducks, murrelets, and wild salmon, have not yet begun to recover. These species depend on the rain forest for their continued existence. However, large areas of forest along the 1500 mile stretch of coastline affected by the spill are scheduled for clearcutting in the near future.

The \$600 million from the settlement paid by Exxon that the Council controls can be utilized to permanently protect this unique and precious region along the Gulf of Alaska. Many of the Native-owned corporations that control inholdings scheduled for logging would prefer to sell the lands or timber rights for habitat protection, rather than see them logged.

I strongly urge you to spend ALL of the settlement funds to acquire the private lands within Chugach National Forest, Kenai Fjords National Park, Afognak Island, and Kodiak National Wildlife Refuge. Only in this way can the wildlife populations of the region recover.

Sincerely,

Jean M. Conger

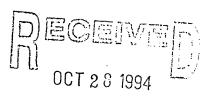
Jean M. Conger

Fish for Winter King Halibut Rock Fish Tackle furnished

or bring your own

Winter King Charters Ralph E. Lohse, Captain

> Box 14 Cordova, Alaska 99574 (907) 424-7170



EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL

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COOS Truotee Council Atlen: Jim Ayers Din 645 G St' Anchorage, Ak

Dear Mr Ayers,

The protection of the timber resources in Simpson, Sheep, I Gradine Bays is vital

I my haviness and to any future developement of Tourism and charter boating in Cordova. We need that industry to

suppliment our communities economic base.

Mease suggest a timber "buy back" to protect these with eners for he put use enjoyment of thousands and the minum ' sonomie good of our community. Sincerely,

ALASKA CENTER FOR THE ENVIRONMENT

AMERICAN RIVERS

NATURAL RESOURCES DEFENSE COUNCIL

SIERRA CLUB

SIERRA CLUB LEGAL DEFENSE FUND

SOUTHEAST ALASKA CONSERVATION COUNCIL

> THE WILDERNESS SOCIETY

TRUSTEES FOR ALASKA

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ID:

October 28, 1994

Kathleen McGinty Director Office of Environmental Policy Old Executive Office Building, Room 360A Washington, D.C. 20503

Dear Katie:

The Alaska Rainforest Campaign is a coalition of Alaskan and national environmental groups working to protect Alaska's coastal temperate rainforest ecosystem. One of our top priority issues over the last two years has been to build support for acquisition of threatened forest habitat within the Exxon Valdez oil spill zone.

We were pleased to hear that a tentative deal has been reached with two of the three Kodiak Native corporations to acquire large amounts of habitat to be added to the Kodiak National Wildlife Refuge. Inroads which have been made in this area are reflective of the Administration's commitment and hard work on this issue. We do have a concern, however, that restoration would be incomplete and somewhat inequitable without a commitment to comprehensive land acquisitions in major forested areas impacted by the oil spill.

The Exxon settlement fund continues to offer the administration an unparalleled opportunity to protect world class natural resource values in one of the world's most endangered ecosystems -- the temperate coastal rainforest. Tens of thousands of acres of this habitat remain available for purchase, many of which are threatened with imminent clearcutting.

Specific areas of concern include Afognak Joint Venture lands on north Afognak Island, holdings within Kenai Fjords National Park, and Eyak Corporation lands near Cordova. We feel that it would be appropriate and proper for the Administration to take a hard line in support of comprehensive habitat acquisitions on these and other forested lands at the Trustee Council meeting next week. A commitment to this process is critical toward ensuring that the momentum established by the Kodiak deal is continued. Thank you for your consideration, and please let us know if we can be of any assistance.

Sincerely,

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Charles M. Clusen Senior Associate Natural Resources Defense Council (for the Alaska Rainforest Campaign)

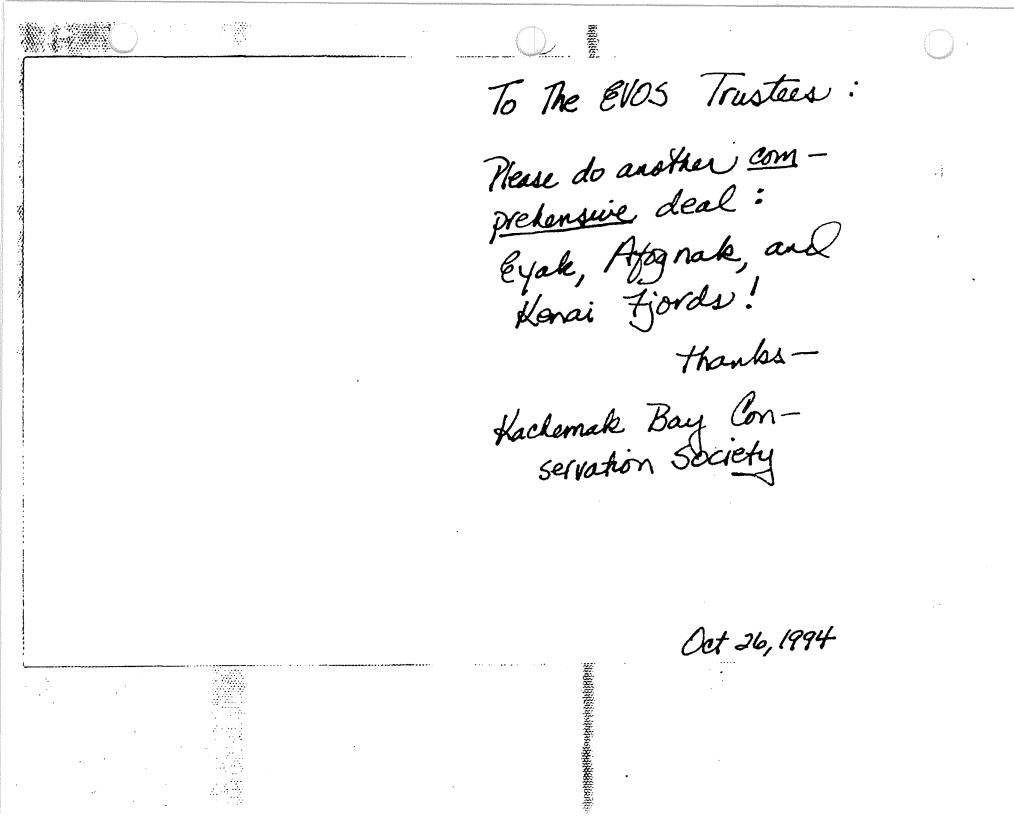
cc: George T. Frampton, Assistant Secretary of Interior James Lyons, Assistant Secretary of Agriculture Doug Hall, Assistant Secretary of Commerce

1350 New York Avenue., NW, Suite 300, Washington, DC 20005 & (202) 783-7800 & Fax (202) 783-5917

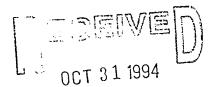
Kathleen McGinty October 28, 1994 Page 2

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Jim Ayers, Executive Director, Exxon Valdez Trustee Council Adela Backiel, Department of Agriculture Rick Grand, Department of Agriculture Phil Janik, U.S. Forest Service Dan Sakura, Department of Interior



KEI P.C KODIAK	TFOOT INC. N KNOWLES D. Box 1934 , Alaska 99615 FAX (907) 486-6228	JOG SHEET NG CALCULATLO DY CHECKEU BY	
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October 26, 1994

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EXXON A SEL OIL SPILL

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

Dear Mr. Ayers,

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

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

Please advise fellow Settlement Trustees of my feelings.

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

Oct 26 1994 fim Ayers Exxon Valdez Settlement Trustee Council 645 "G" street Anchorage Alaska, 99501 I Know it is always a difficult process on How to Dear Jim, decide on what is most important in saving of our wildlands for future generations. I do believe Timber rights should Be purchased From Eyak Corporation to protect Port Gravina, meep Bay and Simpson Bay. I also believe all of North Afognak Island should be purchased especially the (Pauls and Cauras Cakes Area) seeing as now this was the highest rated biologically diverse area in your study. Thank you for your efforts in protecting this area for the future to date. Many who have yet to see this great Land will be thought for your wise efforts. Snicely Daniel P. Kenned P.O. Box 81571 Fairbanks, Alaska 0013 199.1 balan norsz (UF 658

\* Rease distribute to other committee members

Ruth Sheridan 4704 Kenai Anchorage Alaska 99508

Oct. 26, 1994

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

Dear Jim Ayers:

98090009**8888889**00000000

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

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

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

Would you please inform the Council members of my request.

Thank you again.

For a better world,

Ruble Aleridan

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UCT 21 1994

HC 33 BOX 3181 WASILLA. AK 99654 OCT 25, 1994

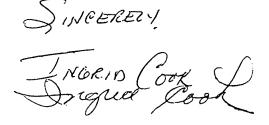
JIM AVERS, EXECUTIVE DIRECTOR EXXON VALDEZ SETTLE MENT TRUSTEE COUNCIL 645 G ST. ANCHORAGE, AK 99501

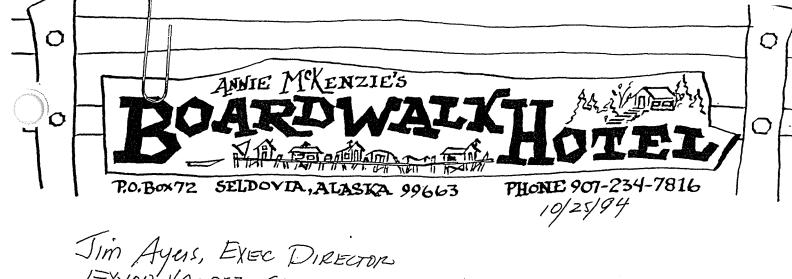
DEAR MR. AYERS & COUNCIL MEMBERS!

I AM WRITING TO ENCOURAGE YOU TO USE SOME OF THE FUND CREATED BY THE COURT SETTLEMENT FROM THE EXXON VALOEZ OIL SPILL TO PURCHASE SPECIFIC TIMBERED LANDS.

THOSE LANDS INCLUDE PORT GRAVINA, SHEEP BAY, & SIMPSON BAY NEAR CORDOUA AND THE NORTHERN END OF AFOGNAR TSLAND.

THANK YOU FOR ALL YOU NAVE-DONE TO PRESERVE PRISTINE TIMBER LAND THUS PROTECTING WILD LIFE AND BEAUTIFUL RECREATIONAL AREAS.





EXXON VALOEZ SETTLEMENT COUNCIL 645 & ST ANCHORAGE AR 99501

DEAR MR AYERS,

PLEASE USE JOUR SUBSTANTIAL INFLUENCE ON THE TRUSTEES COUNCIL TO PROTECT UTAL AREAS FROM QLEARCUTTING. NORTH AFDENAK. THE EYAK CORP. LANDS, PORT GRAVINA, SHEEP BAY, SIMPSON BAY AREALL DESERVING AREAS TO BE LEFT IN A FRISTINE STATE, THANKS FOR YOUP HARD WORK.

OCT 2 7 1994

, . . . . . . .

Sincerely Annie/McKenfie

Please make copies of this yetter -: other members.

Jeffrey L. Callahan 42 H STREET . ANCHORAGE, ALASKA 99501 ICEIVED OCT 2 6 1994 Jim AYERS EXAMPTERALIST UPCTOBER 24, 1994 Executive Director THUSTER COUNCIL Exxon Valder SetHement Truster Council 645 G Street Anchorage, AK 99501 DEAL MR AYERS: I would like to express my gratitude to you and the rest of the EVOS Trustees for their devoted effort to these difficult regotiations. Your hard work is appreciated. Please give additional consideration to the EYAK COLP. londs around Cordova. These areas, including Port Geaving Sheep Bay and Simpson Bay are part of an abundant and rich forest ecosystem that should be protected. Mease purchase all of the Eyak Coff. timba rights. Please purchase all of N. Afognak Island especially the YAuls and Lauras Lakes Area, The beauty and wild pristin nature of Afognek is one of my favorite areas of Alaska. Your own study rates this area as one the highest biologically. Thanks again for your efforts, Jeff C When

98000889

# Mary's Message

October 23, 1994

Jim Ayers, Executive Director Exon Valdez Settlement Trustee Council

This note is in regard to land in Prince William Sound and Northern Afognak Island. Please prevent clearcuts in these areas!!!

Please do not let human greed destroy Port Gravina, Sheep Bay and Simpson Bay. Purchase all of Eyaks timber rights, especially North Afognak Island, priortizing the "Pauls and Lauras Lake Area". Remember that this is the highest biologically rated area in your study!

Deforestation is a threat to the human race. Help mankind survive by saving the few remaining forests on earth. Keep trees alive and perhaps we will survive.

Thank you for your efforts!

Sincerely,

Mary Alta Buckingham

~	To: Exon Valdez Settlement	From : Joe & Mary Buckingham
) 	For Information Call: 907-243-6561	At: Alaskan Renaissance Booksearch
	Pages: 1	My Fax Number : 907-243-6561

Created using WinFax PRO 3.0 Delrina Technology Inc.

23 October



Dear Mr ayers,

I am writing a bout the possible purchasing of timbered undlands M South east alaska with the Excon Valdez settlement money.

I appreciate prevents efforts of the Exxon valder Settlement Mostee Council and am hoping you will make every effort to purchase all of North apognak Island and some of the Eight Corporation Lands near Cardova. On North alognak Island, I hope you will prontize "Pauls and Lawras Lates area " since it has been ranked as the best und life habitat in the spill zone. rear Cordova, I am especially concerned with the protine areas of POR Grauna, Sheep Bay, and Simpson Bay. Please copy this letter for all Cancil members. Thank you. Sincerely,

300388888899999999888

"recycling reduces waste, saves energy, protects resources" Box 84 100% recycled paper Tahawa

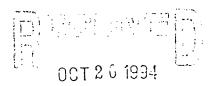
Carrie Farr

Kobert R. Leedy МШ (ПТ 2 С 1994 HC83 Box 1598 Eagle River, AK 99577 10/22/94 JIL SPILL Dear Mr. Ayers: I am writing to request that you give more consideration to the purchase of land and/or timber harvest rights in eastern Prince William Sound. There is high potential for Eyak Corporation to strip the entire coast in Gravina, Sheep + Simpson Bays, A lot of political attention has been focused on purchasing lands + habitats not affected by the spill and some areas that never could be impacted. You need to focus more efforts In coastal Prince William Sound. That is where restoration Funds are supposed to be focused. If we'd had a low rather than high pressure system in 1989 during the spill, these are the lands that would have been hit. I had personally spent many enjoyable weeks in Port Gravina, Sheep + Simpson Bays on and off for almost 30 years. It's a crime to see the logging occurring on both sides of this area. - Please put some dollars where they are supposed to be spect. Thanks Bob Loady

GLENN E. CRAVEZ, INC. 550 W. 7th Avenue, Suite 1 600 Anchorage, Alaska 99501

TELEPHONE (907) 276-3390

October 21, 1994



EZNEL CALLER (AL SPIL)

FAX

(907) 276-823(

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

Dear Mr. Ayers:

First, I want to thank you and your fellow council members for all your time, effort, and hard work to date in connection with the Council. Your task is an unenviable one in some ways. On the other hand, your willingness to undertake this difficult assignment speaks highly of your dedication to public service.

Next, I have a few comments to offer regarding possible land and timber rights purchases, and I ask that you share this letter with all council members. Please designate for purchase all of northern Afognak Island, including but not limited to the Pauls and Lauras Lakes area which your study gave a high priority to in terms of wildlife habitat within the spill zone.

Also please designate for purchase Eyak Corporation lands near Cordova including those at Port Gravina, Sheep Bay, and Simpson Bay. Also please consider purchase of Eyak's additional timber rights in the area, either in whole or in part. This region provides a superb habitat for wildlife which is worthy of protection from timber harvesting.

Again, thank you for your consideration and your efforts to date.

Very truly yours,

Glenn E. Cravez

P.O. BOx 212595 anchorage, AK 99521-259: October 22, 1994 Jim ayers Executive Director RELEASE Exxon Valdez Settlement Trustel Council OCT 2 6 1994 645 G. Street Unchorage, AK 99501 EXXON CONTRACTOR CONTR Dear Mr. ayers: My husband and I would be grateful ig the Exxon Valdes Settlements Frustee Council would please consider using the 1991 court settlement funds to purchase all of the Eyak Corporation's timber rights, especially those relevant to the Port Crawina Sheep Bay and Simpson additionally, we would be grateful if the council used the settlement funds Bay areas. to purchase all of North agognak Island, but especially the Pauls and Lawas Lakes area. The areas mentioned are heavily forested and face destruction by clearcutton gunless "bought back," with that destruction

well come loss of habitat for fish and wild life and loss of recreational opportunities. Because of the scale of clear cuttering envisioned, the loss of wiedligs and recreational values to the

(over)

people of alasha and to their posterity can never be made good again. We appreciate all the Council has done so for to use the settlement funds to preserve habitat in Key areas. Now that same dedication is needed to preserve lands Jaced with imminents clear cutting namely, the Eyah Corporation lands mentioned above and all of North afognah Island. Please copy this letter so that all council members may

Le aware of our concerno and recommendations.

thank you .

Respectfully, Saèlie Hogg SALLIE HOGG Wourder Stige NORMAN HOGG

Wavetamer Kayaking KAYAK KODIAK TOURS - KAYAK KATMAI ADVENTURES FEATHERCRAFT FOLDING KAYAKS - NECKY KAYAKS - ACCESSORIES POB 228, Kodiak, Alaska 99615 - PH & FAX: 907-486-2604

October 19,1994

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

EXXON VILLARZ CH. CPILL VENSTER CONTOLL

Dear Mr. Ayers,

I hope I am one of many Alaskans concerned about the acquisition of Eyak Corporate lands at Port Gravina, Simpson Bay and Sheep Bay and the timber rights for all of Eyak's holdings. I am equally concerned about the acquisition of lands at Paul's Lake and Laura Lake on Afognak Island.

All one has to do is to fly over these areas that are still in their natural state and then fly over areas clear cut to understand the esthetic and spiritual value of these lands. Researching the biodiversity of these same areas and the potential for long-term, sustainable and non-consumptive use gives one an even clearly understanding of the need to protect these areas.

I encourage you to express these concerns to the members of the council. I appreciate their regard in other issues that have arisen and hope that the areas mentioned above can be secured for future generations.

Thank you for your positive and successful efforts to this point.

Sincerely,

Tom Watson, Owner

Wavetamer Kayaking

Active Member: TRADE ASSOCIATION OF SEA KAYAKING ALASKA WILDERNESS RECREATION & TOURISM ASSOC. KOOLAK ISLAND CONVENTION & VISITORS BUREAU ALASKA VISITORS ASSOCIATION/KODIAK CHAPTER

D: EXXON DALDEZ TRUSTER COUNCIL RE' LAND PROTECTION

I am SCHDING YOU a short NOTE to express my CONCERN FOR PROTECTING DUR ENDIRON MEDT. Please CONSIDER fuiding the following AREAS that ARE IN APPARENT Risk of being domaged. - PORT GRAVINA, Sheep BRY, Simpson BAY - EYAK CORPORATION LANDS NEAR CORDODA - Please purchase All of AfoqDaK Jsladd especially the Pauls & Lauras Lakes Area. thank you for All your hard work And ATTENTION in these matters. Sillery hard

# Exxon Valdez Oil Spill Trustee Council

Restoration Office 645 G Street, Suite 401, Anchorage, Alaska 99501-3451 Phone: (907) 278-8012 Fax: (907) 276-7178

October 26, 1994

Paul Swartzbart Alpine Charters POB 233 Cordova Alaska 99574

Dear Mr. Swartzbart:

Thank you for your letter of October 17, 1994. I have been requested to respond to your letter on behalf of the Trustee Council.

As you know, the Trustee Council took action on May 3 to protect lands around Cordova owned by Eyak/Sherstone Corporations. The Trustee Council and representatives of Eyak/Sherstone are now discussing the details of an additional proposal for protection of Eyak lands as part of the Council's comprehensive habitat protection process.

This proposal was discussed with the Trustee Council during the October 5 Trustee Council meeting. The petition you refer to was distributed at that meeting. I can assure you that your comments, as well as those of the Cordova residents who signed the petition, have been and will continue to be considered as these discussions progress.

On October 7 the Trustees did reaffirm their May rejection of the Eyak and Sherstone comprehensive proposal because the proposal does not provide adequate legal assurance of the long-term habitat protection necessary for restoration. We have made Eyak a counter offer because we are just as concerned about providing habitat protection as those who have written in support of reaching an agreement with Eyak. However, it would be irresponsible to invest the public's money in the May 24th proposal without adequate assurance that restoration goals will be achieved or pursued. As you note in your letter, these negotiations can be difficult.

Thank you again for your continued interest in the *Excon Valdez* Trustee Council actions. I can assure you that the Trustees are very aware of the interest Cordova has in this process.

Sincerely,

James R. Ayers Executive Director

cc: Trustee Council

jra/raw

Trustee Agencies

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

### PØJ

# Transmited by Telefax

October 17, 1994

Phil Janik Regional Forester U.S. Department of Agriculture Forest Service 709 West 9th Street, Room 249 Juneau, AK 99802

Mr. Janik,

On October 5th, a petition was submitted (Via Telafax) to the Exxon Valdez Oil Spill Restoration Trustee Council. This petition was compiled by, and submitted by, Cordova residents because of concerns that forested habitat, which has been identified as important to the restoration process, would be lost because of delays in culminating a comprehensive habitat protection deal with the Cordova based Eyak Corporation.

Petition signatures were collected in the course of one day. A cursory review of the petition notes a diverse cross section of individuals, interest groups, and important community representatives. Included among these petitioners were: the Mayor of Cordova, three city council members, the CEO of the Eyak Corporation, the director of the Prince William Sound Science Center, prominent business owners, several high level state and federal resource agency staff (acting as individuals), a large number of fishermen, and native corporation shareholders.

Mr. Janik, I feel that it is significant to note that this petition is composed completely of Cordovan citizens, and it constitutes approximately one quarter of the fall population of Cordova. I believe that it should be considered a valid random sampling of public opinion in one of the primary impacted towns in the spill affected area. I have heard little in the way of feedback from the EVOS Trustee Council on their reaction to the receipt of this petition, or their perspectives on the risk of delaying action on protecting critical habitat in the Cordova area which has been linked to the restoration of spill injured species and services.

I have little or no indication that the Trustee Council even discussed the Eyak land issues at their last meeting. I would appreciate it if you, or your staff, would take the time to respond in writing to the concerns outlined in this letter. In the interest of promoting better understanding of the EVOS Council process, I will make every effort to see that your observations and perspectives are shared with a wide sector of the public in the Cordova area. Janik, EVOS Pg.2

Thank you for your time and effort in responding to this letter. The Trustee Council has undertaken extensive negotiations with the Eyak Corporation, and I understand that these negotiations are at times difficult. Your efforts are appreciated. I hope that these efforts are ultimately successful, and produce, a substantive, habitat protection plan for our area.

Sincerely,

cc Eyak Corporation, Donna Platt Cordova Mayor, Margie Johnson Cordova Times Anchorage Daily News Paul Swartzbart

Alpine Charters P.O. Box 233 Cordova, AK 99574 Phone / Fax: 424-3421

# FAX # 2.76-7178

# Transmited by Telefax

October 17, 1994

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

Mr.Ayres,

Please find attached letter which was faxed to each Trustee for a response. Thank you for your time and effort on this most difficult issue.

Sincercly, au Paul Swartzbart

Alpine Charters P.O. Box 233 Cordova, AK 99574 Phone / Fax: 424-3421 Sierra Club

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



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Post-It <sup>™</sup> brand fax transmittal	memo 76/1 # of pages > 2
To Jim Ayers	From Pen Brodie
Co.	Co.
Dept.	Phone #
Fox# 586-7589	Fax #

September 19, 1994

George Frampton Assistant Secretary U.S. Dept. of Interior

Philip Janik Regional Forester U.S. Forest Service

 Stephen Pennoyer Director, Alaska Region National Marine Fisheries Service

John Sandor Commissioner AK Dept. Env. Cons.

Carl Rosier Commissioner AK Dept. of Fish & Game

Bruce Botelho Attorney General State of Alaska

RE: Eyak Corporation forest habitat protection

Dear Members of the Exxon Valdez Oil Spill Trustee Council:

Protecting the forest on Eyak Corporation lands is a priority for environmentalists, for other Alaskans living in Prince William Sound, and for the shareholders of the Eyak Corporation. Past Trustee Council consideration of Eyak has separated the "core lands" from the rest of Eyak's forest, as though these particular parcels are the most important. In fact, however, comprehensive protection of the whole of Eyak's coastal forest is essential. Some other parcels have even received higher habitat rankings than the so called "core parcels."

We do understand that negotiating conservation easements is considerably more difficult than negotiating fee simple land sales. We appreciate the efforts that the Trustee Council and staff have devoted to this difficult task. We understand that a comprehensive conservation easement for the entire area will be costly. We wish to reiterate, however, how important it is for you and your staff to persevere and commit the necessary resources for a comprehensive agreement that would protect all of Eyak's coastal forest.

The Sierra Club, along with many Alaskans and other Americans have asked you to commit at least \$500 million of the EVOS restoration funds towards habitat protection. \$500 million is not, in itself, a magic number. Rather, it is our best guess that at least this much will be necessary to protect the wildlife habitat that is most important to restore oil spill injuries.

EVOS Trustee Council September 19, 1994 Page 2

Our measure of the success of the Trustee Council process is the comprehensiveness of the protection of priority habitat areas from Prince William Sound to Kodiak.

Thank you for your attention to this matter.

Sincerely,

Pamela Brodie Alaska Rainforest Coordinator

cc: Deborah Williams Craig Tillery ✓ Jim Ayers Luke Borer Donna Platt Alaska Center for the Environment Alaska Rainforest Campaign

10/10/421

Exxon Valdez Settlement Trustee Council 645 'G' Street Anchorage, AK 99501

Attn: Jim Ayers, Executive Director

Re: EVOS Trust Fund

Gentlemen,

I am writing to request that the Trustees consider using the trust funds to acquire additional land to protect wildlife and fish habitat. Areas that I believe are valuable are as follows:

1. Cordova Area/Eyak Corporation Lands: Port Gravina, Sheep Bay, and Simpson Bay. This should include the Eyak timber rights.

2. Kodiak: All of North Afogonak Island, with emphasis on the Pauls and Lauras Lakes Area.

I wish to thank the Trustees for their efforts to date and in the future. Although I do not follow the efforts of the Trustees on a regular basis, it is good to know that someone is working to save wildlife habitat for future generations.

Sincerely, Karl Reiche

3410 Alexander Ave Anchorage, AK 99508

please copy council wenters

fcc\evos.ltr

. 17, 1994OCT 1 9 1994 Dear Sirs: EXXON VALDEZ CIL 8"" We strongly orge the Fixon Valdez Trustee Council to purchase Eyet lands in the Port Graving, Sheep Bay, and Simpson Bay areas near Cordova and the fooridsted northern Afagnak Island grea. These heavily forested lands with salmon spawning streams are an integral part of ecosystems that would suffer dramatically from large scale clearcutting. Public opinion strongly favors purchasing These forested lands and habitats to preserve these ecosystems intad We thank you for your efforts and ask for your consideration of these timely issues. Sincerdy, David E. Swingley Rachel Swingle

Could you place send a copy of this letter to the other members of the Criencial.

ANCHORAGE Audubon Society, Inc A CHAPTER OF THE NATIONAL AUDUBON SOCIETY

October 17, 1994

Post Office Box 101161 Anchorage, Alaska 99510

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

Dear Sir:

The Anchorage Audubon Society urges the Trustee Council to seize the unique opportunity now available to acquire outstanding forested wildlife and recreation land in Prince William Sound and on northern Afognak Island. Although there are many worthy projects lined up for the settlement dollars, it is hard to think of one with more long-lasting benefits than the simple rescue of wilderness lands from future damage and exploitation.

In particular, please focus your efforts on Eyak Corporation lands near Cordova, such as Port Gravina, Sheep Bay and Simpson Bay; and the northern Afognak lands which your own studies have rated as the best wildlife habitat in the spill zone.

In spite of the huge amounts of wild lands in the state, the most population pressure is located in coastal regions, which are also affected by what takes place at sea (like oil shipments). It seems appropriate, therefore, to take extra measures to assure that we retain this unique type of habitat for the wildlife for which we are so famous.

We appreciate the delicate negotiations required for these land acquisitions and wish you success.

Sincerely,

Clusime Maack

Christine Maack, President



EXXON VALDEZ OIL SPIL TRUSTEE COUNCIL Kristine M. Vangstad

Tmi Mulick

Janie Taylor

Steve Hilsgen

Michelle Devine

Stephen Boyd

Robbie Kaplan

Gary Dearth

Jim Henry

October 26, 1994

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

Dear Mr. Ayers,

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

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

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

Sincerely,

Manly (). Antchell

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

10-27-94 P.D. Box 1540 VALDEZ, AK 99686 D)ECE EVOS TRUSTEE COUNCIL 645 G. STREET 0CT-2-8-1994 ANCHCRAGE, AK 99686 FXYON 1 Klourd LIKE TO ENCOURAGE THE TRUSTEES TO EXPEDITE The PORCHASE OF LANDS WITHIN THE EVOS AREA. As A Resident Of PRINCE WILLIAM Sound I believe That The EYAK CORP. LANOS IN EASTERN PRINCE KILLIAM Scupp Office The best VALOES WHEN CONSIDERING The PROTECTION OF The SOULD ECOSYSTEM. This Alguisition ALONG WITH Those IN KENAL FUCROS AND CH AFCGNAR ISLAND.

Seicholy, I Would LIKE TO ENCOURAGE THE TRUSTCE CONNEL TO ADJOURN AT LEAST ONE MEETING IN VALDEZ OVER THE NEXT COUPLE OF MONTHS. I DELIEVE IT IS IMPERATIVE THAT THE COUNCIL MAKE ITSELF DIRECTLY AVAILABLE TO THE PEOPLE WHO ARE MOST EFFECTED by YOUR DECISION

This Information HBOVE,

Matthew Kinney

Kristian H. Erickson 19629 Sunnyside Dr. N., #N-101 Seattle, WA 98133-2716

October 17, 1994

Jim Ayers, Executive Director Exxon Valdez Settlement Trustee Council 645 "G" Street Anchorage, AK 99501 007201994

TRUSTEE COUNCIL

Dear Mr. Ayers:

I grew up hearing frontier stories of my relatives who figured prominently in the history of early Washington State and the Territory of Alaska. I enjoyed the wilderness of western Washington-but throughout my life I watched it disappear to logging and development. In a few regions, the foresight of community leaders helped save big blocks of land, especially in the North Cascades. In other places, the salmon and wildlife habitat vanished before anyone really understood what was happening and how valuable it all was.

One thing nearly everyone agrees on these days: Not enough was saved to preserve the quality of life we all want, to say nothing of fishing and hunting resources.

In recent years, on my trips to South-central and Southeast Alaska, I have watched the wilderness be devoured with the same type of ignorance that we showed in the Lower 48 a few decades ago. It has been deeply distressing.

But now, there has been a small but wonderful stroke of luck. Through the Exxon Valdez disaster, money has become available to save some of the most valuable rainforest! You and your committee have a wonderful opportunity to make a great and lasting contribution to the future of Alaska.

I urge you focus high priority on setting aside by purchase as much of the coastal rainforest ecosystem as possible. I urge you to purchase all of North Afognak Island. Once that is accomplished, then I urge you to pursue the Eyak Corporation lands in the Cordova area, especially Port Gravina, Sheep Bay and Simpson Bay.

You are charged with a great responsibility, and you are doing a good job. Remember that you have an opportunity to mark Alaska's historical development. The finest praise of your actions won't be heard until well into the next century. Act with this in mind.

(May I ask that you circulate this letter to the other members of the committee?)

Sincerely,

(Mr.) Kristian H. Erickson

Oct. 17, 1994

Jim Ayers, Exxon Valdez Settlement Council 645 G St. Anchorage, Ak 99501

OCT 2 1 1994

EXAMINATE COUNCIL

Dear Jim:

This is our second letter, but we feel very strongly about this issue of using Exxon settlement monies to purchase Native corporate forest lands so they may be saved for the enjoyment of future generations.

We ask you to continue negotiating with Eyak Corporation for a complete buy back of their lands, especially including Port Gravina, Simpson Bay and Sheep Bay. We feel the same about North Afognak Island. Please purchase all of this area with a priority –on the Pauls and Lauras Lakes Area since it is regarded as the highest biologically rated area in your own study.

Thank you very much.

Sincerely,

amfaller Ken. 20

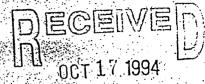
Frank and Jennifer Keim Box 54 Marshall, Alaska 99585

P.S. Also a hearty thanks from both of us for your past negotiations and purchases.

13

#### D. LYNN MICKLESON, M.D.

P.O. Box 2288 Palmer, Alaska 99645 Phone & Fax (907) 745-0828



October 14, 1994

EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL

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

Dear Mr. Ayers:

Please provide funding to buy back lands in Prince William Sound and along the coast to Kodiak. Try if possible to make <u>comprehensive</u> deals on Afognak and with the Eyak Corporation.

As a physician and long term resident of Alaska, I feel the greatest long term benefit and economic promise is keeping the forest intact in these areas. Intact forests will provide years of sustainable income from tourism, fishing and other local forest based industries. Clearcutting these lands is a short-sighted way to make a buck and will take a century or more to recover.

Specifically:

 Please focus attention on the Eyak Corporation lands near Cordova --- Port Gravina, Sheep Bay and Simpson Bay. Also please consider the purchase of all Eyak timber rights.

2.) Please purchase all of North Afognak Island especially the "Pauls and Lauras Lakes area". As your own study revealed, this is the highest biologically rated area.

Thank you for all your efforts so far. I know that negotiations and fund distributions can be a painfully complicated and slow process at times.

Sincerely,

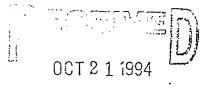
₽.( I)ynn Mickleson

P.S. Please copy this letter to other council members.

Printed on 100% Post-Consumer Recycled Paper

Oct. 17, 1994

Jim Ayers, Exxon Valdez Settlement Council 645 G St. Anchorage, Ak 99501



## EXAC ALDEZ CIL SPILL TRUSTEE COUNCIL

Dear Jim:

This is our second letter, but we feel very strongly about this issue of using Exxon settlement monies to purchase Native corporate forest lands so they may be saved for the enjoyment of future generations.

We ask you to continue negotiating with Eyak Corporation for a complete buy back of their lands, especially including Port Gravina, Simpson Bay and Sheep Bay. We feel the same about North Afognak Island. Please purchase all of this area with a priority -on the Pauls and Lauras Lakes Area since it is regarded as the highest biologically rated area in your own study.

Thank you very much.

Sincerely,

aller Ke 20 xm

Frank and Jennifer Keim Box 54 Marshall, Alaska 99585

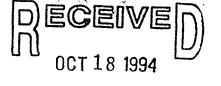
P.S. Also a hearty thanks from both of us for your past negotiations and purchases.

Dear Trustee Council, 10/13/94 I am sending you a photograph of Cordova and its surrounding forest. Our whole community enjoys this forest and what it has to offer in the way of bird watching, sightseeing, fishing, and hunting. I urge you not to let this area be destroyed by clearcutting. Please negotiate a deal with the Eyak people and let Cordovans and tourist enjoy this beautiful forested area in the generations to come, Sincerely, Karen It. Jean KAREN St. Jean P. O. Box 233 Cordova AK.9951 (907) 424-3421 - OCT 17 1994 the second s

Dear Council, FXX JIL SPILL I'm writing to say thank- you for your efforts in land parchase negotiations This has to be a most difficult task. I also wish to encourage you to try to purchase all of North Alognak Island, with special priority on the fauls and Lauras Lakes Area, Please remember that this area has the highest biological rating of the study done by the Council. In addition please try to purchase all timber vights from the Egaks. If this can't be done pat special emphasis on Port Gravina, Sherp Bay, and Simpson Bay. Again Thank you for your efforts with these difficult negotiations. Sincerely, Dope Clime

**I BERTANA** Home address Och, 25, 1994 Temporary address 11695 Mendenhall hoop Juneau OR. 98801 Bay 1040 Kurtestaron, Hi 96760 to: Irustee Council, Jem agers Durator 645 'I' St. Anchorapelik 99501 This is to wrige you, Mr. again, and the council (Exon Valdey Settlement Connert) to purchase allof North afognak Island, It is of highest biologically nated and in That vecuity also, of great importance and the and mean Cordooa unch as Part Gravena, Shilp Bay, Sempon Frey, It is imperfant that all of Egget Timber Rights be purchased. Thank you for all your have done already to save some of our great hearing. Please capy my letter for other council menders, as I am flat on my back ( with a broken back E can 't easily write . over )

RAVEN CHARTERS P. O. Box 2581 Voldez, AK 99686



EXXON VALDEZ OIL SP TRUSTEE COUNCIL

October 15,1994

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

Dear Councilmembers:

We urge you to give priority to the purchase and protection of timbered wild lands in the Port Gravina, Sheep Bay and Simpson Bay areas near Cordova. We support the acquisition of these important habitat areas. As a minimum, purchase the timber rights of the Eyak Corporation on these lands.

We are part of the tourism economy that engages in non-consumptive use of Prince William Sound resources and depend on the continuation of the wilderness qualities of this region.

Thank you for your continuing efforts to mitigate the impacts of the Exxon Valdez oil spill.

Please distribute this letter to the council members.

Sincerely,

William to. Copeland William H. Copeland

Raven Charters

October 13, 1994

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

: 1 OCT 1.1 1994

EXKON LINE COR SPILL TRUSTOE (PORCOR

RE: Exxon Valdez Funds

Dear Mr. Ayers:

Thank you for your efforts in your negotiations thus far in trying to protect the fish, wildlife and recreational areas in the spill affected area.

I am writing to let you know my feelings regarding use of the funds from the Exxon Valdez oil spill. I very strongly support the purchase of timbered wild lands that are the best wildlife habitat in the spill zone. Please purchase the Northern Afognak Island section of forest to include the Pauls and Lauras Lakes Area (the highest biologically rated area in your study).

I would also like you to focus on purchasing the Eyak Corporation lands near Cordova to include Port Gravina, Sheep Bay and Simpson Bay and I urge you to purchase all of Eyaks timber rights. Clearcutting is so devastating and severe and the land is never the same again. Timber harvesting destroys valuable wildlife habitat which can never (in our lifetime and our childrens) be replaced. Once gone, it is lost forever.

I am enclosing 6 copies of this letter for all of the council members. Again I thank you for your time and efforts thus far in these negotiations.

Sincerely, They & Cumme

Terry L. Cummings 6740 East 10th Anchorage, Alaska 99504 Alaska resident of over 30 years

Elizabeth Senear Box 762 Cordova, AK 99574

OOT 1 1 700 ;

Jim Ayers EVOS Trustees Council 645 G St., Suite 402 Anchorage, Ak. 99574

Dear Mr. Ayers:

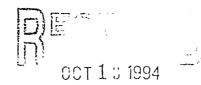
I urge you to accept the offer of the Eyak natives to sell their timber rights, and in some cases the land itself (Power Creek and Eyak Lake lands), as part of the habitat acquisition relating to the Exxon Valdez oil spill. I feel this is extremely important to the town of Cordova which was severely affected by the oil spill, as well as being personally important. The logging of these areas could have deleterious affects on fish and wildlife habitat in the Sound, both or which were damaged in the spill.

I have been a resident of Cordova since 1987, and reside here year round. I am a commercial fisherman, who has been a herring pound permit holder since 1988, in addition to participating in the salmon purse seine fishery and the halibut fishery in Area E. I also have a Bristol Bay drift permit.

Sincerely,

Chalath Fines

Elizabeth Senear



SXX01 Land Con SPALE October 10, 1994

Dear EVOS Trustee Council Members,

I am writing to you to express my support for the current negotiations between yourselves and the Evak Corporation.

As I understand it, the Trustee Council is attempting to purchase timber rights from the Eyak Corporation to prevent the clear-cutting of major parcels of land in Prince William Sound and adjacent areas.

I would like to offer you my wholehearted support in this endeavor and encourage you to do what ever is necessary to prevent further unsustainable logging in this area.

I worked for the ironically dubbed Sound Development, Inc. which was logging here until the fall of last year. And while I would potentially have much to gain, financially, if logging were to continue in this area, I am no longer able to support the unsound logging practices that the Eyak Corporation has permitted to take place on their lands.

have seen first-hand the disregard for stream Ι boundaries as clear-cuts engulfed creeks that contained salmon which had returned to spawn. There can be no doubt that practices such as this can only further damage the already suffering wildstock returns in these waterways.

We must never forget that there is an incredibly delicate balance between the land, the water, and the skies. And that by doing something to protect one of them you are invariably helping the world as a whole.

Another concern that I would like to express is the likely impact that the clear-cutting of these tracts would have on the community of Cordova. While a certain amount of revenue would be generated for the city throughout the timber extraction process, it is probable that this would last but a few short years. The effects, however, would last for generations.

The City of Cordova is currently engaged in efforts to build a deep-water port at Shepard's Point. This is a major investment by, not only our community, but the state as well, to stimulate tourism in this region. The logging of this terrain would not only offer an appalling welcome mat to any visitors entering via Orca Inlet, but also destroy the optimum destination for day-trips out of Cordova.

Some of the proposed tracts are favorite places of mine for boating, fishing, and hiking. Simpson Bay and Nelson Bay are places of unimaginable beauty and I hope that someday I will be able to take my children and even grandchildren to these areas.

It is within your power to see to it that some kind of agreement is forged. I am aware that there are many details that still need to be worked out and that a deadline is rapidly approaching. If nothing else, I implore you to at least reach an agreement on the timber rights so that this incredible region retains its pristine splendor forever.

THANKYOU!

Sincerely, Kevin Tritt Klur \ with Cordova, Alaska

in Tritt 30x 2755 ordova,AK 99574





EVOS Trustee Council 645 °G" Street Suite 401 Anchorage, AK 99501-3451

September 27, 1994 LPW. Por? Lovenor Walter J. Hickel State Capital, P.O. Box 110001 Junesu, ax 99811 Dear Hovernor Hickel, I have two concerne & would like to bring to your attention; 1. I would urge you to support the allocation of a minimum of \$ 500. million for habitat protection and preservation. Some costly surveys and studies are of walue but too many end up mouldering away in some obscure file storage with lettle lengit to anyone. I'm referring to dispersal of Exxon Valdy Oil Spill Restoration monies. Habitat is key to wildlife well-being, more so than any other single factor. 2. a popular, well used, and readily an state and the second se accusible recrestional trail available to the a daniya people of Kodisk now faces endangerment by logging and or development. Im referring to the 3 mile trail out to Permination Point. & to use whatever means at your dyposal the integrety of this valuable recreational facility, both for the people of Lodish, and for all alasson who visit there. Sincerelys JAMES R. MAHAFFEY James R. Mar 9601 MIDDEN WAY ANCHORAGE, AK 99507

EVOS Trustee Council September 19, 1994 Page 2

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Our measure of the success of the Trustee Council process is the comprehensiveness of the protection of priority habitat areas from Prince William Sound to Kodiak.

. . .

Thank you for your attention to this matter.

Sincerely,

0 E F - - - -

Pamela Brodie Alaska Rainforest Coordinator

cc: Deborah Williams Craig Tillery ✓ Jim Ayers Luke Borer Donna Platt Alaska Center for the Environment Alaska Rainforest Campaign



Bill Denneen 1040 Cielo Ln. Nipomo, CA 93444

Exxon Valdez Oil Spill Trustee Council 645 G St. Anchorage, AK 99509

Dear Trustees,

Government studies show that, five years after the Exxon Valdez oil spill, most populations of injured wildlife, including sea otters, seals, harlequin ducks, murrelets, and wild salmon, have not yet begun to recover. These species depend on the rain forest for their continued existence. However, large areas of forest along the 1500 mile stretch of coastline affected by the spill are scheduled for clearcutting in the near future.

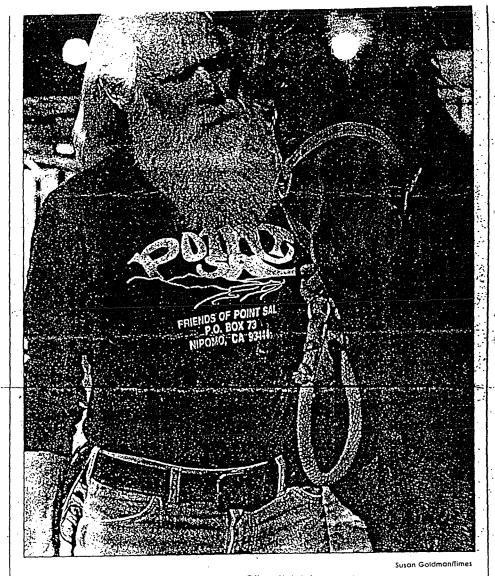
The \$600 million from the settlement paid by Exxon that the Council controls can be utilized to permanently protect this unique and precious region along the Gulf of Alaska. Many of the Native-owned corporations that control inholdings scheduled for logging would prefer to sell the lands or timber rights for habitat protection, rather than see them logged.

I strongly urge you to spend ALL of the settlement funds to acquire the private lands within Chugach National Forest, Kenai Fjords National Park, Afognak Island, and Kodiak National Wildlife Refuge. Only in this way can the wildlife populations of the region recover.

- 14 L

Sincerely

Bill Denneen



Bill Denriben was awarded the Sierra Club's Oliver Kehrlein award.

# Nipomo naturalist gains Sierra Club's highest honor

NIP(1810) --- This week, Ni-porto and Unit Democrated a club could cong on Monday, a hike three is the Nipomo Dunes on Tuessiand a horseback ride Wednesday. On Thursday, he led a sur of the Cayucos tide perior and on Saturday he planned ... isit to the Pinnacles National Jonument.

It is the ause of his busy schedule leading people through the wonders of the local environment that Denneen was awarded the Sierra Club's presugious Oliver Kehrlein award this year.

The mad given to only one person in the nation each year, hone is people who consistently leav outings and educate the pullchout the environment.

Sier . tub officials will award to Denneen t in San Francisco

the local sting chast who non as a 10 D.W.C 116

knowledge, announced at the Broup's March meeting that the Nipon: Dunes near Ose Denneen won the award. De- Flaco Lake. But, following a neen said he was so busy that day - hiking, riding, or doing whatever he does - that he almost didn't go. "It came the night of the

meeting and I said. I don't know if I want to go, it's a long drive,'". Denneen said.

Felsman said Denneen is so active educating people about the environment that when he submitted Denneen's name for the award, he sent in a pile of papers a quarter-inch thick just describing Denneen's tours

Denneen entered the conservation movement 30 years ago when he helped form the San Rafael Wilderness He also spent 25 years sharing information about the environment as a biology and raisrobiology teacher at Hancock College.

One of the biggest fights in Denneen's years of activism occurred during the 1460s. when PG&F considered and

ing a nuclear power plant on flurry of miticism from the public, PG&E built the plant at Diablo Canyon instead.

Now, the Nature Conservancy manages the Oso Flaco area, and Denneen feels comfortable that it will be protected. So he has turned his attention to the Pismo State Vehicle Recreation Area.

He is founder and chairman of the Citizens for a Vehicle Free Dunes and often attends public hearings to urge the elimination of vehicles from the dunes.

"When enough citizens realize this beautiful shoreline ... is being run over by vehicles and noise we'll get rid of them," Denneen saad

When he a not lobbying to eliminate v birles, he plans to rally behind a proposal recently released by a National Forest task force to reduce vehicle in a sub-ional forests.

present at a ban-May L Gary ismar. chapter

Shanti Shanti Kaur Khalsa P.O. Box 35882 Los Angeles, CA 90035

Exxon Valdez Oil Spill Trustee Council 645 G St. Anchorage, AK 99509

Dear Trustees,

Government studies show that, five years after the Exxon Valdez oil spill, most populations of injured wildlife, including sea otters, seals, harlequin ducks, murrelets, and wild salmon, have not yet begun to recover. These species depend on the rain forest for their continued existence. However, large areas of forest along the 1500 mile stretch of coastline affected by the spill are scheduled for clearcutting in the near future.

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I strongly urge you to spend ALL of the settlement funds to acquire the private lands within Chugach National Forest, Kenai Fjords National Park, Afognak Island, and Kodiak National Wildlife Refuge. Only in this way can the wildlife populations of the region recover.

-18.

Sincerely,

ji Shantik.

Shanti Shanti Kaur Khalsa

Karen Licher P.O. BOX 1033 Sedona, AZ 86339

Exxon Valdez Oil Spill Trustee Council 645 G St. Anchorage, AK 99509

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Sincerely,

Karen Lichen

Karen Licher

Don Strachan P.O. Box 1066 Middletown, CA 95461

Exxon Valdez Oil Spill Trustee Council 645 G St. Anchorage, AK 99509

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-18.

Sincerely, Don Strachan

Tim Kiley 1122 6th St. #304 Santa Monica, CA 90403

Exxon Valdez Oil Spill Trustee Council 645 G St. Anchorage, AK 99509

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Sincerely, im Kiley

Maurice M. Meir 139 S. Beverly Dr. Suite 204 Beverly Hills, CA 90212

11

Exxon Valdez Oil Spill Trustee Council 645 G St. Anchorage, AK 99509

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Sincerely, Maurice M. Meir

Ann McCaslin 5656 Lake Washington Bl. SE Bellevue, WA 98006

Exxon Valdez Oil Spill Trustee Council 645 G St. Anchorage, AK 99509

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-12.

Sincerely, Ann McCaslin

JoAnne Thompson 1903 El Camino de la Luz Santa Barbara, CA 93109 Autombus /6, /994

Exxon Valdez Oil Spill Trustee Council 645 G St. Anchorage, AK 99509

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-17.

Sincerely,

Banne Hompson JoAnne Thompson

Ken Garber Sandra Garber 2405 S. Holt Ave. Los Angeles, CA 90034

Exxon Valdez Oil Spill Trustee Council 645 G St. Anchorage, AK 99509

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Sincerely, Ken Garber

<del>San</del>dra Garber

Connie McCabe 555 Pico Ave. San Simeon, CA 93452

Exxon Valdez Oil Spill Trustee Council 645 G St. Anchorage, AK 99509

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incerely, Connie McCabe

MRS. RICHARD H. TICOA 43 GREENWAY ST. CRANSTON, RI 02910-5913 23A Council Isusta DEIS Commente aEXXON VALDEZ OIL SPILL anchoroge AR 99501 Interdational della construction of the second standard of the second se © USPS 1991 in state a state of the state o in the second Knighed clubers orolah and I olime Pa 505 4) & and areas al scha Lovalin. addus ausis o unded Þ U. いたん protect ঞ Strong g SAVE andra F તે marce R'erier NUST C ð gg מחמב willia air 9 z S 5 5

ECEIVED Box 344, Talkeetra, AK S96 76 7/18/94 JUL 2 5 1994 Dear Jim ayers Director EXXON VALDEZ OIL SPILL Trustee Council TRUSTEE COUNCIL The EVOS Trustee Council is making important progress regarding habitat acquisition. Noweler, Quant to request that the Council support a comprehensive deal for all of EYAK's timber rights. It is better for watershed Jourismi Grecreation to protect the whole cosystem Simber rights for sure should be bought for cutical areas such as Bude River, Simpson Bay Sheep Bay + Poir Travina. Thanks for listing Beckydeng standard Eyon reporse

Berl 344 Talkeetra, DK 89676

DECEIVE JUL 25 1994

EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL Jemayers, Dreetor Trustee council 645 & St. 4th Floor Anchorage, AK 99501

D) 區G區IIV區D JUL 21 1994

EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL

Dear Sim Ayers,

We first wont to say thank-you for all the progress that you and the Trusters are making in the Truster Council's attempt to bay Egak land again. The importance of the acquistion cannot be overstated.

However we wish to arge you and the other Trustees to try to make a comprehensive deal for all of Egak's timber rights. It is vital to buy the timber rights in such critical areas as Rude River, Simpson Buy, Sheep Bay, and Port Graving.

If we can acquire the Egak's timber rights we can ensure the health of the ecosystem which in turn will guarantee the development of a strong tourism industry in the Sound, while protecting the health of the commorcial fishing industry.

Sincerely,

Mithell + Hope and

Anna Witter and Same

hell & Hope Cline P.O. Box 727 Cooper Landing, AK 99572





Jim Ayers, Director, Trustee Council 645 & Street 4th Floor Anchorage, AK 99501



#### Sea Grant Marine Advisory Program

University of Alaska Fairbanks

School of Fisheries and Ocean Sciences

#### **Program Offices**

Carlton Trust Building, #110 2221 E. Northern Lights Blvd. Anchorage, Alaska 99508-4140 (907) 274-9691 FAX (907) 277-5242

> \* \* \* P.O. Box 830 Cordova, Alaska 99574 (907) 424-3446 FAX (907) 424-5246

> P.O. Box 1549 Dillingham, Alaska 99576 (907) 842-1265

> > 4014 Lake Street Suite #210 B Homer, Alaska 99603 (907) 235-5643

900 Trident Way Kodiak, Alaska 99615 (907) 486-1514 FAX (907) 486-1540

P.O. Box 297 Kotzebue, Alaska 99752 (907) 442-3063

P.O. Box 1329 Petersburg, Alaska 99833 (907) 772-3381 FAX (907) 772-4431

> 1297 Seward Avenue Sitka, Alaska 99835 (907) 747-3988

May 26, 1994

Jim Ayers, Executive Director EVOS Trustee Council 645 G Street, 4th Floor Anchorage, AK 99501

Faxed : 5/24/94

.IIIN 0 3 1994

EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL

Dear Jim:

I just wanted to offer a brief but very genuine bit of appreciation for the recent progress made by the Trustee Council on the Eyak Habitat Acquisition negotiations. I know this has been a complex and difficult endeavor for all involved and the Council is to be commended for their continued resolve to come to closure on a truly comprehensive acquisition protection deal for Eyak lands. People in the spill region can now glimpse the light at the end of the spilled long tunnel.

Once you have closed the Eyak deal and the other deals in your comprehensive acquisition package, and have mapped out a focused monitoring and research program, and when the private litigation is resolved, folks in the region will then and only then be able to return to lives with some semblance of normalcy.

The Council's many years of planning and hard work are about to pay off in a huge way, and rest assured it will not go unnoticed. Thanks. Have an enjoyable Memorial Day weekend.

Sincerely,

Rick Steiner, Associate Professor Marine Advisory Program, Cordova

rs:bhm

University of Alaska Fairbanks

MARINE AD PROGRAM of Alaska Univel P.O. Box 830 . Cordova, AK 99574 424-3446



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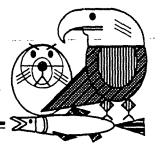
Fax Transmittal Form Fireweed Graphics P.O. Box 1478 Cordova, Alaska 99574 (907) 424-7490 Fax: (907) 424-7491
Date: To: <u>EXXON VALDER OIL SPILL</u> <u>TRUSTRE COUNCIL OFFICE</u> <u>ANCHOROGE, ALASKA</u> <u>"JIM AYERS" [X. director</u> ] <u>TRUSTRE COUNCIL OFFICE</u>
From: Dune Lankard: Eyak Traditional Elders Council P.O.BOX 460 Cordouc, Nr. 99574

There are \_\_\_\_\_ pages not including this cover sheet. If you have any problems with this transmission, please call us at (907) 424-7490.

Thank you. EVAL COYP. Raintore pa MACTION RE: \_\_\_\_ WHY NOTE: PI to al Pare torinard IVUSTOP -

# 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 MMV Director of Operations

Date: May 26, 1994

Subj: Public Comments on Eyak

We are continuing to receive a number of letters regarding the Trustee Council's agreement with Eyak. I'm attaching copies of the comments for your review.

# Eyak Traditional Elders Council P.O. Box 460, Cordova, Alaska 99574

John A. Sandor, Commissioner Alaska Dept. of Environmental Conservation 410 Willoughby Ave. Suite 105 Juneau, AK 99801-1795

May 19, 1994 DELIVERY VIA FAX: 465-5070

Re: Rainforest Habitat Protection Negotiations

Dear Commissioner Sandor:

The purpose of this letter is to help clarify the Eyak people's position and concerns regarding Rainforest habitat protection in the Prince William Sound region.

First, the Eyak people wish to thank the Exxon Valdez Oil Spill Trustee Council (Trustees) for their continued efforts and most recent actions to protect our Rainforests from further environmental destruction.

Within the last month I spoke with Mead Treadwell about some of the key issues that should be considered when negotiating our future with Eyak Corporation. It is our hope that the Eyak people can help facilitate a possible solution to permanently end the vicious circle of "imminent threat decision-making practices" that the Eyak Corporation utilizes at critical times. This tactic threatens the continued existence of our coastal Rainforests and is of course of grave concern to the Eyak people.

The Eyak people want the entire Eyak Rainforest including all of Prince William Sound's Rainforests protected. The wildlife, the salmon, the people and the entire ecosystem will not fully recover from the effects of the "oil spill" if our Rainforests are destroyed also.

What follows in this letter is an outline of our concerns. Please note that these issues are not listed in any order of importance because all of these issues are critical to the Eyak people.

1. Timber Rights or Conservation Easement Purchases -

All of the timber rights must be purchased or the Eyak Corporation may be in a position to use this money to subsidize future clearcutting operations on other currently unprotected lands.

## 2. Perpetual Investment Plan -

Negotiations should include a perpetual investment plan which invests a mutually agreed upon percentage of the monies into an account for future shareholders. For example, this plan could be a revolving fund earning income to guarantee that future Eyak Corporation shareholders will have financial assets and a Rainforest still intact to complement the perpetual conservation easements.

#### Fee Simple Title -

3.

The Eyak people are opposed to the sale of our ancestral lands. The land is sacred. We believe that we do not have the right to sell the land away from our children. We also believe that the Eyak Corporation does not have the right to sell these lands either. Eastern Prince William Sound Rainforest Salmon Protection -

This region is one of the most important wild chum salmon habitats in the world A wild stock restoration program must be implemented soon, in conjunction with protecting the entire region's Rainforest.

5. Eyak Rainforest Appraisal Values -

4.

The Eyak people wish to make it clear that the Trustees should conduct the Rainforest Protection negotiations using the U.S. Forest Service appraisal values to be determined once an agreement is reached with the Eyak Corporation. This is a very sensitive issue. As shareholders of a Native corporation, there are laws that should protect us. It is up to the shareholders to exercise our rights to protect our assets, our land and our future. These internal issues are being actively addressed by shareholders. Such issues can and will be resolved and, when needed, corrected with time by the shareholders with the assistance of their legal counsel.

6. How the Trustees Can Help the Eyak People -The Trustees can create a means to protect the Rainforests and halt the clearcutting practices in Prince William Sound. Cultural restoration cannot be separated from environmental restoration. True healing may begin only with our Rainforests intact and preserved.

Last but not least, the Eyak people have supported the negotiations and have stood by the Trustees hoping that your efforts would help solve the turmoil in the Eyak Rainforest. We would like to point out, however, that literally thousands of acres of our Rainforest have been sacrificed since the negotiations started. Government has allowed "emergency conveyances" to the Eyak Corporation to clearcut parts of the Rainforest: these areas are now beyond recognition.

We strongly hope our ancestral lands of the Alaganik region near the Copper River Highway was our last sacrifice. That particular clearcut conveyance will scar our hearts for generations to come.

The Trustees have a chance to amend history right now. Your efforts will not go unnoticed. By protecting our Rainforest you protect our people. Without our Rainforests we too will cease to exist.

In spirit and friendship,

"Monkan Gi

Dune Lankard Eyak Tribal Spokesperson

cc: Trustee Council Members Eyak Corporation Board of Directors Sherstone Board of Directors Mead Treadwell WILDERNESS, ADVENTURE, AND CULTURAL TOURS FOR THE INDEPENDENT TRAVELLER SEEKING QUALITY, KNOWLEDGE, AND THE UNUSUAL IN ALASKA'S RAINFOREST. TOURS

369 S. Franklin Street, Suite 200 Juneau, Alaska 99801 (907) 463-3466 Fax (907) 463-4453

September 6, 1994

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

Dear Mr. Ayers:

Alaska Rainforest Tours is a central tour booking and trip planning service specializing in wilderness and wildlife watching experiences using local owner/operated tour businesses. We work with over 100 independent tour operators, lodge owners, charter skippers and B&B owners throughout the state on a regular basis. As the wilderness tourism industry continues to grow (which it will--Alaska is one of the premier wilderness destinations in an evershrinking world) demand for more pristine bays, coves, valleys and mountains will grow as well. This past year we saw a significant increase in the number of people specifically wanting to visit the Kodiak area to see wildlife (bears, sea otters and sea birds especially). With careful protection and stewardship we can protect fishery and wildlife habitat, forest diversity and provide jobs for many generations to come.

I thank the Trustees for their efforts in protecting areas to date and urge the Trustees to **purchase all of North Afognak Island** (I understand that your study rated this area as having the highest biological priority in the study area) and all of the Eyak timber rights in the Cordova area.

Thank your for your consideration.

Sincerely. 1a

'Karla Hart Partner

OCT 1 1 1994

P.S. Would you please see that my letter is copied to the Council Members.

Susan Kraft uken jupiter ( P.O. BOX 278887 COLONY VILL Wasilla, AK 990 SEP 4 PALMER, ALA INIIV - THicks! 1 Sir, ting to 0\_ d am  $(\Box$ consider se yace whate sive pu α comp the Eya Approximities and a second all of of in the right timbe Cordona orea At a life-long Alaskan, a mother of fine, and a concerned and active involue cite it is utal that Aconas presen our to remany boces A-lask had a great and priceless resource lder. ied

MAY 12 1994

EXXON VALDEZ OIL SPILL VRUSTEE COUNCIL

Susan M. Means 11940 Circle Drive Anchorage, AK 99516 (907) 276-4408 (day) May 11, 1994

Jim Ayers, Executive Director EVOS Trustee Council 645 "G" Street, 4th Floor Anchorage, AK 99501

Dear Mr. Ayers:

I want to thank you for the role you have played in the tentative agreement worked out with the Eyak Corporation to have the <u>Exxon Valdez</u> oil spill Trustee Council buy part of the Orca Narrows timber. I do want to ask, however, that efforts continue to ensure that all of Eyak's timber rights are purchased--especially the timber rights in critical areas like Rude River, Simpson Bay, Sheep Bay, and Port Gravina. Please make sure that ADEC Commissioner John Sandor understands that Cordovans and many other Alaskans want a comprehensive deal that will allow tourism development and commercial fishing for the long-term. Commissioner Sandor's current approach would leave much of this land open for clear-cut logging, fragmenting this valuable ecosystem and damaging its long-term potential for sustained tourism and recreation use as well as other resource-dependent purposes. That would be a terrible mistake.

Again, I appreciate the vision you have shown in working towards a viable agreement on this, and thank you for the hard work that's gone into it.

Sincerely,

man A. Means Susan M. Means

#### 1AY-27-94 FRI 13:06

# Sierra Club

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

May 27, 1994

Members of the Exxon Valdez Oil Spill Trustee Council:

James A. Wolfe Director, Engineering & Aviation U.S. Forest Service

George T. Frampton, Jr. Assistant Secretary U.S. Department of Interior

Carl L. Rosier Commissioner Alaska Dept. of Fish & Game Bruce M. Botelho/Craig Tillery Attorney General/Trustee Rep. Alaska Dept. of Law Wilbur Mills

Steven Pennoyer Director, Alaska Region Nat. Maríne Fisheries Service

John A. Sandor Commissioner Alaska Dept. of Conservation

Gentlemen:

On behalf of the Sierra Club, and as Environmental Representative on the Public Advisory Group, I would like to extend my sincere thanks for your efforts towards restoration of oil spill injured resources through purchase of commercial timber rights from the Eyak and Sherstone Corporations. We applaud your resolution of May 3 to purchase a general moratorium on commercial logging and related road building until March 1, 1995, along with commercial logging rights in perpetuity on 2,052 acres. We understand that it has been a difficult and time consuming process for all of you, for your staff, and for the representatives of the Eyak and Sherstone Corporations to come to this agreement. We greatly appreciate your dedication.

It is of the utmost importance for restoration of the Prince William Sound ecosystem and for well-being of the community of Cordova that the Trustee Council and the Eyak and Sherstone Corporations reach an agreement for perpetual and comprehensive protection of Eyak and Sherstone's forest. A comprehensive protection package must include all of Sheep Bay, Simpson Bay, Nelson Bay, the Rude River drainage, and any parcels which might be selected but not yet conveyed in this area. This forest is prime wildlife habitat for many species and is vital to the overall ecosystem health. It would be a tragic error to acquire only small parcels in a piecemeal fashion, when comprehensive protection of the Eyak area is possible.

Sincerely, France a

Pamela Brodie Associate Alaska Representative

Post-it Fax Note	7671	Date	5-27-94	# of pages
To Jim Ayer	2	From	Pam	Bradme
	fee Cod	Co.	Sien	a Oulo
Phone # 907 - 586-	7238	Phono	"q07	276-9048
Fax# - 586-	7589	Fax #		258-6807

P.O. Box 961

Cordova, Alaska 99574

# (907) 424-5160

September 16, 1994

Jim Ayers, Executive Director & EVOS Trustees 645 G Street Anchorage, AK 99501

SFP 1 9 1994

EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL

Re: Eyak land buybacks

The final decision for buying back Eyak lands slated for future loggings is drawing near. At this time I would again like to encourage you to work towards a positive settlement - for the Eyak Corporation and its shareholders, the potential tourism industry in Cordova and for Cordova residents who are not shareholders and our children.

As a lifelong resident of Cordova, commercial fisherman and business owner; I feel that continued clearcutting would adversely affect our livelihood as well as the quality of life we share now.

I would like to see the ecosystem remain intact, the salmon streams protected and the aesthetic beauty unchanged. I am proud of Cordova and would like to be ble to reflect that to my family, my friends and Cordova's visitors. Please try to solve the differences that block a buyback. Piecemeal purchases would not bring as any closer to our vision and that vision includes trees and a healthy ecosystem.

Please do your best to preserve the rainforests of Prince William Sound!

Thank you, Kay Udams Kay Ådams

# Kay & Mike Adams

P.O. Box 961

Cordova, Alaska 99574

# (907) 424-5160

May 20, 1994

Jim Ayers, Executive Director EVOS Trustees Council 645 G Street Anchorage, AK 99501 DECEIVED MAY 2 3 1994

EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL

Good Afternoon,

I would like to take this opportunity to express my relief that the EVOS Trustees council finally was able to purchase a parcel of Eyak lands on Hawkins Island. This is a positive step towards healing the residents of Cordova, whom still feel greatly impacted by the 1989 oil spill.

It is my hope that you will continue negotiations in order to buyback parcels in the Eyak Lake and River areas, Power Creek, Simpson Bay and on into Prince William Sound. Cordova's goals for the future include tourism development. These areas need to remain intact if they are to be aesthetically pleasing to tourists, and we locals want to be proud to show off our home and favorite recreational sites. A comprehensive buyback plan is essential, a piecemeal approach, although somewhat encouraging, will not allow us to accomplish our long term goals.

Thanks for your patience and persistence with this matter, please continue the positive teps you have made.

Sincerely,

Kay adams

Kay Adams

P.S. Please make a copy of this letter for all of the trustees.

# Exxon Valdez Oil Spill Trustee Council

Restoration Office 645 "G" Street, Anchorage, AK 99501 Phone: (907) 278-8012 Fax: (907) 276-7178



May 3, 1994

Larry and Judy Lietzau P.O. Box 2195 Cordova, AK 99574

Dear Mr. & Mrs. Lietzau:

Thank you for your letter regarding Eyak lands. We are in discussions with Eyak and hope to work out an arrangement that would protect habitat areas within the Eyak lands. Your comments and others of the public are taken very seriously by the Council and appreciated.

Sincerely,

James R. Ayers ' Executive Director

JRA/mir

cc: <u>Trustee Council Members</u>: Michael A. Barton, USFS Bruce Botelho/Craig Tillery, Department of Law Paul Gates/George T. Frampton, Jr., Department of the Interior Steve Pennoyer, NOAA Carl L. Rosier, Department of Fish & Game John A. Sandor, Department of Environmental Conservation

#### Trustee Agencies

State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation United States: National Oceanic & Atmospheric Administration, Departments of Agriculture and Interior May 11, 1994

Jim Ayers, Executive Director EVOS Trustee Council Restoration Team 645 G Street, Fourth Floor Anchorage AK 99501

Dear Mr. Ayers,

We thank the Trustees for funding the 2,000 acre purchase of Eyak Corporation lands in Orca Inlet. This is a good step toward healing the hearts and souls of those who were impacted by the oil spill in the Cordova area.

We would like to urge you to continue the deliberations to work out additional buybacks for the Eyak Lake and River and Power Creek parcels as well as the remainder of the parcels in Simpson Bay and into the Sound. To keep this area intact so that we may develop future tourism activities is important.

Again, thank you for all the work that you and the Trustees have done so far toward this end.

Sincerely,

Larry and Judy Lietzau PO Box 2195 Cordova AK 99574 424-7273

Copy to The EVOS Trustees, please.

F/V Belen-C Joe and Belen Cook, Jr. P. O. Box 215 Cordova, Alaska 99574 Phone (907) 424-3507

EVOS TrusTEE Council

AS A EYAK STOCKHOLDER AND CommFisherman, Who was RAISED AND FISHED IN CORDOUR, ALL OF MY LIFE, I WOULD LIKE TO SEE EYAR LANDS PROJECTED From LOGGING. IF YOU CAN MAKE A DEAL ON THE TIMBER RIGHTS. I THINK IT WILL HELP ALOT MORE PEOPLE THEN IT WILL HUN BUT MORE IMPORTANT, I THINK IS THE FISH AND ANIAML HABITAT. IT WILL SHUE. BECAUSE IT SEEMS, ONCE THAT iS GONE THANK YOU IT DOES NOT COME BACK ve Cork





Paul Swartzbart Box 233 Cordova, Alaska 99574

5/5/94

JIM AYIERS AND MEMBIERS OF EVOS TRUSTEZ COUNCIL

CONGRATULATIONS AND THANK YOU VIERY MUCH FOR YOUR IEJEJORTS CONCIERNING THIE EYAK LAND DEAL.

I AM SURFE YOU REALIZE THAT A PHECEMERL APPROACH TO HABITAT PROTISCITION WILL NEGATE THE VALUE OF THIS FARST STIEP. IF THTERE WAS EVER A SITUATION TO APPLY THE ECOSYSTIEM APPROACH, THIS IS IT. PLEASE USE THE OIL SPILL MONEY TO ADQUIRE ALL THE REMAINING EVAL LANDS.

ALL OF US IN THE TOURIST INDUSTRY, COMMERCIAL FISHING, AND THE AFECRIENTION AND SCHENTTFIC COMMUNITIES FIELE UERY STRONGLY ABOUT THIS. WIE NEED A COMPREMENSIVE DIEAL.

ONCE AGAIN, THANK YOU VERY MUCH. HAVING ATTENDED SIEVIERAL OF YOUR MIEIETINGS I BIBALIZUE WHIAT A DIFFICULT JOB YOU HAUSE.

SINCERELY 1-5. PUEMSZ COPY AND DISTRIBUTZ

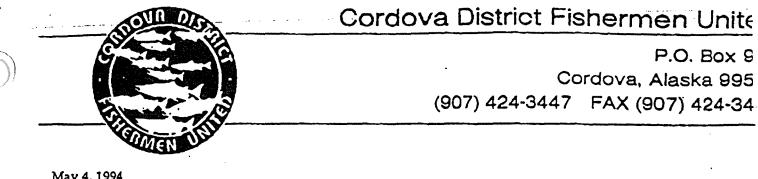
tax for Jim Ayers From Linden O'Toole

Linden O'Toole P.C. bux 1875 Conclosa, 17k 99574

Mary 5, 1994

I would like to thank you sincerely for all your efforts to buy timberights in Prince William Sound. I am a strong believer that the long-term economic future for the area lies in the development of a tourism industry. <u>Please</u> Continue your efforts to purchase all of the Eyak Corporation's timber rights in the Sound, particularly in highly visible areas, and the areas near Cordova. Someday you may lock back on your career and recognize this as one of your must meaningful accomplishments.

Sincerely, Hunder O'Toole



May 4, 1994

Jim Ayers, Executive Director **EVOS Trustee Council** 645 G Street, 4th Floor Anchorage, AK 99501

Dear Mr. Ayers:

On behalf of the commercial fishermen and fisherwomen who comprise Cordova District Fishermen United, thank you for facilitating the recent agreement with the Eyak Corporation for the purchase of Orca Narrows and the moratorium.

CDFU supports these negotiations between the Trustees and Eyak Corporation. We hope that, through these efforts, additional critical habitat areas (such as Rude River, Simpson Bay, Sheep Bay and Port Gravina) may also be protected into perpetuity. Our mission is to preserve, promote and perpetuate commercial fishing in Prince William Sound and on the Copper River Flats. Your actions on this important initiative will help us achieve our mission and safeguard our members' ability to make a living.

Please pass a copy of this letter to all of the Trustees and thank you again for your hard work.

Sincerely, CORDOVA DISTRICT FISHERMEN UNITED

Dr. Han TL

Dorne Hawxhurst, Executive Director



Sustemable recreation and tourism for a guality future

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

May 4, 1994

Jim Ayers EVOS Trustee Council 645 "G: Street, 4th Fl. Anchorage, AK 99501

Dear Mr. Ayers:

On behalf of the Alaska Wilderness Recreation and Tourism Association, I would like to thank you for your efforts in working with the Eyak Corporation to reach a mutually acceptable arrangement for purchasing part of Orca Narrows and establishing a moratorium to enable the Trustees and Eyak to continue negotiations.

Throughout the oil spill, the tourism industry has been the invisible industry. Because of poor baseline information on recreation and tourism uses in the Sound and for other reasons, inadequate damage assessment studies were done for recreation and tourism. This does not mean that tourism businesses did not suffer losses. Quite the contrary. A significant portion of the public still seems to think that the Sound is oiled, its beauty and wildlife destroyed. Some businesses have already gone out of business. Others have suffered significant financial losses. Unfortunately, tourism businesses have not been able to recover any of their economic losses that resulted from the spill (Robbins Drydock rule). Judge Holland has said that our losses will be compensated through the Restoration process. Timber buybacks have become the only type of compensation available to the natural resource dependent tourism industry.

It is very important to our members that all the timber rights be purchased in the following areas: Orca Narrows, Rude River, Simpson Bay, Sheep Bay, and Port Gravina. As you know from your own experience in the Sound, scattered clearcuts would destroy the visual quality of these areas and reduce wildlife watching opportunities.

Thank you again for your own efforts and those of the Trustees to help the Sound and the business community dependent upon its resources to recover.

Sincerely, Having to Setter

Nancy R. Lethcoe

Mr. Jim AVERS EXECUTIVE Director EVOS Trustee COUNCIL RESTORATION TEAM

Hi Jim. Time is getting short ON Making A Dea With EYAK Corporation ON A Timber Buy Back AS ITT-Rayonier is ready to START Sawing DOWN AND Hauling Away The Trees. Once The Tree's ARE CUT And Fell Across The SalMon STreams And a big Mess B: Made of The LAND will To LATE. ITT-RAYONIEN is Note For Making a Mess And Leavingit-Gying A Fine And Having SOMEONE else doin. Thier Dirty of cleaning up, your Action' ON A EYAK Timber Buy Back would HAVE a Lot oF, Public Support in The P.W.S. And Perticuting in The Condour AREA. The Citizans would be Enterally GrateFul WANT TO THANK YOU FOR YOUR Help Jin AND HOPE YOU CAN Forward A Copy of This Letter to the Rest of the Trustees SINCENLY Ed & Bildeback Cordova, Alaska 9957¢

April 29, 1994 DECEIVED MAY 1 3 1994 Jim Ayers, Director EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL As a concerned Cordovan resident, I am hopeful that you can reach a workable agreement with Eyak Native Corporation for timber rights on Eyak lands I applauel your efforts so fair but strongly request you make it of paramount in portunce to succeed most everyone in Carclova has their fingers crossed. It is truly a major fork in this towns future - we appreciate, and want others to enjoy a pristine, intact ecosystem, a growing varity these days but of much, much greater value to us now & especially a treasure saved by your diligence for our future inheritors. Let's not give them a clear -

April 29, 1994

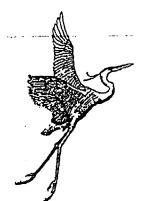
Jim Ayers - Director - Euss,

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April 29, 1994

MR. Jin AYERS - TRUSTEES,

As a concerned Cordovan resident. I am hopeful that you can reach a workable agreement with Eyak Native Corporation for timber rights on Eyak lands. I applaud your efforts so fair but strongly request you make it of paramount im portunce to succeed - most everyone in Cardova has their fingers crossed. It ( is truly a major forle in this town's future - we appreciate , and want others to enjoy a pristine, intact easystem, a growing rarity these days but of much, much greater value to us now & especially a treasure saved by your diligence for our future inheritors, Let not give them a clear -cut! sincerely Show R. Bitch alounder 99574



# Nancy Bird



EXXON VALDEZ OIL SPILL

P.O. Box 1185 Cordova. Alaska 99574 U.S.A. TRUSTEE COUNCIL Telephone (907) 424-7466

April 29, 1994

Governor Walter Mickel State of Alaska Veneau Alaska

Plan Governor Hickel,

I want to reiterate my thanks to you for writing to Exon on behalf of Prince William Sound fishermen. I also appreciate your offorts to enact togistation on oil company tax issues which will protect the state's and citizen interests.

My main purpose in writing today is to ask for your continued support for the purchase of conservation easements on fands owned by the Eyste Corp. I understand discussions between the Trustee Cornel and the corporation are ongoing. If there is anothing you can do to ensure a successful conclusion to these negotiations, it will containly be according to these negotiations, April 28, 1994

Jim Ayers EVOS Trustee Council 645 G Street, 4th Floor Anchorage, AK 99501

Dear Mr. Ayers:

As a long time Cordova resident, I would like to support any attempts to preserve our old growth forests. I hope the trustees will try and work out a deal to protect Eyak lands from logging. It is about time that some of the settlement money be used for what it is intended, the protection of the sound.

Any kind of a deal that leaves the forest standing would be preferable to having a company such as ITT Rayonier destroying the eco-system of the sound. The damage to our fisheries by the oil spill is evident, and we do not need to add to it by letting ITT Rayonier continue to destroy salmon streams in the sound as they have done elsewhere. Please consider the dismal record of this company, and understand how urgent it is to work out a deal.

Please ditribute this letter to the other members of the trustee council. Thank you for your work in protecting our sound.

Sincerely, JR David Rosenthal

P. O. Box 635 Cordova, Alaska 99574

CC. Govenor Hickel





August 5, 1993

- To: Exxon Valdez Oil Spill Trustee Council Restoration Office 645 G Street, Suite 402 Anchorage, AK 99574 FAX: 276-7178
- From: Gary A. Lewis, City Manager City of Cordova Box 1210 Cordova, AK 99574

AUGOG RAW

EXXON VALUEZ OIL SPILL TRUSTEE COUNCIL

At the August 4th, 1993 regular City Council meeting, the City Council of Cordova rescinded Resolution 91-92 requesting that habitat acquisition be given highest priority and substituted for the position of the City of Cordova the following motion:

"Motion by Novak, seconded by Fisher to rescind Resolution 91-92 and direct Administration to communicate to the Trustees Council and to the Eyak Board of Directors support for the fisheries research and rehabilitation and the possibility of an endowment fund and debt retirement for hatcheries; and any habitat buy-back be limited to the Power Creek, Eyak River and Eyak Lake watershed areas. Voice vote-motion carried. (Councilmembers Andersen and Bird not voting due to conflict of interest.)"

Also on August 4th, 1993 the Cordova City Council prepared and passed the following proposed restoration alternative:

"Motion by Allison, Seconded by Novak to direct Administration to include the following allocations with the letter to the Trustees Council:

Administrative & Public Information..... 4% Fisheries Monitoring & Research..... 55% General Restoration..... 6% Habitat Acquisition..... 35%

Voice vote-motion carried. (Councilmembers Andersen and Bird not voting due to conflict of interest.)

lentro: - My name is Christine Steele & Ram 144r. resider - Topic that is being discussed Serious matter - Hope that you will consides us - My husband = 30 yr-resident of Cordova currently employed by S. Du. local logginge. - Prior to his employ he eatned his living as a comm. fish on the waters of the P.W.S. - Consequenting after the 1989 0.5. husband could not orefer support our family, due to Ì - Ut was at this time started working for the. The logging co. - Logging a due him opportunity to support as well as val training in didsel mechanis - Fau more 415 traiking he will be able. to work other places as well. -Timber buy-out would eliminate this opp. for our family - Logging Ind. has been an asset to whole - It has brought in rel'ence time - most. - Cordera is Shill experiencing fin difficulty & needs this indust. & revenues it bring -S.D. employs 70 people - & payroll alone. lastyr was 3 million \$ - Logging has provided local Cor. families such as outs with the opportunity to suppout our - most of enabled life long cord residents families to remain in our town that we love.

-The fact that many will lose their jobs if (4) this buy out occurs a the city of cordova is date for more hard times is quite evident. -The? now is whether or not these \$5 will be used for what they were intended for : The restoration of the environment injured by the E.V.O.S. - The Oil did not spill on the Frees of the P.W.S. it spilled in the waters of the P.W.S. -This # should be used to help restore the resources that were injured by the spill-The fisheries & other marine habitut. -The problem w/ this years herring fisheries should be of utmost concern of the truster council members, not land & trees that lip outside of the established critical habitat area. - I know that I speak for the majority of Cor. when I say that the E.V.O.S. \$5 should be spent on Fisheries reascarch & not habitat acq. - a small but loud group misrepresenting the city of Cor. for far too long & Citizens of Cordore - Una very phort amt, of time & have collected 2 0 signatures of res. who are oppossed to the putter are fired of it. - I would like to counteract some of The arguements that I have heard in favor of the buy-out. - Firstly those in favor of the habitat acquisition State that logging kills fish Logging does not kill fish. Ut is propaganda that these extremists use to scare people into supporting their agendas. -With existing land management + adequate buffet cones fish are protected from beinghurt by the escaration of logs. -Secondly others express that logging will hurt condovans tourism industry.

- At this point might I suggest an altern. C - That the restoration funds be used to contract a company such as S.D. to come in a clean up the slash & replant-since Eyak Corp. does not Rund - mem to do so already. - This would allow the timberind to stay in Cordan creating more jobs as well as helping preserve the beauty of our sound. -please consider us a families like us Buying the timber of the Orca Narrows will have a detrimental effect on the whole comm. of CODON . The cost to society greatly outweight any supposible benefit of recordy - ill the trustees are being pressured by a small in number, but big in monly a month group to purche the lands of the O.N. I ask that a economic Impact study be done on our community of Cor. to explore the effects that this b-out would have on our already shaken economy - If the buy-out is imminent than I urge the council to appropriate funds for the compensation + retraining of mose who will be affected most - the loggers & their familits. - I do not envy any of you in the least. The responsibility that has been given to you by The State of AK is an enormous one. - you have the power here either to protect peoples Tivlihood or destroy them. May God be inf you & quide you in this very important decision. Un closing It like to read a portion of our State constitution Article & Scit. 1 " It is the policy of the State to encourage the settlement of its land a the development of its resources by making them available for maximum use consistent whethe public interest.



ALMEA OTHET

Exic P. Jurgensen

Thomas S. Walsto Nuff Altomest

Jeanne M. Cocliran Asiamur Asiamer

Mining Analyst

Joan E. Hope Office Manager

Liz Dodd

HOME OF STOL

REGIONAL OFFICES

cover, Colorado

Augulala, Hawan New Orleans, Louisiana

Southe, Washington Iallahassee, Flueida

Washington, D.C.

San Francisco, Caldonnia

Parabast

David M. Chainbers, Ph.D.

# SIERRA CLUB LEGAL DEFENSE FUND, INC.

The Law Farm for the Environmental Movement

Mapital EVAL 325 4th Street Juneau, Alaska 99801 (907) 586-2751 142 (907) 463-5891 September 14, 1993

Harry Noah, Commissioner Department of Natural Resources 400 Willoughby Avenue Juneau, AK 99801

Dear Commissioner Noah:

I am writing on behalf of Sierra Club and Alaska Center for the Environment to urge you to take immediate action to enforce the requirements of Alaska's Forest Practices Act (FPA). We are concerned here with two: requirements of the FPA which the Department of Natural Resources (DNR) is not implementing and which appear to be violated regularly by timber operations on private lands in Alaska.

The first requirement we ask you to enforce is the explicit mandate of the FPA that all harvested forest land in Alaska, including private lands, be managed to result in a sustained yield of timber. AS 41.17.060(b)(4). The second is the requirement that timber harvesting on private lands be conducted to "protect, maintain, and enhance wildlife habitat . . .. " AS 41.17.910(a).

We are particularly concerned that you take action to enforce these mandates of the FPA for logging operations proposed or underway in Prince William Sound and the Gulf of Alaska, including those at Orca Narrows, Fish Bay, and Patton Bay. Given the significance of the resources at stake in these areas and the present threat posed by operations not in compliance with the FPA, these issues require your immediate attention.

#### 1. Sustained Yield Requirement

The FPA unambiguously imposes an obligation on all commercial timber operations to conduct harvest on a sustained yield basis. Alaska Statute 41.17.060(b)(4) provides:

[T]o the fullest extent practicable, harvested forest land shall be reforested, naturally or artificially, so as to result in a sustained yield of merchantable timber from that land . . . .

(emphasis added).



The FPA defines sustained yield to mean

the achievement and maintenance in perpetuity of a high level annual or regular periodic output of [renewable resources] . . ., but does not require that timber be harvested in a non-declining yield basis over a rotation period.

AS 41, 17,950(17). This obligation to maintain a high level annual or regular periodic output of timber in perpetuity applies to private land as well as public. AS 41.17.060(b).

The requirement to manage private forested land for sustained yield harvest, plain on the face of the statute, is also clearly evident in the legislative history of the FPA. The sustained yield requirement has its roots in the original Forest Practices Act introduced as SB 59 by Governor Hammond in 1977 and again in 1978. In his transmittal letter, the Governor stated one of the major overall goals of the new law to be sustained yield management:

It is especially critical that timber supplies and other renewable resources be maintained and available in perpetuity to protect the longevity and insure the stability of the forest products industry.

Letter from Governor Jay S. Hammond to John Rader, President of the Senate, Senate Journal, p. 657-58 (April 6, 1978) (hereinafter Transmittal Letter). The Governor's specific description of the intent of the sustained yield provision, section 41.17.040(b)(1) in his bill, ties reforestation requirements directly to the sustained yield obligation:

Paragraph (1) recognizes the importance of determining the reforestation capacity of land before timber harvesting. The determination is to be made by the government. This standard is not intended to mandate a non-declining yield type of management, but it does reflect the paramount state interest in having all forest land (unless legitimately converted to another use) continue to produce merchantable timber over the long term.

Transmittal Letter at 663.

The most unambiguous statement of the applicability of the sustained yield requirement to private lands is found in the Governor's explanation of the operations to which the FPA would. not apply. Like the FPA today, the Governor's bill allowed DNR to exempt from the Act's coverage those small-scale operations which were of "little significance with respect to the. purposes of this chapter." See SSSB 59, § 41.17.030(c)(1). The Governor explained that this meant DNR could exempt such operations "if they are not capable of being managed as a sustained yield forest unit." Transmittal Letter at 662. Thus, the Governor clearly intended that all private commercial timber operations would be subject to the sustained yield requirement,

except for those that were truly minor and insignificant and were, therefore, exempt from the FPA altogether.

This fundamental sustained yield requirement remained a part of the bill as it was considered, amended, and eventually passed by the legislature. The Senate Finance Committee revised portions of the section, but if anything the committee strengthened the language requiring sustained yield management. The Governor's version of the section had limited timber harvesting "to areas where data and information demonstrate that natural or artificial reforestation techniques will result in the production of a sustained yield of merchantable timber from that area." The committee strengthened the language to require harvested forest land be reforested "so as to result in a sustained yield of merchantable timber."

Similarly, the committee revised the definition of sustained yield to clarify that the law would not require harvest on a non-declining yield basis over the rotation, but in doing so it merely codified what the Governor stated was his intent. <u>Compare</u> CS SSSB 59 (Finance), § 41.17.950(13) with Transmittal Letter at 663. As the Alaska Supreme Court has recognized, this amendment did not affect the overall requirement to produce a high-level annual or regular periodic harvest in perpetuity--in other words, to practice sustained yield timber harvest. <u>See Southeast Alaska Conservation Council. Inc. v. State</u>, 665 P.2d 544, n.12 (Alaska 1983).

At no point in the legislative history is there an indication that the legislature intended to modify the basic sustained yield requirement of the FPA as introduced by the Governor. To the contrary, it is apparent that the legislature wholeheartedly endorsed the Governor's intent that all land, public and private, be managed under the principle of sustained yield.

We are concerned that much, if not all, of the significant commercial timber harvest now occurring or proposed for lands in Prince William Sound and the Gulf of Alaska does not meet this fundamental requirement of the FPA. It is our understanding that many of the current or proposed operations are designed to log all or most of the commercially viable timber within any given area in a relatively short period of time. In some cases this harvest may be completed in as little as five years. In an area where regeneration of a harvestable stand may take more than 100 years, this is not sustained yield management under any definition. In fact, it flies in the face of the whole intent of the FPA.

We urge you to take immediate action to address this issue. As a part of its review and approval of plans of operations, DNR is required to ensure that the sustained yield requirement will be met by private timber operations. AS 41.17.090. We request that you conduct a review of all current timber operations and require operators to submit information or plans which demonstrate that timber harvesting will be conducted on a sustained yield basis. Where operations pose a significant threat to important resources, we request that you issue a stop work order pursuant to AS 41.17.138 until such a showing can he made. Any operations which cannot demonstrate that harvesting will be conducted on a sustained yield basis must not be

approved and cannot proceed. We also request that you conduct a similar review for all proposed and future operations.

## 2. Wildlife Protection Requirements

The FPA also imposes an obligation on DNR, in cooperation with landowners and timber owners, to maximize protection of wildlife habitat. Alaska Statute 41.17.910 provides:

The ... commissioner shall work cooperatively with private forest landowners and timber owners to protect, maintain, and enhance wildlife habitat to the maximum extent practicable, consistent with the interests of the owners in the use of their timber resources.

AS 41.17.910(a). Before DNR can approve a forest plan of operations for timber harvest on private land, therefore, it must determine that to the maximum extent practicable, all possible steps have been taken to protect, maintain, and enhance wildlife habitat.

In order for DNR to make a reasonable decision that this requirement is satisfied by any particular operation, DNR must (1) assess the impacts of the operation on wildlife habitat, (2) evaluate alternatives to the proposed harvest plan that would more effectively protect, maintain, or enhance wildlife habitat, (3) and work cooperatively with the landowner or timber owner to modify the logging plan as appropriate to fulfill the mandate to maximize wildlife protection. Of course in order for DNR to carry out these obligations, it must receive from the operator, or develop through its own analysis, all information necessary to assess the impacts to wildlife habitat from any proposed operation. Without this information, the department cannot fulfill its obligation to review plans and operations for consistency with the provisions of the Act. All of these steps must be completed before DNR can determine an operation complics with "the policies and provisions" of the FPA as required by AS 41.17.090.

To the best of our knowledge, the department is not requiring private forest landowners to meet this requirement for wildlife habitat protection. DNR does not appear to require operators to supply adequate information about the potential impacts of operations on wildlife habitat, nor is there any procedure as far as we are aware for ensuring that such impacts are assessed, that alternatives are considered, or for working with timber operators to revise plans to address wildlife needs.

We request that you conduct a review of current operations to ensure compliance with this requirement of the PPA and that you issue stop work orders pursuant to AS 41.17.138 as necessary to prevent irreversible harm to wildlife habitat. We also request that you take steps to insure that all future timber operations on private land comply with the statute's requirements to maximize protection of wildlife habitat.

If the department fails to take appropriate steps to remedy this situation, our clients will be forced to consider legal action. As you know, the FPA specifically authorizes suits against DNR for a constitutional violation or a systematic course of conduct. AS 41.17.143. DNR's failure to enforce the sustained yield and wildlife requirements of the Forest Practices Act constitutes both a systematic course of conduct and a violation of article VIII, sections 2, 3, and 4 of the Alaska Constitution.

Moreover, in Alaska, citizens injured by violations of state laws may initiate private actions against persons violating those laws. We believe ongoing and proposed operations in Prince William Sound and the Gulf of Alaska may violate the Act's sustained yield and wildlife requirements, causing injury to our clients. Sierra Club, Alaska Center for the Environment and other groups have standing to bring a private suit against any such operators or owners directly, in order to enjoin continued violations of the Act. State v. Weidner, 684 P.2d 103, 109-10 (Alaska 1984) (private citizen had standing to enforce municipal ordinance through declaratory and injunctive relief). Cf. Morris v. City of Soldoma, 553 P.2d 474, 477 (Alaska 1976) (private cause of action not available to plaintiff seeking money damages).

Of course, we hope that legal actions will not be necessary and that DNR will take the steps necessary to enforce the requirements of the Forest Practices Act. We would welcome the opportunity to discuss these issues further with you and we look forward to your response.

Thank you for your consideration of this important matter.

Sincerely yours,

Eric Jorgensen Managing Attorney

EJ:ld cc:

Charles Cole, Alaska Attorney General Carl Rosier, Commissioner, Alaska Dept. of Fish and Game State Forester, Alaska Dept. of Natural Resources John Sandor, Commissioner, Alaska Dept. of Environmental Conservation Eyak Corporation Chugach Alaska, Inc. Tatitlek Koncor Forest Products

P.02

4/28/94 Gavenor Wally Hickel, My name is Anite Snyke. My husband, 1 yc. daughter - I are residents of Cordova, AK, I have lived + worked here since 1986. I love the place + have had a difficult time dealing with the logging that is taking place on the native lands\_ in this area. \_\_\_\_ It is like watching a good friend die of cancer. The concer comes into the body + slowly takes away the life of that person. After that person dies, they are gone forever + the concer is no longe there. I will still be here, but my friend is gone That's how I feel about the Great's The logger. come + go like the cancer. The trees are gone + the forests will never be the same in mine of my daughters lifetime. It hurts + makes me angry. I don't know how to deal with that anger. Many people in Cordova feel the same way The logging that has taken place of Eyak lands has been very poorly done with no thought of sustainable logging. Many, many trees have been left on the ground. In a town that is trying to promote tourism + relies heavily on salmon, logging in this manner makes no sense. These lands need to be protected. I strongly support seeing a deal worked out to support protect Eyak lands. Please do everything in your power to make such a deal occur. Thank you, Anita Smyke

09:35

April 28, 1994

Jim Ayers, Executive Director EVOS Trustee Council Restoration Team 645 G Street, Fourth Floor Anchorage AK 99501

Dear Mr. Ayers,

We thank the Trustees for funding the SEA program through the PWS Science Center recently, but we are still concerned about the lack of an agreement with the Eyak Corporation over buying back the timber rights of the lands they have offered.

If ITT Rayonier is allowed to start clearcutting as proposed, Cordova is doomed as a tourist attraction, our anadranomous streams will be contaminated with slash and debris, thereby ruining the fishing industry, and the short-term economic gains will not be staying in the community as these loggers are not local people but have come from other states where sustainable harvesting was not practiced.

Please distribute this letter to the Trustees so that they can see that we, residents of Cordova, do not want to be exposed to this type of environmental disaster.

Thank you,

Judy Attau Larry and Judy Lietzau

Larry and Judy Lietza PO Box 2195 Cordova AK 99574 424-7273

Copy to The EVOS Trustees, please.

Winter King Charters Ralph E. Lohse, Captain MAY 02 1994 Halibut *Box 14* Rock Fish EXXON VALDEZ OIL SPILL Cordova, Alaska 99574 TRUSTEE COUNCIL (907) 424-7170 or bring your own 4-28-94 EUOS Trustee Council 645 G street 4th Floor Anchorage, Ah 99501 Atten: Tim Ayero Dear Mr. Dyens, ) Please do all you can to facilitate a deal to buy Eyaks Timberland. Please do this to protection already damaged Prince William Sound - The future of our salmon pusheres and the potentie of thousands the future tourists to see n area angall its becuty - not

stripped and show and further degraded. Sinceret, MANT

Fish for Winter Kings

Tackle furnished

Paul Swartzbart Box 233 Cordova, Alaska 99574 4/27/94 JIM AYERS DIEAR SIR. I AM WRITING TO URGE THE TRUSTERS COUNCIL TO ACT IMMEDIATLY TO SAVIE EASTEAN PRINCE WILLIAM Sound FROM BISING CHEARCUT. THIS WOULD BE A WORSIE DISASTER THAN THIE OIL SPILL ITSIELF. THE SHAREHOLDERS OF EYAK CORP. FAVOR SUCH A DEAL, AS DO ALL THE PEOPLE IN THE LOCAL FISHING, TOURISM, AND SHIENTIFIC COMMUNITIES. PUEASE DONT HET THIS PRIECIOUS OPPERTUNITY SLIP AWAY. THANK YOU VERV MUCH FOR YOUR HIELP. SINCERELY Paul Swortz



Sea Grant Marine Advisory Program.

University of Alaska Fairbanks\*

School of Fisheries and Ocean Sciences,

## Program Offices

Carlton Trust Building, #110 2221 E. Northern Lights Blvd. Anchorage, Alaska 99508-4140 - (907) 274-8691 FAX (907) 277-5242

> \* \* P.O. Box 830 Cordova, Alaska 99574 (907) 424-3446 FAX (907) 424-5246

P.O. Box 1549 Dillingham, Alaska 99576 (907) 842-1265

> 4014 Lake Street Suite #210'8 Homer, Alaska 99603 (907),235-5643

900 Trident Way, Kodiak, Alaska 99615 (907) 486-1514 FAX (907) 486-1540

. P.O. Box 297 Kotzebue, Alaska 99752 (907),442-3063

P.O. Box 1329 Petersburg, Alaşka 99833 (907) 772-3381 FAX (907) 772-4431

> 1297 Seward Avenue Stika: Alaska 99835 (907) 747-3988

May 26, 1994

Jim Ayers, Executive Director EVOS Trustee Council 645 G Street, 4th Floor Anchorage, AK 99501

Dear Jim:

I just wanted to offer a brief but very genuine bit of appreciation for the recent progress made by the Trustee Council on the Eyak Habitat Acquisition negotiations. I know this has been a complex and difficult endeavor for all involved and the Council is to be commended for their continued resolve to come to closure on a truly comprehensive acquisition protection deal for Eyak lands. People in the spill region can now glimpse the light at the end of the spilled long tunnel.

Once you have closed the Eyak deal and the other deals in your comprehensive acquisition package, and have mapped out a focused monitoring and research program, and when the private litigation is resolved, folks in the region will then and only then be able to return to lives with some semblance of normalcy.

The Council's many years of planning and hard work are about to pay off in a huge way, and rest assured it will not go unnoticed. Thanks. Have an enjoyable Memorial Day weekend.

Sincerely,

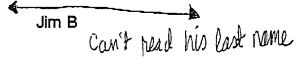
Rick Steiner, Associate Professor Marine Advisory Program, Cordova

rs:bhm

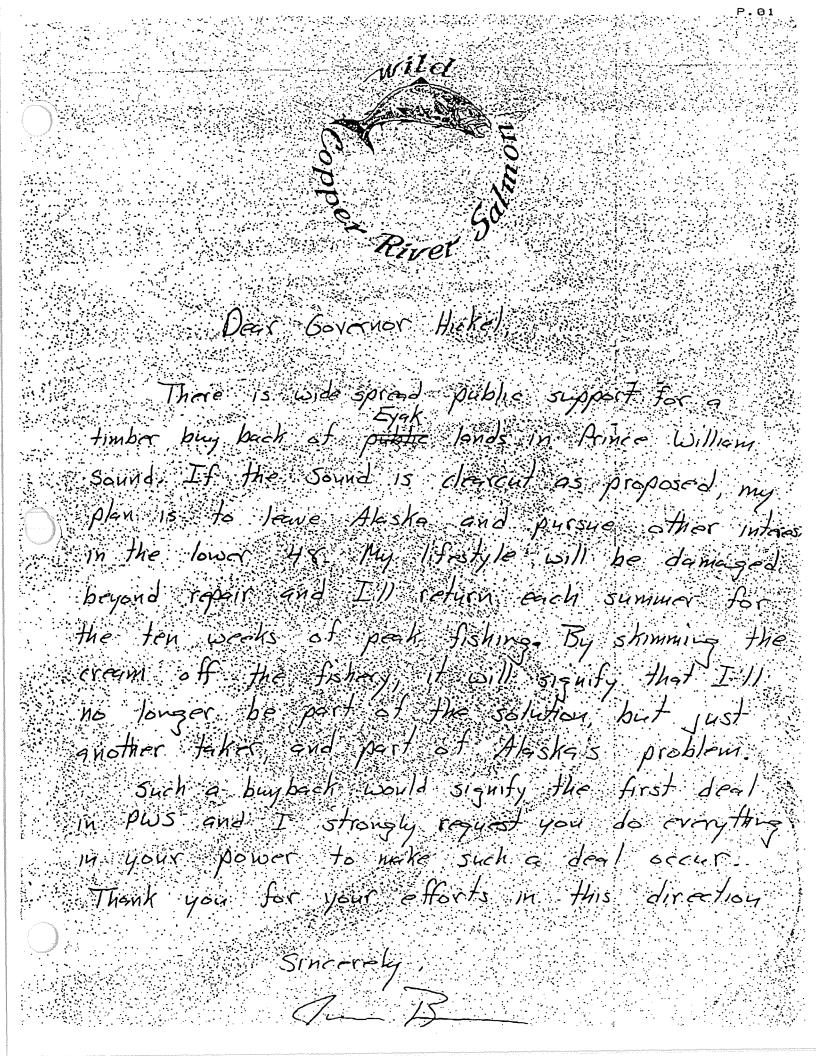
UNIVERSITY OF ALASKA FAIRBANKS

Eyak Comments

- 1 Kay & Mike Adams
- 2 Eyak Traditional Elders Council
- 3 Larry & Judy Lietzau
- 4 Susan M. Means
- 5 Joe & Belen Cook, Jr.
- 6 Linden O'Toole
- 7 Paul Swartzbart
- 8 Dorne Hawxhurst
- 9 Nancy Lethcoe
- 10 Tim Bowmen
- 11 Mitch Nowidei
- 12 Ed Bilderback
- 13 Carol Mack
- 13 Nancy Bird
- 14 David Rosenthal
- 15 Anita Smyke
- 16 Ralph Lohse
- 17 Paul Swartzbart
- 18 Karl Becker, Nancy Bird

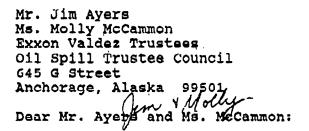


M-We will respond to these folks. I'll fax you a drafte form the later today. Release





May 23, 1994



MAY 27 1994

EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL

Has anyone stopped to say thank you? On behalf of the citizens of Cordova please accept our profound appreciation for your work on behalf of the SEA plan.

I know that you both put in long hours, and tolerated many abuses over that. We are optimistic that it will produce data that can help us determine what is wrong with the Sound. From there...how can we fix it?

Jim, when can we schedule a trip down here for you? I am comfortable knowing that you two are finally bringing some sense into the Trustee process.

Kind personal regards to you both.

Sincerely, Margy Johnson

Mayor

602 Railroad Avenue P.O. Box 1210 Cordova, Alaska 99574 Telephone (907) 424-6200 Fax (907) 424-6000

**3**907 276 7178 EV Restoration J.AYERS Ø 001/001 05/24/94 10:39 Goose Cove Lodge Box 325

May 20, 1994

Governor Walter Hickel Office of the Governor PO Box 11001 Juneau, Alaska 99811-0001

Dear Governor Hickel:

I'm very concerned about the Eyak Lands Settlement Deal with the Trustees. I hope you can help settle this right away. Around Cordova, we lost so much of our state and federal recreational lands with the Alaska Native Claims Settlement Act. And one of the areas being considered for deletion from this deal with the Eyak Corporation is Simpson Bay. That place is the jewel of Prince William Sound. It's an easy boat ride from Cordova and is heavily used for sport fishing and recreation. It's so beautiful-and logging there would really ruin it for recreation and tourism.

Cordova, Alaska 99574

(907) 424-5111

I'm also very concerned about fish habitat. The only chance our sport, subsistence and commercial fisheries have for recovery from the spill is by protecting fish habitat. I really commend your efforts in this regard. Thanks so much!

As you know, Cordova has been hard hit economically by fisheries problems in the Sound. Many of our best friends fish and they and their families are very concerned about making it through this next winter; as well as losing their boats, houses, and their entire investment in the fisheries. This proposal to buy up Eyak lands has tremendous local support because people realize it is the best thing we can do to help our fisheries over the long term--and because Cordova may need tourism and sport fishing to help it survive until the commercial fisheries return. As a lodge owner, I know that tourists really like the wilderness aspects of Alaska, its spectacular views of virtually untouched forested mountains, glaciers, and the sea. Our area on a sunny day is incredible! Thanks again for your help in keeping our economic alternatives open.

Sincerely, Selle Mickelson

cc: Jim Ayers, Executive Director, Trustee Council

ECEIVE APR 2 0 1994 Nancy Bird Writer/Photographer EXXON VALDEZ OIL SPILL P.O. Box 1185 Cordova, Alaska 99574 U.S.A. TRUSTEE COUNCIL Telephone (907) 424-7466 4/19/94 Dear Trustee, We understand that the door is still open for negotiation with Eyak Corporation for the acquisition of habitat protections on their land. We encourage you to do whatever is needed to ensure a positive outcome to the negotiations. Thank you for your efforts and time Spent on this issue. Sincerely, Karl Bucher Nancy Brid

#### January 29, 1994

- TO: EVOS Trustees Council
- FR: Rick Steiner, Cordova
- RE: Page 2

Thursday, January 27, 1994

The Cordova Times

### Eyak to resume logging this spring

#### By Sören Waerth

The Cordova Times

The Eyak Corp. told its shareholders that its timber company will resume clear-cutting coastal rainforest near Orca Narrows this spring under a three-year logging plan in which 45 million board feet of timber is expected to generate about \$30 million in revenue, according to members of the Native corporation.

During two recent informational meetings, shareholders said board members told them the money earned from the clear-cuts would be enough to pay off logging contractor Sound Development and other corporate debts, while giving a total of \$5 million to Eyak Corp.'s members, said Glen "Dune" Lankard, a shareholder and spokesman for the Eyak Traditional Elders Council.

"The did not have an alternaic plan for logging, their best case scenario is that they might break even." Lankard said. Lankard also said he presented flip charts . with several blank spaces to try to sort out the financial position of his corporation.

"I'm sure (Eyak Corp.'s timber

stone's board and the managment are working toward that end," Brian Lettich, the corporation's general manager, said in early January.

Last September, Sound Development laid off nearly all of its employees after Eyak Corp. officials announced Sherstone Inc., the corporation's subsidiary and timber owner, was so financially strapped, it was considering bankruptcy as an option.

Sound Development recently such Sherstone claiming, among other things, a breach of contract.

Lettich said, by logging, the corporation is seeking a return for its shareholders.

"The only reason they are going ahead is to make a profit," Lettich said. "Otherwise they would ve had to shut down."

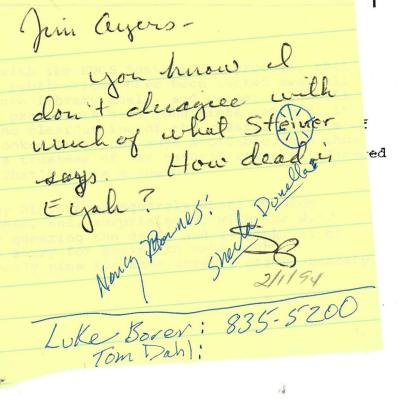
Last year, Sound Development cut down 14 million board feet from forests near Cordova, president and owner Perry Beecher said in September.

John Johnson, the chairman of Eyak Corp.'s board of directors, referred specific questions on Sherstone's logging plan to Sherstone.

Gentlemen,

When all is said and do is when all the scientinice and neat on some of bureaucrats and universities is without question that southeastern PWS will be tragic mistake that you, by the spill, ever made.

The blame will be placed with all three State Tru-Department of Interior for you know that. I am trucondemnation, but it is r



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John Johnson, the chairman of Eyak Corp.'s board of directors, referred specific questions on Sherstone's logging plan to Sherstone.

Sherstone's board president Luke Borer said he had no comment.

#### Gentlemen,

When all is said and done with the EVOS Restoration process, that is when all the scientific publications have been tucked away all nice and neat on some obscure library shelf, and career oil spill bureaucrats and university professors have long since retired, it is without question that the clearcutting of the coastal forests of southeastern PWS will be looked at as the most avoidable, and thus tragic mistake that you, as trustees of the natural resources damaged by the spill, ever made. That's quite a legacy.

The blame will be placed by historians squarely where it lies with all three State Trustees, and, surprisingly, with the U.S. Department of Interior for queering the deal, and I think all of you know that. I am truly sorry for having to make such a condemnation, but it is really time for some utterly candid honesty. EVOS Trustees Council Page 2.

Our goal for habitat acquisition/oil spill restoration has <u>never</u> been, <u>should</u> never be, <u>will</u> never be to put Native Corporations out of the business of sustainably developing their land.

When it got down to the fine print in your negotiations with Eyak, that is virtually what you had demanded. Our vision -that is those many of us that live here, work here, subsist here, and sleep here was and is to use restoration money to help the village corporations redirect their very legitimate economic development efforts from the quick-and-easy short-term focus that we are so used to, to the long-term, sustainable development dream we aspire toward.

There are easy ways to deal with the public access issue, the issue of specific restrictions in the heads of the bays, and to provide for shareholder land use requirements, and all of you know it. If you had wanted the deal, it was there for the making.

Most people in PWS have no real problem with you buying a bunch of rocks, grass, and alder thickets on Kodiak - those areas are certainly worth protecting too. But for that to take defined precedent over the protection of the last remaining refuge of the northern margin of coastal temporate rainforest, without question one of the most threatened ecosystem types in the world, is obviously absurd.

I guess I have nothing else to say on this, except that I think there still might be a deal to be had here, if you get right on it.

Sleep well.

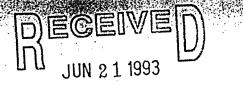
RECEIVED National Marine Fisheries Svc.

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JAN 31 1994



Juneau, Alaska



EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL June 15, 1993

Dave Gibbons Exxon Valdez Restoration Office 645 G Street Anchorage, AK 99501

Greetings:

Here is a copy of a letter as sent Bruce Van Zee of the Forest Service. I thought that you would find this information useful.

Any questions, feel free to call.

Stephen Bodnar box 2262 Cordova, AK 99574

(907) 424 5427

Bruce Van Zee USDA Forest Service 200 East 9th Ave. Anchorage, AK 99501

#### Sir:

It has come to my attention that during negotiations on possible habitat acquisisitions of Eyak Lands, the figure of 60 to 90 years as a timber rotation cycle was mentioned for this area. This is highly unrealistic; the figure is closer to at least 150 years, and this may be generous at best, as I will explain.

In October of 1991 and in response to the large scale clearcutting taking place on Eyak lands, information on forest regeneration in this area was sought. Naturally, since Chugach National Forest has had a timber production program for some years, the Cordova Ranger District Office was approached, and inquiries made as to possible forest regeneration after large scale timber operations. We were amazed and very disturbed to find that precious little such information was available; very few studies had been done in spite of the long history of such operations.

To make a long story short, we borrowed an increment borer and went out to a few of the old railroad cuts dating from the early 1900's and began a study of our own. In my case, this has lead to a formal study of forest regeneration after disturbance (both natural and man-made) in the Cordova area (including the western Copper River Delta and Eastern Prince William Sound). At present, I have 15 permanent study sites located in the National Forest, from the Saddlebag Glacier area in the east to Port Etches in the west, and to St, Matthews Bay to the North. I'm being assisted by several knowlegeable people in the Ranger District, as well as in the Pacific Northwest Research Station. Expected completion of this study is to be mid-September

Please look at the enclosed data set for further clarification. The North Shore-Eyak Lake samples were taken from three plots near the head of the Crater Lake Trail. This was logged about 1905. Measurements were taken with a Relaskop, using variable plot methods and a BAF 20 (basal area factor). The Old Growth sample was taken in the same area, and is simply a measurement of the old stumps in a 1 square chain (66' x 66') area. Note the average dbh (diameter at breast height) and total height measurements. Eighty years of growth and this is not currently a merchantable site. The old growth shows that this site was usable by modern standards as it is similar to those that were found in the Cabin Lake, Lake Elsner area. Many other such measurements have been taken; I'm currently deriving taper, V-Bar, and volume per acre (stems per acre, in the case of many second growths) but have included a few for purposes of illustration-that the North Shore-Eyak Lake site in the norm, rather than the exception. Another issue of contention is the actual location of second-growth areas. As a for instance: the rumor that all of Eyak Lake had been logged at the turn of the century. There is a grove of large diameter Sitka Spruce that is bisected by Power Creek Road, and easily accessible. The largest of these trees measures about five foot diameter at the base, and is 140' tall. A variant of the International 1/4" Rule scales this tree out at about 4500 board ft. This gives this grove a density of about 21,000 board feet/acre. If one uses the growth rate of 14 annular rings per inch, found in the larger diameter Sitka Spruce growing in the best growing sites, this tree is about 420 years old. Hardly second growth.

Sitka Spruce grows very quickly in certain locations as primary forest, such as in the areas just released by the retreat of glaciers. Disturbances hasten the process towards the climax forest of this region, which is predominated by the slow-growing Western Hemlock. As both of these species are at the very northern limit of their respective ranges, growth and reforestation predictions can be highly unpredictable, as was demonstrated at the old clearcut at mile 26 of the Copper River Highway. This area was good quality Sitka Spruce, logged in 1969. There is practically <u>NO</u> regeneration.

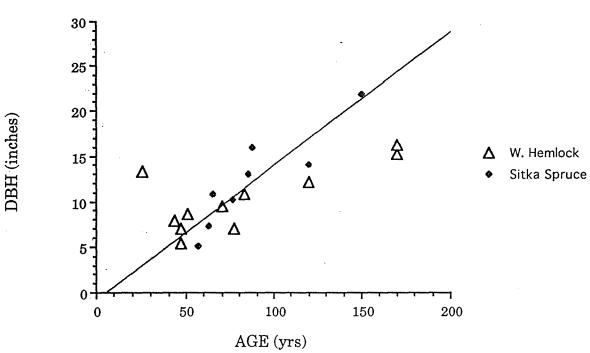
Again, it is unrealistic to consider a rotation rate of less than 150 years, and ludicrous to consider one shorter than 100 years.

Thanks for your time,

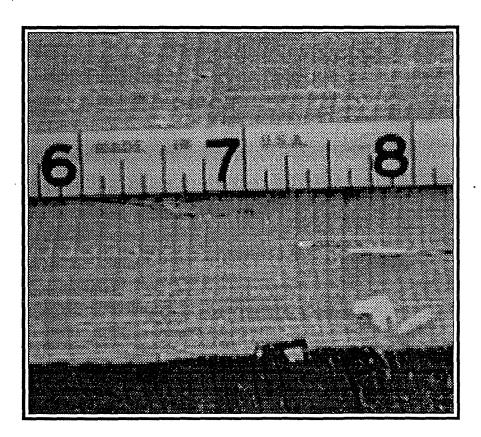
Stephen Bodnar box 2262 Cordova, AK 99574 (907) 424 5427

CC's: Mike Barton, Regional Forester USDA Forest Service Donna Nadell, Eyak Corporation Dave Gibbons, Exxon Valdez Oil Spill Restoration Office Pam Brodie, Sierra Club Alan Phipps, Alaska Coastal Rainforest Campaign

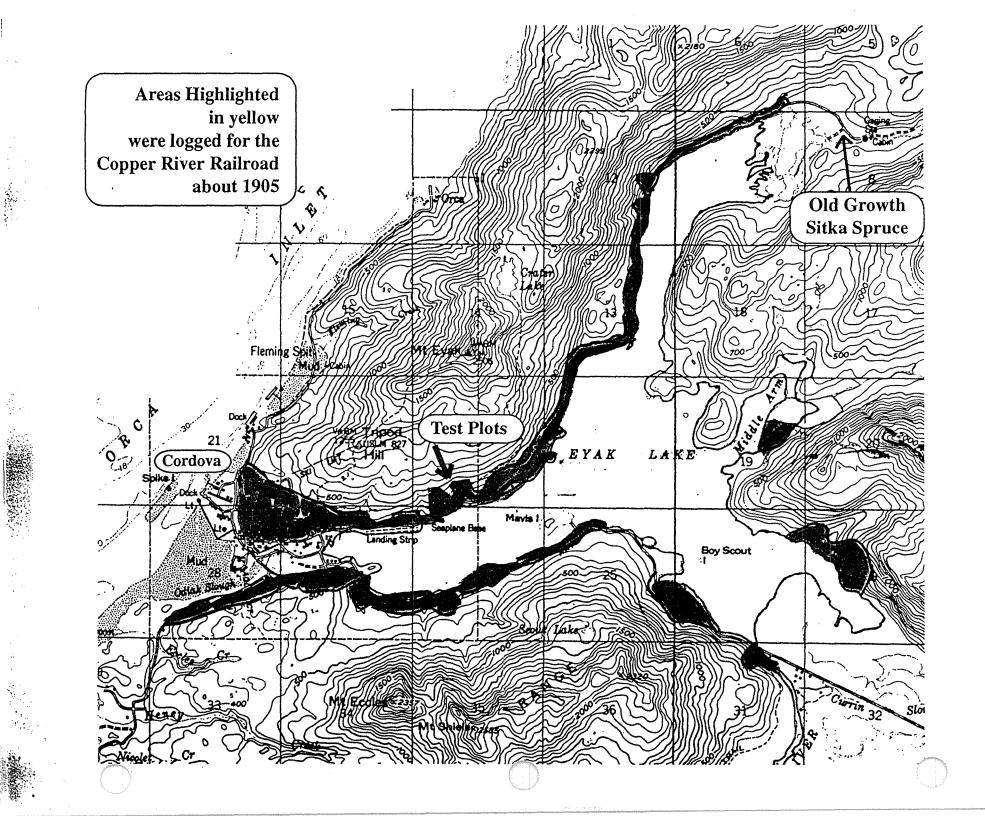




Information is taken from plots located in second growth areas, from Saddlebag in the east to Port Gravina at the west end.



Primary Growth Sitka Spruce from Eyak River Cut total diameter = 42", total age = 265 years



	A	В	С	D	E	F
1		sample #	dbh	total height	age	spectes
2 0	Crater Lake 1	CL 1	7.0	39.0		W Hem
3		CL 4	10.5	29.0		W Hem
4		CL 7	11.1	50.0		W Hem
5		CL 8	8.3	55.0		W Hem
6		CL 9	9.9	55.0		W Hem
7		CL 10	9.9	23.0	91	SS
8		CL 11	15.6	78.0		W Hem
9		CL 12	15.3	45.0		W Hem
10		CL 13	10.2	54.0		W Hem
11		CL 14	17.2	62.0	100	W Hem
12					•••••	
13	•	averages	11.5	49.0		90% W Hem
14						
	Crater Lake 2	CX 1	6.5	39.0		W Hem
16		CX 2	6.4	37.5		W Hem
17		CX 3	10.5	47.5	89	SS
18		CX 4	6.0	29.0		SS
19		CX 5	9.9	51.5		W Hem
20		CX 6	12.7	53.0		SS
21		CX 8	12.4	55.0	229	W Hem
22		CX 9	16.2	23.0		W Hem
23		CX 10	24.4	78.0		W Hem
24		CX 11	9.7	45.0		W Hem
25		CX 12	23.2	54.0		W Hem
26						
27		averages	12.5	46.6		73% W Hem
28						
290	Crater Lake 3	CY 1	7.3	49.7		W Hem
30		CY 2	10.5	32.2		` W Hem
31		CY 3	8.6	22.7		W Hem
32	í	CY 4	9,9	22.7		W Hem
33		CY 5	14.6	44.5		• W Hem
34		CY 6	8.3	77.3		W Hem
35		CY 7	14.6	77.3		W Hem
36		CY 8	10.5	41.2		W Hem
37		CY 9	18.5	75.9		W Hem
38		CY 10	19.4	74.6	62	SS
39		CY 11	15.9	70.8		W Hem
40		CY 12	12.6	64.9		W Hem
41		CY 13	16.6	74.6		W Hem
42		CY 14	16.6	73.3		W Hem
43		CY 15	11.6	58.4		W Hem
44		CY 16	7.6	42.9		W Hem
45		CY 17	10.3	54.4		W Hem
46						
47		averages	14.0	63.1		95% W Hem
48						

a series a s

	A	В	С	D	E	F
49	Old Growth					
50		sample #	dbh	species		
51		1	34.4	W Hem		
52		2	16.2	W Hem		
53		3	19.1	W Hem		
54		4	15.3	W Hem		
55		5	22.9	SS	•	
56		6	36.6	SS		
57		7	41.4	SS		
58		8	19.1	W Hem		
59		9	16.6	W Hem		
60		10	15.9	W Hem		
61		11	25.5	. W Hem		
62		12	25.5	W Hem		
63	,	13	31.8	W Hem		
64		14	19.1	W Hem		· · · ·
65		15	17.5	W Hem		
66	· · ·	16	15.9	W Hem		
67		17	15.9	W Hem		
68		18	15.9	W Hem		
69		19	15.9	W Hem		
70		20	8.0	W Hem	*****	
71						
72		averages	21.42	90% W Hem	••••••••••••••••••••••	

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### Murkowski angry with spill trustees over Cordova

#### By Jim Clarke

The Associated Press

ANCHORAGE — U.S. Sen. Frank Murkowski and a Native corporation are accusing the Exxon Valdez Oil Spill Trustee Council of trying to block access to timbered land the corporation owns near Cordova.

But the head of the council says that's just plain wrong.

Council Executive Director Molly McCammon admits that she sat down with the U.S. Forest Service and several environmentalists early last month to discuss a plan that critics said would have slowed or stopped development near Carbon Mountain.

The proposal, which biologist and former Cordova resident Rick Steiner pitched, would have seen the trustee council use some of its \$900 million settlement from Exxon Corp. to buy subsurface rights under forest land Chugach Alaska Corp. owns.

But McCammon said the trustee council staff dismissed the suggestion quickly because the area, about 60 miles east of Cordova, is outside the boundaries where the council is allowed to operate.

"We had a meeting, they presented some information, but there are no negotiations going on," she said. "It wasn't obvious to me that there wasn't a case to be made" that buying the land would help restore land and species damaged in the 1989 oil spill, she said.

Buying the subsurface rights from the South Korea company that now owns them would have complicated and slowed Chugach Alaska's efforts to negotiate an

### area purchase talk

easement across the Chugach National Forest to its timber lands, a Murkowski spokesman said.

Chuck • Kleeschulte, Murkowski's press secretary, said the plan appears to be an effort to stop Chugach Alaska altogether.

The Native corporation sees it the same way. "The trustee council and the Forest Service have openly discussed something like this to keep us from getting our easement," said Mark Stahl, the corporation's land and resources manager. "It's just outrageous that the Forest Service would be trying to frustrate a mandatory oblig-

ation, which this easement is."

Like McCammon, Forest Service spokesman Doug Stockdale said the agency is not considering the proposal. Instead, it is working to give Chugach Alaska a 27-mile easement across the national forest so the Native corporation can harvest timber on the 73,000 acres it owns.

"I think there was a misperception about an event that occurred," Stockdale said.

Chugach Alaska is hoping to complete the logging road next summer and begin logging the spruce and hemlock forest in 2000, Stahl said. The corporation has been negotiating with the Forest Service since 1982 for the easement.

Frustrated that the process had taken so long, Murkowski last week introduced legislation requiring the Forest Service to grant the easement by Dec. 11. Stockdale said the agency expects to meet that deadline.

Steiner, who sparked the controversy, hasn't given up hope that he can stop logging on the land. Development on the slopes of Carbon Mountain would threaten a silver salmon run on the Bering River, would endanger habitat for

birds, bear and other species, and would harm one of Alaska's most unique natural areas, he said.

Steiner had sharp words for the trustee council. "They have wasted hundreds of millions of dollars on useless science," he said.

"This is the most significant restoration opportunity the trustee council has left ... but they're reticent to do anything bold."

Murkowski, meanwhile, has sent a letter to U.S. Agriculture Secretary Dan Glickman demanding an explanation for why the Forest Service would consider a plan to keep Chugach Alaska from its land.

## Talk of Cordova purchase angers Murkowsk

#### **By JIM CLARKE**

Associated Press Writer

ANCHORAGE (AP) - U.S. Sen. Frank Murkowski and a Native corporation are accusing the Exxon Valdez Oil Spill Trustees Council of trying to block access to timbered land near Cordova the corporation owns.

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Council Executive Director Molly McCammon admits that she sat down with the U.S. Forest Service and several environmentalists earlier this month to discuss a plan that critics said would have slowed or stopped development near Carbon Mountain.

The proposal, which biologist and former Cordova resident Rick Steiner pitched, would have seen the trustees council use some of its \$900 million settlement from Exxon Corp. to buy subsurface rights under forest land Chugach Alaska Corp. owns.

But McCammon said the trustees council staff dismissed the suggestion quickly because the area, about 60 miles east of Cordova, is outside the boundaries where the council is allowed to operate.

"We had a meeting, they presented some information, but there are no negotiations going on," she said. "It wasn't obvious to me that there wasn't a case to be made" that buying the land would help restore land and species damaged in the 1989 oil spill, she said.

Buying the subsurface rights from the South Korea company that now owns them would have complicated and slowed Chugach Alaska's efforts to negotiate an easement across the Chugach National Forest to its timber lands, a Murkowski spokesman said. Chuck

Kleeschulte,

Murkowski's press secretary, said the plan appears to be an effort to stop Chugach Alaska altogether.

The Native corporation sees it the same way. "The trustee council and the Forest Service have openly discussed something like this to keep us from getting our easement," said Mark Stahl<sup>1</sup> the corporation's land and resources manager. "It's just outrageous that the Forest Service would be trying to frustrate a mandatory obligation, which this easement is."

Like McCammon, Forest Serspokesman vice Doug Stockdale said the agency is not considering the proposal. Instead, it is working to give Chugach Alaska a 27-mile easement across the national forest so the Native corporation can harvest timber on the 73,000 acres it owns.

"I think there was a misperception about an event that occurred," Stockdale said.

Chugach Alaska is hoping to complete the logging road next summer and begin logging the spruce and hemlock forest in 2000, Stahl said.

The corporation has been ne-

gotiating with the Forest Service since 1982 for the easement Frustrated that the process had taken so long, Murkowski last week introduced legislation requiring the Forest Service to grant the easement by Dec. 11. Stockdale said the agency expects to meet that deadline.

Steiner, who sparked the controversy, hasn't given up hope that he can stop logging on the land. Development on the slopes of Carbon Mountain would threaten a silver salmon run on the Bering River, would endanger habitat for birds, bear and other species, and would harm one of Alaska's unique natural areas, he said.

Steiner had sharp words for the trustees council. "They have wasted hundreds of millions of dollars on useless science," he said.

"This is the most significant restoration opportunity the trustee council has left ... but they're reticent to do anything bold.'

Murkowski, meanwhile, has sent a letter to U.S. Agriculture Secretary Dan Glickman demanding an explanation for why the Forest Service would consider a plan to keep Chugach Alaska from its land.

1.5

#### By JIM CLARKE The Associated Press

U.S. Sen. Frank Murkowski and a Native corporation accused the Exxon Valdez Oil Spill Trustees Council of trying to block access to the corporation's timber lands near Cordova. But the head of the trustees council and a U.S. Forest Service spokesman say that's just plain wrong.

The dust-up flared last week in an exchange of calls and letters, resulting Thursday in the senator issuing a written statement at-

tacking the council and the Forest Service.

Council executive director Molly McCammon admitted Friday that she sat down with the U.S. Forest Service and environmentalists earlier this month to discuss a proposal that, according to critics, would have slowed or stopped development near Carbon Mountain. The idea, pitched to the council by biologist and former Cordova resident Rick Steiner, was to use some of the oil spill settlement money paid by

Exxon Corp. to buy subsurface rights under timber lands Chugach Alaska Corp. owns.

Buying the subsurface rights — a coal deposit, mainly — from the South Korea company that owns them would have tripped up Chugach Alaska's efforts to negotiate an easement and build a road across the Chugach National Forest to its land, Murkowski spokesman Chuck Kleeschulte said. The purchase appeared to be an effort to stop Chugach Alaska altogether, he said.

The Native corporation saw it the same way. "The trustee council and the Forest Service have openly discussed something like this to keep us from getting our easement," said Mark Stahl, the corporation's land and resources manager."It's just outrageous that the Forest Service would be trying to frustrate a mandatory obligation, which this easement is."

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the suggestion quickly because the area, about 60 miles east of Cordova, is outside the boundaries where the council is allowed to operate.

"We had a meeting, they presented some information, but there are no negotiations going on," she said.

Like McCammon, Forest Service spokesman Doug Stockdale said the agency is not considering the proposal. Instead, it is working to give Chugach Alaska a 27-mile easement across the national forest so the Native corporation can log timber on its 73,000 acres.

"I think there was a misperception," Stockdale said.

Chugach Alaska is hoping to complete the logging road next summer and begin cutting the spruce and hemlock forest the following year, Stahl said.

After years making little headway, the agency and the company reached a formal agreement on how to identify and secure the easement. Routing and environmental studies are under way. Even while objecting to the coal purchase idea in his letter to the Forest Service last week, Chugach president Michael Brown said the easement process has mostly gone smoothly.

But Murkowski, apparently frustrated that the process had taken so long, last week introduced legislation requiring the Forest Service to grant the easement by Dec. 11.

- Stockdale said the agency expects to

meet that deadline.

Steiner, who sparked the controversy, hasn't given up hope that he can stop the logging. Development on the slopes of Carbon Mountain would threaten a silver salmon run on the Bering River, endanger habitat for birds, bear and other species, and would harm one of Alaska's most unique natural areas, he said.

Steiner accused the trustees council of wasting millions "on useless science." The Carbon Mountain purchase is "the most significant restoration opportunity the trustee council has left ... but they're reticent to do anything bold," he said.

□ Daily News reporter Steve Rinehart contributed to this story.

Murkowski, Native corporation claim subsurface-rights sale would block easement

PENINSULA CLARION 5/19/98

### Murkowski introduces legislation to solve Chugach easement dispute

ANCHORAGE (AP) — U.S. Senator Frank Murkowski has introduced legislation to try to clear up a 15-year dispute between the U.S. Forest Service and Chugach Alaska Native Corp. over access to forested lands on Carbon Mountain.

The Native corporation selected 73,308 acres of timbered land on the mountain in 1982 as part of its settlement under the Alaska Native Claims Settlement Act.

But during the next 15 years

Chugach Alaska and the Forest Service have made no headway in negotiating an easement across the Chugach National Forest.

Under Murkowski's proposal, the Forest Service would have until Dec. 11 to grant an easement. If it fails, the corporation would receive an easement based on a road corridor now under discussion.

An identical bill is pending in the House Resources Committee, Murkowski said. guest commentary

A Call to Action

THE ANCHORAGE PRESS MARCH 5 - 11, 1998

#### Chugach roadless areas at risk

#### by Matthew Zencey

Alaskans like to brag about how big and spectacular everything in the state is, so let's take a minute and steer our chauvinism toward the chunk of Southeast Alaska known as the Tongass National Forest.

For starters, the Tongass is huge. It covers more than 80 percent of Southeast Alaska. The Tongass is the nation's largest national forest, the king Matanuska cabbage of the entire system. You could chop the Tongass in half and it would still be bigger than the next largest national forest (which just so happens to be the other one located in Alaska, the Chugach, here on the Southcentral coast). Together the Tongass and Chugach encompass most of a vanishing national treasure — the country's last virgin temperate coastal rainforest.

It is a place where vast tracts of soaring spruce, hemlock and cedar cling to the lowland and coastal edges of sheer mountains capped in glaciers and year-round snow. Underneath the canopy of the old growth forest, Sitka black-tailed deer roam freely, alert for their nemesis, the Alexander Archipelago wolf. Brown bears cluster alongside streams choked with spawning salmon, gorging themselves during the passing season of plenty. High above the forest floor, the mysterious goshawk zooms in and out among the giant trees, looking to dine on unsuspecting birds.

Anyone who's flown over the Pacific Northwest on a clear day knows that the forces of progress have already blitzed most of the coastal rainforest that covered the region since George Washington was a pup. Because Alaska is so remote, we've

got a lot more of our ancient trees left standing. In fact, to entice businesses to chop down Alaska's treasures, the U.S. government had to spends hundreds of millions of dollars subsidizing the construction of logging roads and paying for a huge management bureaucracy whose costs are not covered by selling these valuable, ancient trees.

The most outrageous of those subsidies has disappeared. As of last spring, both huge pulp mills that had gobbled up cutrate Tongass timber for 40 years were closed for good and their sweetheart contracts were terminated. But some powerful Alaskans — and their friends in the Forest Service — still dream of resurrecting a smokestack timber industry. The agency's new plan for the Tongass would double what the timber industry now cuts. In the next two years, the agency will crank out enough timber to supply existing industry for eight years. That huge pipeline of wood just might entice an aspiring timber baron to put in a huge mill of some kind.

More than half of this new barrage of Tongass clearcutting would hit wild

areas not xet invaded by logging roads and monster trucks and clearcuts. In bureaucratic jargon, they're officially known as "roadless areas." Nationwide, the Forest Service has decided to take a second look at what it's doing to these last wild and undisturbed areas under its

charge. It has proposed an 18-month moratorium on punching new roads into these "roadless" areas.

As you can see from the agency's ambitious cutting plans in the Tongass, such a moratorium would protect huge areas of the nation's largest national forest. But the road-building moratorium does not apply to the Tongass. How can this be? How could the agency omit the Tongass — the Amazon of North America, the country's last great stronghold of centuries' old trees, the place where your tax dollars are subsidizing the wholesale ruination of vast tracts of our very own rainforest? As David Letterman would say, "Two words: Ted Stevens." The big environmental cheeses inside the Clinton Administration got a case of weak knees and decided they didn't want to pick a fight with the powerful senator.

The good news is that the Chugach, the northern heart of the Alaska rainforest, is covered by the moratorium on new roads. Compared to what's at stake in the Tongass, though, delaying new roads on the Chugach is an afterthought. There's hardly any commercial logging on federal lands inside the Chugach. (Native lands inside the Chugach are a different story. Many of them have been heavily logged, which is why the government has spent a lot of Exxon Valdez oil spill money buying Native timber lands and timber rights.)

But even this modest protective measure on the Chugach has raised the blood pressure of Mr. Timber himself, Sen. Frank Murkowski. He has been throwing tantrums that might spook the Forest Service into dropping the Chugach moratorium altogether. So what's a friend of the trees to do?

Don't just toss this paper in the recycling bin. Mark your calendar for Wednesday, March 11, and come give the Forest Service a piece of your mind. The agency is having an "open house" to take public comment on its road building moratorium at the Spenard Recreation Center, at 2020 W. 48th Ave., from 2 p.m. to 7 p.m. Look for the Alaska Rainforest Campaign information room, just past the big room where the Forest Service has set up shop. Munch a few snacks and get more details for putting into your comments for the official record.

See you there. .

Matthew Zencey is campaign manager for the Alaska Rainforest Campaign, a coalition of national and Alaskabased conservation groups.

### Gubernatorial candidates set to debate fish issues

Gov. Tony Knowles, John Lindauer, Wayne Anthony Ross and Sen. Robin Taylor are all coming to Kodiak to talk fish.

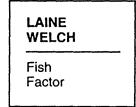
A gubernatorial candidates debate set for March 26 from 7 to 9 p.m. will be the first time this election year that the major contenders for Alaska governor will confront each other. An interesting (some would say intimidating) twist is that the debate will be limited to fisheries issues. The two-hour event, sponsored by the United Fishermen of Alaska and the Kodiak Chamber of Commerce, will be broadcast live statewide via the Alaska Public Radio Network.

Student leaders from all regions of the state will be included in the event, as the 300-member Alaska Association of Student Government is holding its annual meeting in Kodiak at the same time.

The gubernatorial candidates debate kicks off ComFish Alaska, the state's oldest and largest fishing industry trade show, and the only show held in a major Alaska port. Now in its 18th year, ComFish Alaska is scheduled for March 27-29 at the U.S. Coast Guard base. The hundreds of vendors can plan on a packed house — recent closures for cod and snow crab means more fishers than ever will be in town.

Other events highlighting ComFish Alaska this year include a legislative forum hosted by Sen. Jerry Mackie and Rep. Alan Austerman, a meeting by the Exxon Valdez Trustees Council and

a followup to the recent Salmon Forum II.



KODIAK DAILY MIRROR 3/18/98

#### **EVOS** hearings

The Exxon Valdez Oil Spill Trustee Council has informed me of the following meeting schedule to take public testimony throughout the spill region, to discuss possible uses for the Restoration Reserves.

Kodiak - March 28, 7 p.m., in the borough assembly chambers. Ouzinkie - March 30, 1 p.m., Port Lions - March 31, 1 p.m., Larsen Bay - March 31, 7 p.m., these three preceding sites have yet to determine a meeting place. Old Harbor - April 1, 2 p.m., in the city offices. The communities of Karluk and Akhiok have tentative dates of between March 29-April 2, with a meeting place to still be determined. The deadline for written comments is April 30. 1998, addressed to EVOS, 645 G St., Suite 401, Anchorage,

AK. 99501-3451.

AFNSM would be remiss if it did no o give special thanks to the celebrity waiters and waitresses who dedicated their time for the benefit: (AFNSM council members) Ermalee Hickel and Theresa Devlin, (Senators) Al Adams, Fred Zharoff and Jim Duncan, (gubernatorial candidates) Tony Knowles and Jim Sykes and (Special Staff Assistant to Gov. Walter Hickel) Marilyn Patterson.

The proceeds of this benefit went to support AFNSM and its continuing mission to-focus on the merits of sobriety: A positive, healthy and productive way of life, free from the devastating effects of alcohol and drugs.

Again, thanks to all who joined in honoring the memory of Walter Charlie and for supporting sobriety — a lifestyle we can all live with.

> - Greg Nothstine AEN\_Sobriety Movement

#### Hurrah trustees! But don't stop

It's nice to see some good news for a change! Congratulations to the Exxon Valdez Oil Spill Trustee Council, which on Nov. 2 protected acres on Kodiak as part of its restoration plan for Prince William Sound. We've all been watching the EVOS process through the years with its public comment periods and massive amounts of papers generated.

The public voted overwhelmingly that habitat acquisition was the single most important use of EVOS settlement money, and now it's good to see that the Council is moving to implement the public's stat-



ed wish. But the Council shouldn't stop there! Nothing's been acquired or protected in the Sound, and folks in Cordova have been involved in the EVOS process from the beginning. Here's to the trustees making a deal for Eyak lands in the Sound, as well as throughout the spill region!

- Holly Kane

#### Realtor kickbacks hard to find

My paranoia has recently been fed by a Connie Yoshimura ad in the Daily News and recent mailings by Connie to homeowners. Ms. Yoshimura implies that real estate agents (except her own agents, of course) receive "special favors, gifts or discounts" from home inspectors, surveyors, remodelers or subcontractors, not to mention referral or "bird dog" fees from mortgage and title companies.

Well, this confirms it! Once again, I am being left out. Not only do none of these entities give me a kickback, but they don't even kiss up to me to get my business. So, what am I doing wrong? I must be hanging out with several hundred loser Realtors, 'cause they're not getting any of those goodies either.

To set the record straight, however, T have eaten the mint that one title company in town delivers with each preliminary title policy. Connie, I pledge to you that this will cease and I will no longer walk that ethical tightrope. In fact, I'm going to start an advocacy group to rid the real estate industry of these parasites. Anyone wishing to join NO MORE MINTS can contact me through any bank, mortgage company, home inspector, surveyor, remodeler, etc.

- Glenda J. Straube

#### Let's support our diversity

Seldom do election results leave me completely happy and this last election was no exception. What disturbs me most, however, is the vigor with which some have pursued divisive, hateful, exclusionary rhetoric. When our election process is reduced to inflammatory labeling, we all lose. When we need a full discussion of the real issues that affect all of our lives in order to make informed decisions, those running for elected office and community leaders who stoop to an emotional

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### Thursday, February 29, 1996 Jpinion

### Eyak Lake, Eyak River and Power Creek are priceless and are not for sale

Editor's note: The following opinion is provided by the author as an insight into the proposed logging of old growth forest along the shorelines of Eyak Lake, Eyak River and Power Creek by the Eyak Corporation. Sherstone Inc., ITT/Rayonier Inc., and Columbia Helicopter Logging Inc.

#### By Glen E. "Dune" Lankard, Jr.

"No matter what corporate representatives or politicians present, do not take your eyes off the prize — in this case, the Eyak Rainforest. You can clearly see from past experience the end results of their words." Lankard said.

As we near the seventh anniversary of the Exxon Valdez Oil Spill (March 24, 1989), it is quite apparent the politics which surround the Exxon Valdez Oil Spill Trustee Council negotiation process are just as insane as the massive clearcuts that already plague this once pristine and unique ecosystem we call home.

Over the last five years the Eyak Corp. and the Trustee Council have been largely unsuccessful in negotiating a comprehensive settlement to protect the Eyak Rainforest(s). Only one small deal has been brokered to protect 2,000 acres of forest, near Orca Narrows, just outside of Cordova. At the rate the Trustee Council is moving to protect these forests, this 2,000 acre parcel could be the only forest left standing on private Native lands in the entire Prince William Sound.

After reading the Evak Corp.'s proposed visual cut stories and hearing how aesthetically pleasing their logging practices (from here on out),

### Commentary

will be, I am convinced that they actually believe their planned, formal statements (just look across the bay).

The long-term cultural, social, environmental and economic impacts will be much greater than the visual cut story explains. This visual cut will take place within city limits in the newly annexed area, surrounding our public watershed. This region is still considered private Native land, but it should not be exempt from cultural, social, environmental and economic impact statements which protect the public's interest as a whole.

So why is it?

The Eyak Corp.'s spokespeople (currently Luke Borer and Nancy Cecile Barnes), say that "their log-" ging activities are very important to our shareholder's welfare, in providing jobs and paychecks, self-respect and self-determination for local Natives, and that logging allows the Eyak Corp. to diversify its current operations, away from being totally dependent on logging." What ?! Who are they talking about? It is certainly not the shareholders who are benefitting from these natural resource extraction projects now, in the past, or in the future. And, how does logging our forests help the Eyak Corp. to diversify from logging?

Let's focus on the Eyak Lake, Eyak River and Power Creek for the moment. It is said that this will be an environmentally friendly, visually selective and sound development cut on Eyak Native lands. This is true, as it is our Evak Native lands that will be cut.

Why sell what is considered "priceless" for a loss? Once Helicopter Columbia and ITT/Rayonier level all the prime old growth around Eyak Lake, Eyak River and Power Creek, and take their share of the profits (Columbia: 50 percent and ITT/Rayonier: 30 percent), then Sherstone and the Eyak Corp. will split the remaining profit (20 percent), to pay their management and past debt.

This equation doesn't reflect potential city sales tax (6 percent), or potential dividends, if there are any, for the shareholders who own this land and timber.

The other part of the story that goes unspoken by the Eyak Corp. or Sherstone is, once the logging is done and the trees are lying on the forest floor, it is then that the Evak Corp. board of directors will allow the shareholders to vote on the sale of their land, because the board of directors have once again offered our Native land to be purchased "fee simple title" to the Trustee Council and in the name of "restoration." but only after it's cut. This is not in the best interest of the public or the best use of the public monies (restoration settlement), let alone in the best interest of Eyak Corp. shareholders.

Corp.'s books, it would reveal that the Evak Rainforest has more value standing than lying on the ground. In the last eight years of clearcut logging operations, only \$3,000 have been paid in (supposedly) logging revenues, (\$1500 in '89; \$1000 in '90; \$500 in '91). When compared to protecting the 1994 Orca Narrows "timber rights only" sale to the Trustee Council for \$3.45 million. this transaction yielded two dividend checks totalling \$3,560. This "timber rights only" settlement also paid the way to the \$1.5 million out-of-court, settlement with Sound Development. The 1993 \$15,000 net operating loss (NOL), dividend is not a logging revenue. The reality is, we as shareholders have made more money by protecting our forests than in eight years of clear-cut logging.

**The Cordova Times** 

The Eyak Corp.'s board of directors won't allow its shareholders the right to vote on these critical decisions which continue to render irreparable consequences of corporate assets and their way of life.

The 1971, Alaska Native Claims Settlement Act (ANCSA), gave Alaska's Native people the inherent right to vote on how their Native corporate assets were to be managed (ie., money, land and timber). The shareholders need to demand an immediate "special shareholders" meeting with voting powers and vote to halt

If one could review the Eyak the liquidation of their corporate assets, by the current board of directors of Sherstone and the Eyak Corp., and also allow (a first time ever), vote of the shareholders to decide between logging and a potential Trustee Council settlement, to protect their remaining rainforest equity and assets. The environmental community, along with the public and the Cordova city council, must request that the Trustee Council back off "fee simple acquisition" of our ANCSA lands and aggressively pursue a "comprehensive timber rights only" protection plan on Eyak Native lands. Evak Lake, Evak River and Power Creek's intact existence are critical to the fragile balance of this region.

Page 5

Prior to the 1880s, over a quarter million sockeye returned to Eyak Lake (to spawn in fresh water). The water was so clear you could drink it. This region is also a popular recreational area for many Cordova residents and tourists, as well as an important city watershed. Because of its cultural significance to the "true" Evak Indian people (subsistence, village, burial and ceremonial sites), it is for many of us considered "priceless" and "not for sale." It is also quite obvious that the wisdom has left many of our leaders; it would be foolish to jeopardize the intrinsic public interest value of this sensitive region.

So, in closing, I offer a resolution (a modern-day treaty), to be considered by all. It is ultimately up to us to protect our home; if not for us, our children and their children (some will have to set aside this personal gain).

Not often does an opportunity of this magnitude and importance cross our paths. Together, side by side and as one, we can work to protect and preserve rather than try to restore what has been destroyed.



We, the people, must ask the city council to hold an immediate "town meeting" and bring in the state agencies, and allow public testimony. (We must) also ask that the city council support a resolution directed towards the Trustee Council to protect Evak Lake, Eyak River and Power Creek in its current intact state.

The City of Cordova could also show its commitment to protect our watershed by waiving any potential sales tax, restoration bonds, archeology surveys and environmental and economic impact statements to the Eyak Corp. and Sherstone, for its decision to protect our land and forests. If the Eyak Corp. chooses to level the forests, including the buffe zones, then it is only appropriate an necessary to demand sales tax or restoration bonds, archeology surveys and environmental and economic impact statements to mitigate the damages that are inevitable if logging commences.

Your voice can effect the outcome of this issue. This is our last chance to protect Evak Lake, Eyak River and Power Creek. Call city hall (424-6200), and request a town meeting. Call or write the Trustee Council (278-8012; 645 G Street, Anchorage, Alaska, 99501), and the Eyak Corp. (424-7161; P.O. Box 340, Cordova, Alaska, 99574), and let them know how you feel.

Let's not let this opportunity escape us, like our trees will, if we can't work it out together and soon.

Glen E. "Dune" Lankard Jr., is a shareholder of the Eyak Corp., a tribal member and spokesperson of the Eyak Traditional Elders Council and the founder of the Eyak Rainforest Preservation Fund in Cordova.

Correction In the Feb. 22 issue of The Cordova Times, Glen "Dune" Lankard was misquoted. Lankard said the lands will never be for sale and he is not in favor of fee simple purchase on the lands in question.

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Anchorage Daily News Fri. March 31, 1995 P.B6

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Eyak lands

#### Break the logjam

There will be three losers if rain-forest timberland in the Cordova area is not saved from future clear-cutting. The losers will be the public, the Native corporation trying to sell land and timber rights and the public council managing the settlement money stemming from the 1989 Exxon oil spill.

If more timber cutting near Cordova comes to pass, the missed opportunity will be all the more apparent because the involved parties are within shouting distance of an agreement.

Now is the time to set aside months-old frustrations and finger-pointing and reflect on how far the two sides have come. That done, they can draw on a renewed commitment to reach an agreement.

Eyak Corp., based in Cordova, wants to sell the title or timber rights to thousands of acres of land. The buyer would be the Exxon Valdez Oil Spill Trustee Council. At issue is how much land, at what price and if Eyak will keep future development rights even as it sells the timber rights and allows public access to some land holdings.

Unlike other Native corporations that have concluded deals or that are still negotiating deals with the council, the Eyak Corp. has admirably taken a harder line. While it's willing to sell the title to 13,700 acres of land surrounding Eyak Lake near downtown Cordova, it's only willing to sell timber rights to an additional 14,800 acres of land. Other Native corporations have sold or are willing to sell title to their lands.

The lake-land deal is moving forward with appraisals under way.

But the timber-rights deal has stalemated because Eyak wants to retain development rights to portions of its land. The council has understandably said it won't go along with this arrangement.

Both sides have bottom lines. And neither side will get the perfect deal. Acknowledging these two facts, is there still room within their stances for an agreement to be reached? What common ground — and series of concessions — might lead to a workable deal? If negotiators operate on the assumption that an agreement can be reached, it's far more likely to happen.

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those most able to aftend the permit's price and say think about elimng the gun-safety class to r the overall expense. Trooper First Sgt. Howard

Burger, who is managing the program, said that unlike other states, the handgun permit pror states, the

Please see Back Page, COST

Percentage of 1990 53% 47%	16% 21% 14% 13%
Number of permits issued 749 1	50 135 338 338
Percentage of total permits 87% 13%	6% 16% 39% 39%
Sources, Alaska State Troopers; Alaska Depar	tment of Labor, Research and Analysis

KEVIN POWELL / Anchorage Daily News

tour Uninese fishing vessels Saturday in contested waters. Manila ------used the fishermen of pouring cyanic b lagoons to stun fish.

In the Sea of Okhotsk, bounded by Siberia and the Kamchatka Peninsula, a Russian gunboat recently fired on a Chinese fishing vessel, killing two fishermen. Shooting incidents are now an almost

Please see Back Page, VIOLENCE

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Page A-2 update, 936-2525

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**By NATALIE PHILLIPS** 

#### Daily News reporter

For three years, government officials spending Exxon oil spill money have struggled to strike a deal with the Eyak Corp. to protect some 28,500 acres surrounding Cordova.

Eyak Corp., spill trustees

see deal chances slip away

At stake is protection of 28,500 acres near Cordova

Time after time, negotiations collapsed. The most recent offer could have netted Evak's 326 shareholders each a check of \$100,000 or more. It would have been one of the greatest cash payoffs ever for members of an Alaska Native corporation.

Former President Jimmy Carter recently wrote urging both sides to reach an agreement. Actor Robert Redford offered to help mediate, but was turned down.

Though Eyak Corp. was the first

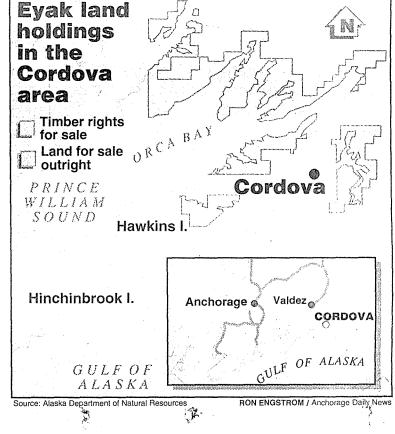
in line to sell land to the Exxon Valdez Oil Spill Trustee Council. a half-dozen Native corporations have stepped in front of it, striking deals or tentative agreements worth a total of \$260 million.

So why hasn't an Eyak deal been made?

Fingers point in all directions. Some critics say Eyak Corp. has been erratic and irresponsible. Other observers and Eyak Corp. officials blame the Trustee Council.

"Their agenda keeps changing," complained Eyak Corp.'s lead negotiator, Donna Platt. "There has been such great turnover (on the Trustee Council). ... It's a frustrating process because for us it's

> Please see Back Page, EYAK <u>\_</u>}



Monday, March 32, 1995

Anchorade Usel VIEWS ΧA

#### Continued from Page A-1

#### nteer work."

flen "Dune" Lankard is a well-known dissident Eyak shareholder who faults the Evak Corp. board. He accuses board members of withholding information from shareholders. And he insists that if shareholders understood the latest Trustee Council offer — worth up to \$50 million — they would want the board to approve it.

Jim Wolfe of the U.S. Forest Service and a lead negotiator for the Trustee Council said, "It seems like just one issue will come to the surface, then the whole thing will fall apart."

Aside from battles over price, there have been disputes over hunting and fishing rights, Native subsistence rights and public recreational uses. Those access issues seem largely resolved now. And about a year ago, the two sides reached an agreement on a small parcel considered at high risk for logging. The Trustee Council paid the Native corporation about \$3.4 million for title in January to some 2,000 acres in Orca Narrows, which is visible from Cordova.

The latest holdup is development. Evak doesn't want to give up the rights of shareholders' children and grandchildren to develop land saved from clearcutting. In some cases, the trustees simply buy timber rights and easements.

The trustees are charged with restoring the oilstained Prince William Sound with the \$900 mil-

in an out-of-court settlement three years ago. They decided that, among other things, they would use the money to purchase and protect land that is habitat for species injured by the spill, such as murres, harlequin ducks, mussels and sea otters.

While the trustees have bought thousands of acres, little of it has been around the sound, the area hardest hit by the 1989 spill. And the Eyak land is in the heart of the spill area. It's mostly mountainous, coastal rain forest, dotted with hemlock and spruce, laced with streams and trimmed with rich estuaries.

Rick Steiner, a Cordova biologist and close observer of the negotiations, criticized the Trustee Council for failing to live up to its mandate by not making an Eyak deal.

"The trustees have done so little for the injured environment." Steiner said. "The Trustee Council is trying to hold out for a perfect deal," he said. 'And in the process they are throwing out the baby with the bathwater."

The Trustee Council is interested in 28,500 of the roughly 130,000 acres owned by Eyak, one of more than 200 village corporations created by the 1971 Alaska Native Claims Settlement Act. The corporation is willing to sell about half of that outright; they want to sell only timber rights to the other 14,800 acres.

In December, the trustees gave Eyak Corp. two options.

In one, it would pay up to \$21 million for title to

Land Owner Acreage	Purchase Agreement/Offer	Price	Status
Idovia Native Assoc. 23,800	Title	\$22 million	/93 Completed
Eyak Corp. 2,052	Timber rights	\$3.4 million	1/95 Completed
Seal Bay Timber Co. 41,549	Title	\$38.7 million	11/93 Completed
Akhoik Kaguyak Inc. 119,885	Title/easements	\$46 million	Tentative agreement
Chenega Corp. 74,554	Title/easements	\$48 million	Nearing agreement
Kodiak Island Borough 25,665	Title	\$42million	Nearing agreement
Koniag Inc. 115,739	Title/easements	\$45 million	Agreement in principle
Old Harbor Native Corp. 32,100	Title/easements/and exchanges	\$14.5 million	Tentative agreement

land surrounding Eyak Lake, near downtown Cordova.

Or it would pay up to \$50 million over six years for a blend of titles, easements and timber rights to all 28,500 acres. Eyak Corp. would turn over the title to the 13,700 acres of land surrounding Eyak Lake and give up timber rights, allow public access and restrict development on another 14,800 acres across the bay from Cordova.

Eyak rejected the offers because board members don't want to be cornered into an agreement that spells out what they can or can't do 100 years down the road.

Eyak board member Platt likened it to Manhattan.

"Who knew that when they (Indians) sold off their lands for beads that it would have been that valuable?" Platt said.

"It's more than just money for this generation," Platt said. "The biggest check possible (for shareholders) is not the is-That has never been

put a big price tag on it est offer. and said here it is.

Even the Forest Service's Wolfe conceded Eyak Corp. has a point: "I can't help but respect that (board members) are trying to look out for the future."

Still, the Trustee Council counters, it doesn't want to spend millions to protect the land from clear-cutting, then risk some other industry springing up and harming the habitat the same way.

"Everybody on the Trustee Council wants the assurances," Wolfe said.

Logging has not been profitable for Eyak nor is it what shareholders want to happen to their land, shareholder Lankard said. So far the corporation has clear-cut about 15,000 acres of its total holdings and that has only netted shareholders dividends of about \$3,000 each, he said.

If shareholders understood that the board may be missing a lucrative opportunity to get out of logging, Lankard said, they would be pressuring board

the issue or we would have members to accept the lat-

But Platt said shareholders not only have received \$3,000 in logging revenues, they also got \$15,000 checks in a one-time deal in 1993, when Eyak sold its net operating losses to corporations looking for a tax write-off. Congress no longer allows such sales.

Other shareholders are also skeptical about the profits in logging. But they believe the board will find a way to do what's best.

Shareholder and former board member Henry Makarka of Cordova said: "I have to have faith in the board because I know they have that fiduciary responsibility. And I hope that what they are doing is in the best interest of shareholders."

Meanwhile, the town of Cordova finds itself caught in the middle. Much of the Evak land scheduled for logging stands in Cordova's view. Many people don't want their town surrounded by clear-cuts. Others say after years of depressed commercial fishing seasons, they would welcome the business from crews of loggers.

At some point, the Trustee Council money is going to run out. Of the \$900 million settlement, more than half has been committed to studies, land purchases or other restoration projects.

"Maybe Eyak feels it can wait and see timber prices and the Trustee Council offer play itself out," said Carlyn Boehnert of the Alaska Center for the Environment. "It's a definite gamble. The monev is not always going to be there."

Wolfe said some folks are convinced that if Eyak Corp. is left to harvest a little more timber in the next few months, it will realize it won't get as much money as the trustees have offered.

"I think we are at the point we are going to lose some of the lands to timber harvest," Wolfe said. "But I think we will achieve protection of a great area and work out something on the other lands."

## Evak EVOS C at 📲 stalemate; trees still <sup>2</sup>up for grabs

#### – By Cinthia M. Stimson 🗉

HThe Cordova Times

More than 14,800 acres of land in the Orca Narrows off Cordova sit in quiet limbo early Wednesday as the Eyak Corp. and the Exxon Valdez Oil Spill Trustee Council stand off over a Edecision affecting the timber rights of the forested areas. The Trustees and representatives from the Eyak board of directors met in Anchorage Tuesday and Wednesday, working to hammer out a deal, according to Rick Steiner of the Cordova Marine Advisory Program

. "The word 'deal' is used in very loose terms here," Steiner. said Wednesday. "The way it was explained to me. Eyak is still r going to be logging. The Eyaks and the Trustees are trading out two sections in the Orca Revised Parcel for logging." Steiner said he was speaking out on the timber issue simply as a human being, and not representing the Marine Advisory Program.

14:37The only decision the Eyaks and Trustees came to Wednesday See Timber, page 7

03/06/95

#### Timber...

From page 1

morning, was an agreement to try to protect the view shed --- trees lining the coastline in the Orca Narrows, Steiner said. - Steiner said all this will do is

hide the logging by providing a tree "shell."

Areas along the Rude River. wand east of Simpson Bay are slat-

ed for logging sometime nextweek. "The Trustees really bungled" this thing. They've had four years to put a deal together, complete with public support," Steiner said. -"In essence, they're throwing the scientinue and science and baby out with the bath water. The whole idea was to protect large. intact ecosystems. This is like cutting a hole in the Mona Lisa."

The Evak board of directors and EVOSTC refused to comment on any deals made Wednesday morning.

The current moratorium prohibiting logging on those lands expired March 1.

Luke Borer of the Eyek Corp. and Sherstone Inc., told The Times last week the Evak Corp. is scheduled to begin logging those lands March 2.

"It's what we've been saying for a year now," Borer said. "We're not saying anything, different than what we've been saying all along." EVOSTC offered the Eyak Corn. \$4:13 million in exchange for a seven year commercial logging moratorium on 14,800 acres. in the Orca Narrows, to protect the land while negotiations for a more permanent arrangement 1.12

Friday afternoon, Eyak representatives indicated to chief negotiator Phil Janik, a member of the EVOSTC, their willingness to cooperate in the mediation, according to a memo issued by EVOSTC on Friday.

The Trustees said they desire

**Tough talks** 

to protect the lands from logging as a means of protecting habitat important to the recovery of resources and services injured by the 1989 Exxon Valdez oil spill. Friday's offer from EVOSTC presented the Eyak board of directors with a stipulation stating the moratorium wouldn't effect Eyak's subsistence and access rights to the land, although EVOSTC said such rights were contingent upon a donation of another timber harvest moratorium on additional Eyak lands the council stated are important for

restoration." "Borer said last week the Eyak board of directors were still open to negotiations, but Borer also said he wanted to leave the path open to both the (EVOSTC) council and logging.

Eyak made a counter-offer to the Trustee Council Feb. 23, requesting \$15 million for the logging moratorium, stipulating that the money must be in hand by March 1, according to EVOSTC's

Cinthia M. Stimson/Times photo

news release. EVOSTC also said Evak stated the corporation would forego logging on March 2 if the trustees would agree to lay down \$100,000 for each day that goes by until an agreement between the two was concluded and money was "in hand."

"Even though we're declining Evak's offer, we want to reatfirm our strong desire to avoid the imminent threat of logging in these areas. We agreed on the, desire to reach a resolution," Janik said Friday.

The Exxon Valdez Oil Spill Trustee Council made an offer to the Evak Corp. last Dec. 2, to purchase all lands involved for an amount not exceeding \$50 million and negotiate a conservation easement on several parcels of land near Cordova. The Trustees said the offer was rejected by the Eyaks and the Eyaks indicated the intention of pursuing clear-cut logging on March 2.

"Il's a pa. Jath - we just want to see money in the bank," Borer said last week. "It is the desire of both the board and the council to come to an agreement."

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Trustee Council members Janik, Craig Tillery and Executive Director Molly McCammon met with the Eyak board of directors in Cordova last Thursday. The councils discussed the various offers but failed to reach any consensus.

"We cherish our way of life" importance of emphasizing our here," said Ross Mullins, a Cordova resident. "The offer of \$4.13 million seems like a valuable offer that might offer some breathing space. No one wants to see the whole realm out there clear-cut."

> A summary of recent EVOSTC actions concerning Eyak Corp. lands follows:

> . On Feb. 22, the Trustees adopted a resolution authorizing an offer including the Orca Revised Lands. An offer was made to purchase a seven-year moratorium in the form of a limited conservation easement on commercial timber harvest on the Orca Revised lands for \$4.13 million.

· Other lands: (Sheep, Gravina, Fidalgo and Hawkins Island) The Trustees asked Eyak to donate a seven-year moratorium on development on Eyak's other lands west of Shepard Point, with the exception of such Eyak sharehalder homesite development mutually agreed upon by the Eyak Corp. and the Trustees.

· Core lands: a reaffirmation of the Trustee Council's offer to purchase the Core lands in fee and recognition that accollations for those lands are on-going; an appraisal of the Core lands is in progress.

The EVOSTC and the Eyak board of directors are still negotiating to protect the "other lands" under scrutiny -- Sneep Bay, Pl. Gravina, Fidalgo and Hawkins Island, Steiner said Wednesday.





Phil Janik of the U.S. Forest Service and Molly McCammon

listen to testimony Thursday regarding area timber sales.

# Pristine Forests at Stake as Alaskans Balance Priorities in Valdez Cleanup

#### By Tom Kenworthy Washington Post Staff Writer

CORDOVA, Alaska-More than five years after the Exxon Valdez oil tanker ran aground in Prince William Sound, dumping 11 million gallons of heavy crude into one of Alaska's richest fish and wildlife habitats, some good news is on the horizon.

With the proceeds from a \$1 billion settlement involving Exxon and the United States and Alaska, a half-dozen state and federal officials are going on a land-buying spree.

"The funds offer Alaskans a rare opportunity to protect forever some of the nation's most environmentally sensi--tive lands-provided that they can conclude potentially problematic negotiations for tens of thousands of acres, owned by native corporations, that are likely sites for ·logging or development.

Call it poetic justice on a grand scale. The penalty paid by Exxon for one calamity (it is still fighting in court against billions of dollars in claims by private individuals) may help prevent others. From forested slopes around Prince William Sound to river banks ruled by the kodiak brown bear on Kodiak Island, land critical to nurturing fish and wildlife may be kept pristine.

"The question is, how do we care for the environment that was damaged by a man-made disaster?" said Rick Steiner, who runs the University of Alaska's Marine Advisory Program in Cordova. "The best thing humans can do to an ecosystem that has been insulted is protect it from further insults."

The six-member Exxon Valdez Oil Spill Trustee Council overseeing this effort has been criticized for moving too slowly and for spending about one-third of the settlement funds on administrative costs and reimbursements to the state and federal governments-and to Exxonfor oil spill cleanup and damage assessments.

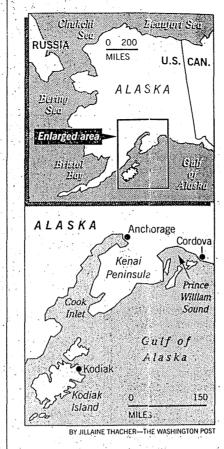
But much of the remaining \$600 million that the fund will receive by the year 2001 is expected to go toward the goals set out by the 1991 court settlement: "restoring, replacing, enhancing, rehabilitating or acquiring the equivalent of natural resources injured" by the spill.

The council already has approved some important land acquisitions on Afognak Island, the Kenai Peninsula and one small parcel near Cordova, at the eastern corner of Prince William Sound. But the bulk of what is expected to be more than \$300 million in land purchases is yet to come, as the council concludes often difficult negotiations with native corporations that own hundreds of thousands of acres originally deeded to them by the Alaska Native Claims Settlement Act (ANCSA) of 1971.

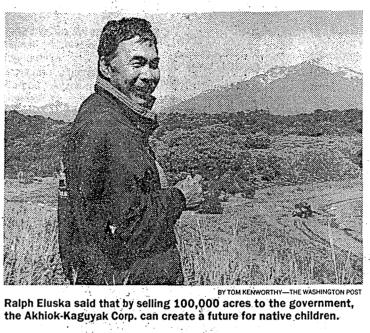
Though ANCSA was designed to make Alaska natives self-sufficient (it settled their aboriginal claims with almost \$1 billion in cash and 44 million acres of land), poor investments and management have left many facing a cruel choice. To meet the fiduciary responsibility of maximizing profits for their shareholders, the corporations can exploit the natural resources of their lands through logging or development. But that choice can threaten their cultural links to the land and the subsistence hunting and fishing many natives depend on to survive.

... At stake in and around Cordova are tens of thousands of - acres of forest land, much of it prime fish and wildlife habitat, that almost are certain to be stripped of their timber by the native Eyak Corp. if its leaders cannot negotiate a purchase deal with the trustee council. Logging those Eyak lands, environmentalists and fishermen warn, could mean a second disaster for the salmon runs that remain.

Though Cordova's fishing fleet prospered immediately after the spill, prodigious herring and pink salmon runs that. were mainstays of the local industry recently have crashed.



"We are supposed to be in the business of making money, but we want to be good stewards of the land."



The Eyak lands, said Jerry McCune, president of United Fishermen of Alaska, flank some of the region's best salmon-spawning rivers. They could be harmed by logging, which can cause soil erosion and raise stream temperatures where salmon lay their eggs and spend part of their life cycle. "We can't afford to lose any more," he said, noting that the annual value of fish landed at Cordova's harbor already has plunged from \$100 million to \$20 million.

It is already too late for some places on Prince William Sound, where 100 square miles of fragile coastal forest have been leveled since the Exxon Valdez went aground on Bligh Reef in 1989.

In Two Moon Bay, northwest of Cordova, the native Tatitlek Corp. began logging its lands in 1988, and thousands of acres have been clear cut, often on steep slopes and close to the sound. The timber harvest was spurred on by a 1986 tax law provision, since repealed, that allowed the native corporations to sell the "net operating losses" from their timber operations. Under that provision, native corporations valued their timber high, sold it low and then peddled the losses to multinational businesses that needed tax write-offs.

Conservationists say this area of southcentral Alaska is a particularly bad place to practice industrial forestry. The coastal forest is a thin band between the ocean and the ice and glaciers lying just inland, the soil is thin, the slopes are steep and highly erodible, and the trees grow so slowly that a six-inch diameter hemlock may be 80 or 100 years old. "This is the northern edge of the ecosystem," said Riki Ott, a Cordova resident who serves on the board of United Fishermen of Alaska. "It takes a lot longer time to get a lot poorer quality tree than it does further south."

than, 15,000 acres, some of it in the watershed that drains into the Copper River delta, one of the world's George T. Frampton Jr. "But on the other hand, we are

largest wetlands where during waterfowl migrations 120,000 birds an hour can pass by.

Earlier this year, Eyak Corp. agreed to a one-year moratorium on further logging as it pursues negotiations with the oil spill trustee council. The logging question has divided the corporation's 346 individual shareholders, only about half of whom live in the Cordova area.

"We are supposed to be in the business of making money, but we want to be good stewards of the land," said corporation president Donna Platt. "The money has to come from somewhere. The economy can't be sustained without an economic base, whether it's logging, fishing or tourism."

Eyak Corp. prefers to retain title to its 100,000 acres while selling timber rights to the federal government and using the proceeds to develop a tourist economy and establish a lasting trust fund for native shareholders.

But difficult negotiations remain in a process that requires not only agreement between the council and the corporation, but unanimous votes on a council made up equally of representatives of the Clinton administration and appointees of pro-development Gov. Walter J. Hickel (I).

Among the questions: how much public access will be permitted on the lands; and who will control that access: and to what extent the Eyak shareholders will be able to continue developing the lands for their own-cultural traditions as well as such activities as tourism.

Eyak Corp. officials "want us to say we are buying the commercial timber rights, and we want to say we are buying a conservation easement," explained trustee council executive director Jim Ayers. "In reality, it's something in between."

"We don't want to be in the position of saying we want Near Cordova, Eyak Corp. already has logged more everything, that we want to take away every single development opportunity," said assistant Interior Secretary

- Donna Platt, president, native Eyak Corp.

not prepared to buy just the timber rights. We are not going to put out \$40 million and let them build hotels and toxic waste dumps. If we can't buy effective habitat protection, we are not going to do it."

Four hundred miles southwest of Cordova, the threat is creeping development of native corporation lands that lie within the Kodiak National Wildlife Refuge.

The nearly 2 million-acre wilderness refuge, established more than 50 years ago, is home to the world's densest collection of brown bears-nearly 3,000-and rivers teeming with salmon runs. Kodiak Island is the secondlargest island in the United States, with a maritime habitat that is home to large collections of marine mammals such as Stellar sea lions and sea otters. The rocky coastline provides rookeries and nesting places for millions of birds. The refuge alone hosts some 200 nesting pairs of bald eagles. Many hundreds more winter there.

Not surprisingly, outsiders increasingly are drawn to Kodiak. The island's native corporations were shrewd enough to select some of the most valuable land-the heads of bays, the mouths of streams-when they made their ANCSA land choices. The 310,000 acres the corporations own within the refuge boundary are prime bear habitat and a magnet for the development of fishing and hunting lodges and other commercial enterprises.

For Kodiak's three native corporations, the economic imperatives are simple, said Ralph Eluska, president of the Akhiok-Kaguyak Corp. The corporation's 144 members earn an average of about \$6,000 a year, mostly from seasonal employment. The jobless rate at times hits 70 percent. Selling 100,000 acres of corporation land to the federal government, said Eluska, would enable the natives to establish a permanent trust fund and create a future for their children. He envisions a revolving fund for buying back commercial salmon fishing permits that many of the Aleuts have sold over the years to outsiders.

The alternative is the growth of sportfishing and hunting camps that are sprouting on the refuge on corporation land. "That's the income opportunity that's here," said Eluska.

But that spells trouble for the kodiak brown bear, said Jay Bellinger, who manages the refuge for the U.S. Fish and Wildlife Service. "Brown bears are definitely sensitive to human pressure," he said. "If we are going to continue to have this as the one area in the world set aside for brown bears, something has to be done about these in-holdings."

Both the Kodiak natives and the Clinton administration are optimistic they can strike a deal on these lands by next fall. It would be, said Eluska, "a win-win situation for us, and the refuge and the American people."

Frampton, the Interior official, agrees. "In a sense what we are doing is a hat trick: We are taking Exxon's money, we are protecting habitat, we are sustaining future fisheries, and the money itself is ending up in the pockets of the natives who were most impacted by the spill."

#### **CORRECTIONS**

Contrary to an article Sunday, India does not have the world's greatest population growth rate.

Sunday's obituary of Linus Pauling incorrectly reported that only he and Marie Curie had won two Nobel Prizes. John Bardeen won shared Nobel Prizes for physics in 1956 and 1972.

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10. Trustee Quincil

Atta: Jon Ayers please distribute

ТΟ 2767178 P.01 letters to editor, (indova ines, 10/20/94

#### Thanks for buyback

The residents of Kachemak Bay are appreciative of your (Exxon Valdez Oil Spill Trustee Council's) work to purchase the inholdings of Kachemak Bay state park. Many interest groups worked long and hard to support the park buyback. Thank you for understanding the importance of habitat protection and restoration.

We cannot sit back and rest though. We realize there are many habitat areas in the Exxon Valdez oil spill zones that need aid in the recovery of fish and wildlife species. Just like Kachemak Bay, there are many residents of Cordova and Kodiak that are working together with the community and private land owners to accomplish positive habitat protection. So many Alaskans are concerned about habitat issues. It has been over five years now. We all encourage the trustee council to do everything in their power to expedite and assist in accomplishing habitat protection. Many of us young Alaskans hope to look back with a sense of accomplishment - knowing we have helped preserve and protect our future - the habitat of Prince William Sound and Kodiak's areas. Shannon McBride

Homer