



United States Department of the Interior

FISH AND WILDLIFE SERVICE

1011 E Tudor Rd
Anchorage, Alaska 99503-6199

IN REPLY REFER TO

ARW

May 27, 1998

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

Dear Molly

The U S Fish and Wildlife Service recommends the following actions by the EVOS Trustees at the upcoming June 8, 1998, meeting

Ms Virginia Abston has declined the Service's offer to acquire her Native allotment (KAP 1055) in Uyak Bay This was an acquisition approved by the Trustee Council at an appraised value of \$281,300 Since Ms Abston has declined the offer, we recommend the acquisition of parcels KAP 95, KAP 126, and KAP 134 in Three Saints Bay These three parcels comprise 200 acres KAP 95 has been appraised at \$84,000 The other two parcels are estimated to cost \$180,000 These parcels are embedded in lands the Trustee Council acquired from Old Harbor Native Corporation A briefing statement more fully describing these parcels and their restoration values is enclosed

The Trustee Council's Shuyak Island Resolution of December 11, 1995, authorized up to \$1 million for the purchase of small, mostly 10 acre, lots forfeited to the Kodiak Island Borough for tax delinquency The lots are located along the shore of Uyak Bay within the Kodiak Refuge and most are surrounded by the lands acquired from Koniag, Inc by the Trustee Council There are 22 tax parcels that the Service intends to acquire under this resolution The estimated cost is \$321,000

Numerous 10 acre parcels remain in Uyak Bay with similar resource values and all represent the same potential resource conflicts as the tax parcels The Service requests that within the \$1 million authorized by the resolution, \$645,000 be allocated for the acquisition of 42 additional 10 acre parcels These acquisitions would go a long way to ensure the integrity of the coastal habitat in Uyak Bay A briefing statement is enclosed In addition, a large map of Uyak Bay displaying the complicated land ownership pattern will be available for the Trustee Council meeting Because of problems with scale, a small map is impractical to produce

If you have questions about the requested actions please contact Steve Shuck at (907) 786-3426 or me at (907) 786-3545

Sincerely yours,

A handwritten signature in black ink, appearing to read 'Glenn Ellison', written over a horizontal line.

Glenn Ellison
Assistant Regional Director
Refuges and Wildlife

Enclosures

Purchase of Kodiak Island Borough
tax forfeiture lots within the
Kodiak National Wildlife Refuge

The Shuyak Resolution of December 11, 1995 authorized up to \$1 million for the purchase of small lots at key waterfront locations along Uyak Bay on Kodiak Island. The Kodiak Island Borough acquired these lots as a result of forfeitures for tax delinquency. A number of these "10-acre" lots are embedded within two high-ranked large parcels approved as part of the Koniag acquisition package. Clusters of 10-acre lots are scattered along the shoreline of the large parcels. Generally, site specific EVOS-injured resource data for each 10-acre lot is not available. However, the purchase of 10-acre lots will definitely enhance the restoration value of the large parcel acquisitions since activities on these lands would affect a much larger area.

The 10-acre lots were created as a result of the 1980 merger of the former Larsen Bay village corporation and the regional corporation, Koniag Inc. As part of the merger agreement the Larsen Bay Tribal Council was given approximately 2,000 acres of land to be distributed among the shareholders of record. Native corporation land is exempt from local real estate taxes by provision of the Alaska Native Claims Settlement Act. However, the 10-acre parcels became subject to taxation when they were deeded to individuals in 1990-91.

The KIB Assembly recognized the value of reserving select lots for habitat protection, public recreation and subsistence purposes. On July 7, 1995, the Assembly adopted Ordinance No. 95-05 that deemed select lots to be needed for public purposes. This move temporarily prevented sales to real estate speculators or land developers for a fraction of the actual land value. The Shuyak Resolution provision, when completed, would pay the original owners of the identified lots all proceeds less back taxes and interest. There are 22 tax parcels, with an estimated value of \$321,000 that the Service intends to acquire from the KIB. The KIB will retain 13 tax-forfeiture parcels near the village of Larsen Bay and on the west side of Amook Island. These parcels are adjacent to developed areas or are located outside the boundaries of the Kodiak Refuge. In addition, up to 42 privately-owned 10-acre parcels remain that adjoin the tax parcels and have similar resource values. The Service estimates that an allocation of \$645,000 would purchase most of these adjacent properties.

The marine waters and shorelands of Uyak and Zachar Bays are vital to the residents of the village of Larsen Bay and important to other Kodiak Island residents and visitors. **Subsistence and recreational activities** are concentrated within this region. Uyak Bay provides numerous protected coves and sanctuaries for Kodiak mariners and wildlife alike. Subsistence activities include hunting of Sitka black-tailed deer, shellfish gathering and salmonberry harvest. Currently, access for these activities is often limited by privately-owned lots.

The **pink salmon** and **Pacific herring** returning to these waters are an integral part of the local economy. Brown's Lagoon, surrounded by 10-acre lots, is an especially productive marine estuary. **Bald eagles** and **brown bears** concentrate at Brown's lagoon and at the head of Uyak and Zachar Bays to feed on spawning fish. High winter concentrations of seabirds, especially **common murre**s, **marbled murrelets** and **pigeon guillemots** are found in the upper reaches of these bays. **Harlequin ducks** gather to molt on nearshore rocks and islands. In addition, Uyak Bay has some of the highest concentrations of **sea otters** on Kodiak Island.

The scope of any acquisition program in Uyak, Zachar and Larsen Bays is necessarily limited by the sheer number of 10-acre lots (150+) A large number of lots are located in and around the village of Larsen Bay However, the more remote sites at Brown's Lagoon, Zachar Bay and upper Uyak Bay are often near critical fish and wildlife habitats Concentrated development and overuse of small lots could disturb these sensitive areas

Parcel ID # KAP95, KAP124 & KAP126

Rank N/A **Acreage** 80, 80 & 40 acres **Agency Sponsor** USFWS

Estimated Value \$264,000 (Combined)

Location Three Saints Bay / Sitkalidak Strait, Kodiak Island

Landowner/Agent KAP 95 Heirs of Fedosia Inga
KAP 134 Sophia Ignatin
KAP 126 Carl Christiansen

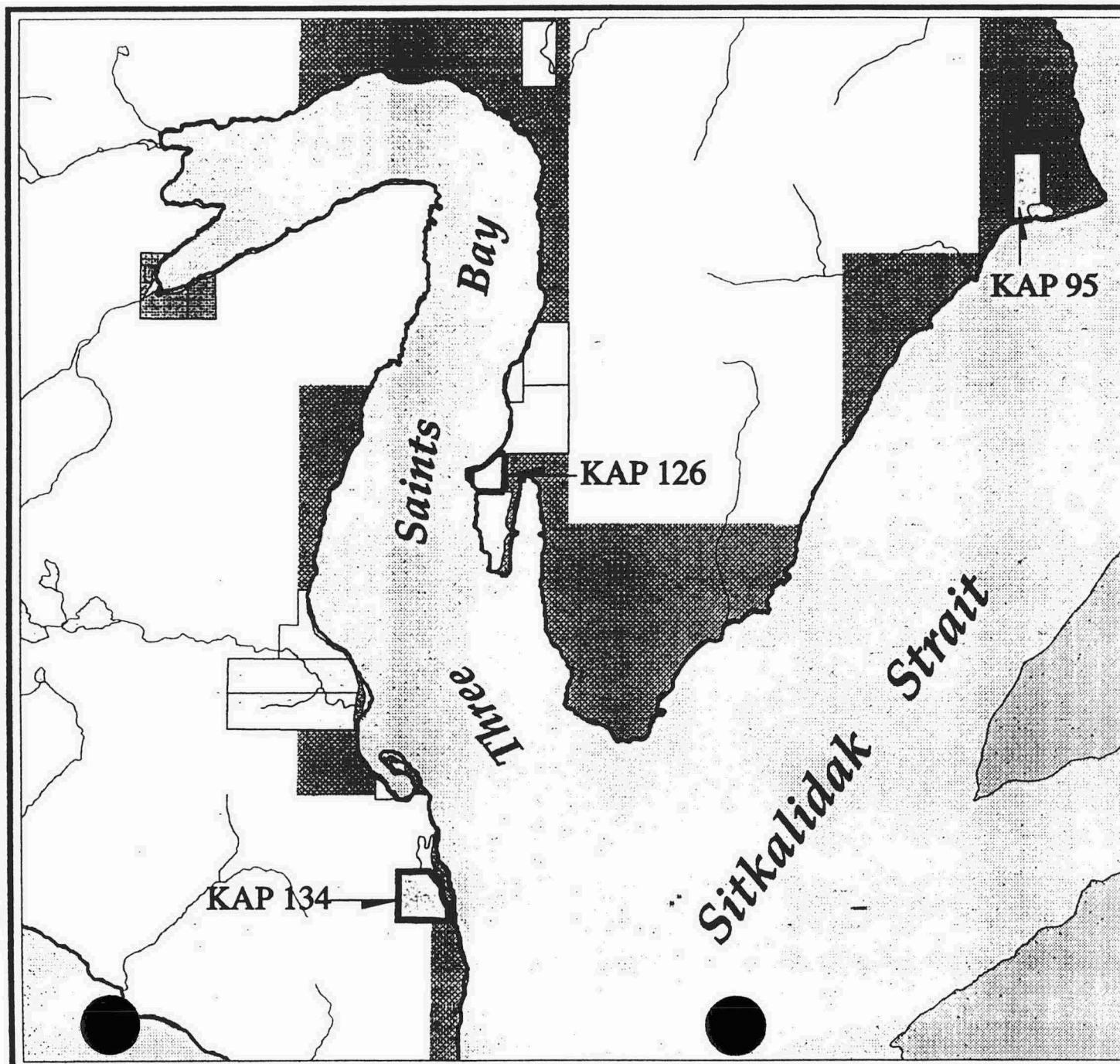
Address c/o Bureau of Indian Affairs
1675 "C" Street
Anchorage, AK 99501-5198

Three Saints Bay is recognized as one of the most scenic bays on the Kodiak Archipelago. Steep mountains rise directly from the saltwater and create a dramatic backdrop. The bay has tremendous historical significance. The site of the first Russian settlement in Alaska, founded by Gregori Shelikov in 1784, is located within the entrance to the bay. This abandoned village site is immediately north of KAP134. All three parcels possess high wilderness qualities and are in their natural condition without permanent improvements or human habitation. The area of Three Saints Bay where KAP134 is located was included within the Kodiak National Wildlife Refuge's proposed Ayakulik/Uyak wilderness unit.

KAP95 is located three miles down the Sitkalidak Strait shoreline from the village of Old Harbor, an easy skiff ride from town. The parcel is the only Native allotment in the Barling bay area. A subdivision and sale of private lots is highly probable on this site and could result in far-ranging impacts on the surrounding wildland area.

The shallow bay immediately east of KAP126 supports winter feeding concentrations of common murre. The coastal section of this property, and the flat peninsula to the south, is a favorite site for subsistence hunting of Sitka black-tailed deer. In fact, all accessible shorelines and the nearshore waters of Three Saints Bay are used for subsistence purposes, primarily by residents of Old Harbor. Residents harvest seals, herring, salmon, shellfish, Sitka black-tailed deer and berries on or adjacent to the parcels. Archaeological sites are most likely found on all accessible beaches although the area has not been fully explored and documented.

The land surrounding Three Saints Bay was formerly owned by the Old Harbor Native Corporation and was purchased in fee as part of the 1995 Kodiak large parcel acquisitions. The generally steep topography of the area leaves few sites where cabins and lodges could be built. These Native allotment parcels are three of the most developable sites. Acquisition of these properties will greatly enhance the wilderness, recreational and subsistence restoration benefits of the Old Harbor large parcel acquisitions.







Habitat Protection

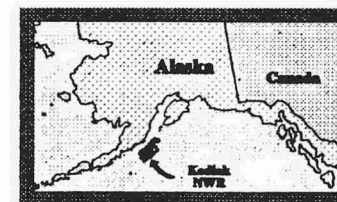
Small Parcels

Kodiak Island, Alaska

Parcels : KAP 95,
126, 134

-  Former Old Harbor Lands
-  Purchased with EVOS Restoration Funds
-  Privately Owned Small Parcels
-  Outside of Kodiak NWR

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



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Miles
Kilometers

May 27



RECEIVED

JUN 13 1994

EVOS TRUSTEE
COUNCIL

KODIAK BROWN BEAR RESEARCH
AND HABITAT MAINTENANCE TRUST
308 G STREET, SUITE 217
ANCHORAGE, AK 99501
PHONE 276-7034 • FAX 276-5069

June 8, 1994

Jim Ayers
Executive Director
Exxon Valdez Trustee Council
P O Box 20122
Juneau, AK 99802

Dear Jim

On behalf of the trustees for the Kodiak Brown Bear Research and Habitat Maintenance Trust (BBT), I'm writing to pledge our support of the efforts to acquire private inholdings in the Kodiak National Wildlife Refuge (Kodiak NWR), Alaska. We deem such acquisitions as essential to restoring the integrity of the world renowned Kodiak Island ecosystem.

As evidence of our support, we are prepared to contribute a significant level of funding to help acquire "small parcel" inholdings in the Kodiak NWR. This is intended to complement acquisition of large parcel inholdings using monies from the Exxon Valdez Criminal Restitution and Civil Settlement Funds. Such cooperative efforts will help insure that all inholdings within the boundaries of the refuge, which are of national significance, will be returned to ownership of the American people.

The BBT was established in 1981 to ensure that the Terror Lake Hydroelectric Project on the Kodiak NWR would not jeopardize the continued existence of Kodiak brown bears (Ursus arctos middendorffi), and to mitigate impacts of the project on brown bear habitats in and adjacent to the refuge. The BBT functions as the most important component in the overall terrestrial mitigation plan for the Terror Lake project. The creation of the BBT was an unprecedented conservation achievement in Alaska because it provides a mechanism whereby project impacts and potential adverse effects from other activities on Kodiak bears can be minimized by off-site mitigation measures. Such measures include acquisition of important bear habitats outside the project area.

We see the unprecedented opportunity now before us to conserve the Kodiak Island ecosystem as the Anchorage Daily News recently described it: a "no lose proposal" for all concerned parties. Native landholders are willing to sell their inholdings, and wildlife conservationists, wilderness advocates, sportsmen, guides, environmentalists, scientists, educators, fishermen and many small businesses are anxious to buy. A number of private sector groups

that includes the World Wildlife Fund, The Conservation Fund, The Nature Conservancy, and the National Fish and Wildlife Foundation, may eventually also join us in contributing financially to the overall acquisition efforts. Meanwhile, the Exxon Valdez Criminal Restitution and Civil Settlement Funds provide an unprecedented primary source of monies for purchase of the large blocks of inholdings. Together, these various funding sources enable us to make a remarkable, unique, and lasting achievement for the long term benefit of the American people.

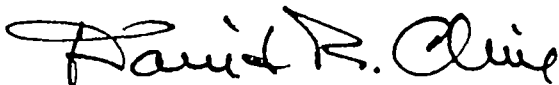
As I'm sure you are aware, the window of opportunity for acquisition of inholdings in the Kodiak NWR to protect brown bears, salmon, bald eagles, and a host of associated flora and fauna (including all but one of the species injured by the Exxon Valdez oil spill), won't be open indefinitely. Time is of the essence.

On Kodiak Island we have perhaps the best opportunity in the country to demonstrate how government and private sector partnerships can work to restore and conserve a magnificent natural ecosystem that is unique in the nation and the world. In the process, conservation of the island's biodiversity will be achieved, public use and enjoyment of one of our nation's finest national wildlife refuges guaranteed, a wilderness insular ecosystem preserved, and local fishing, tourism, and subsistence economies strengthened by making them more sustainable.

Restoration of the Kodiak Island wilderness, home of the giant Kodiak brown bear, will indeed prove one of the most meaningful conservation achievements of our time. Doing this under your leadership using Exxon Valdez Oil Spill funds will demonstrate how Americans working together can help right a huge environmental wrong. In the process, we will leave a conservation legacy to the American people of historic proportions. And when all is said and done, you will be able to look back when your work is completed and take pride in the fact you played an important part in that effort.

Thank you very much for your leadership on this important issue. We very much look forward to cooperating with you.

Sincerely,



David R. Cline

Chairman, Kodiak Brown Bear Research and Habitat Maintenance Trust

cc Walter J. Hickel, Governor