

17.9.1

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



Dear Landowner:

Thank you for nominating your land for the *Exxon Valdez* Oil Spill Habitat Protection Process. We are following up on your initial contact with the restoration office. Please find enclosed a two-page nomination form, a summary of the small parcel element of the Comprehensive Habitat Protection Process (including a list of injured resources and services), and a map depicting the oil spill area.

We would appreciate your assistance in filling out the enclosed nomination form as completely as possible. The more information you can provide about your parcel supplementing what is already on file at the restoration office, the easier it will be for us to evaluate your nomination. Location maps, legal descriptions, boundary surveys, photographs, etc. would be especially helpful.

We need to have this information by **July 15, 1994**. You will be notified by letter or postcard when we have received your completed nomination form. You will also be notified of the result of our evaluation at a later date.

If you have any additional questions, please call the Oil Spill Public Information Center at (907) 278-8008, toll free within Alaska at 1-800-478-7745.

pre-newspaper
request

RECEIVED
OCT 31 1994

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL
ADMINISTRATIVE RECORD

Trustee Agencies

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

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

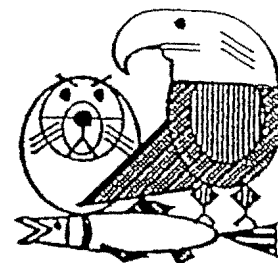
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ADMINISTRATIVE RECORD

SMALL PARCEL NOMINATION . JRM

EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL

Please Print or Type

Part 1: Landowner Information

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

Part 2: Parcel Information

Legal description of property: (township, range, section) _____

General description of property: _____

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

Approximate acreage: _____ acres

Are there any developments on the site: _____

Are there any hazardous materials on the property? (waste oil, mine tailings, dump)
(Y/N/Unknown) _____

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

SMALL PARCEL NOMINATION FORM

Part 3: Threshold Criteria:

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

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

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

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

Tell us how acquisition of your property will benefit restoration: _____

General comments: _____

Part 4:

Signature of landowner: _____ Date: _____

and

Signature of co-owner: _____ Date: _____

Signature of co-owner: _____ Date: _____

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

Please submit each nomination on a separate nomination form.

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

If you need additional space please use additional sheets.

INCOMPLETE NOMINATION FORMS WILL NOT BE CONSIDERED

Exxon Valdez Oil Spill
Comprehensive Habitat Protection Process
Small Parcel Element

INTRODUCTION

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

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

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

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

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

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

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

NOMINATIONS

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

Table 1: Threshold Criteria

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

PARCEL EVALUATION

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

- The parcel's linkage to key habitats/sites of an injured resource or service;
- The protection potential for injured resources/services that would be obtained; and,
- The ability to better manage public resources to promote the recovery of injured resources or services.

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

Table 2: Linked Resources and Services

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

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

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

Information submitted as part of a nomination will be reviewed as part of the evaluation. Corroborating data will be solicited from resource agency staff on specific parcels. Information used in the evaluation process will include resource agency data on anadromous fish streams, marine mammal haulout areas, bald eagle nest locations, seabird colony locations, spruce bark beetle infestation maps, and any other pertinent information. *Exxon Valdez* oil spill natural resources damage assessment studies and agency planning studies will also be reviewed.

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

Ranking

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

Public Comment

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

SMALL PARCEL PROTECTION PROCESS

