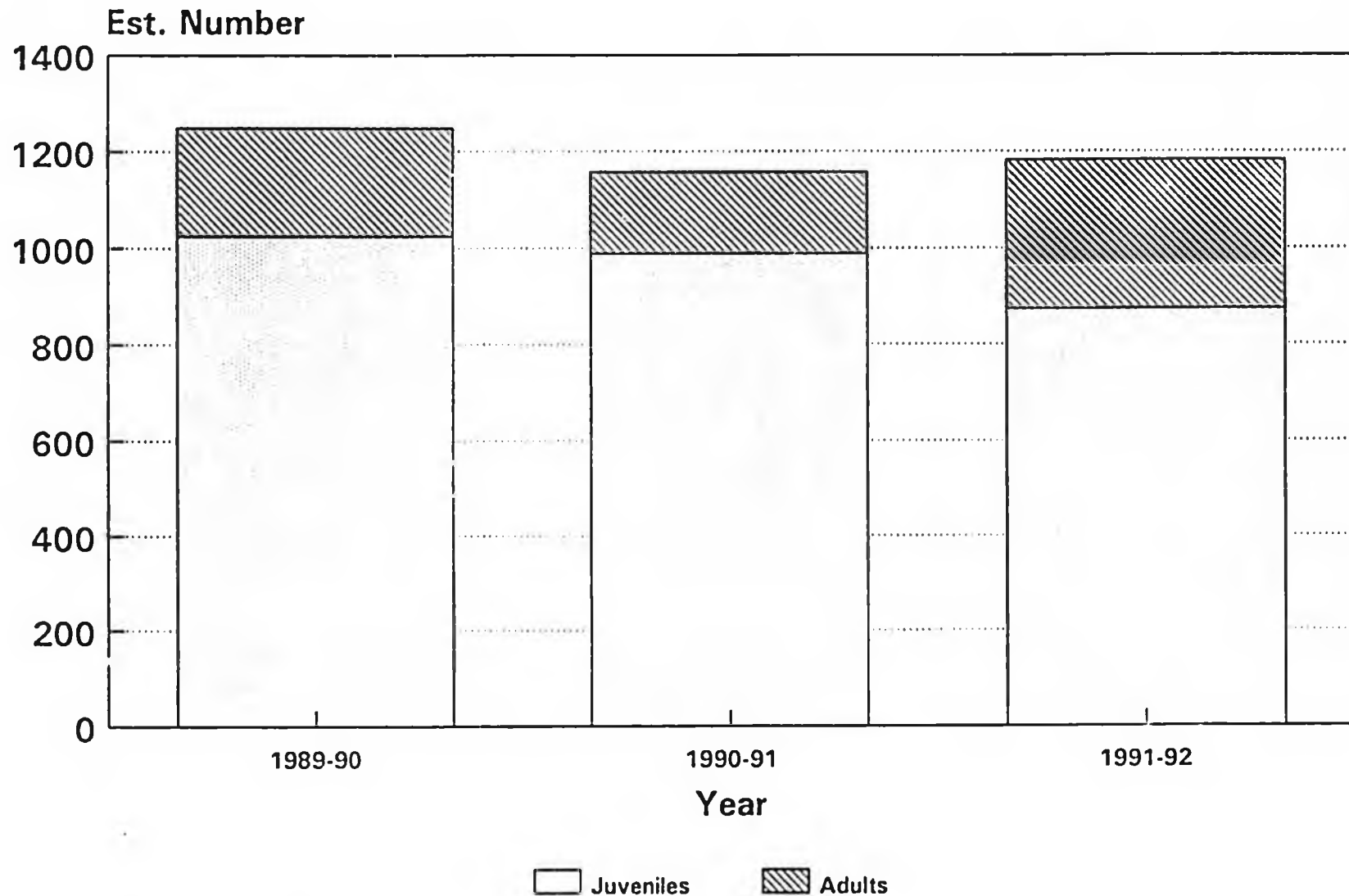


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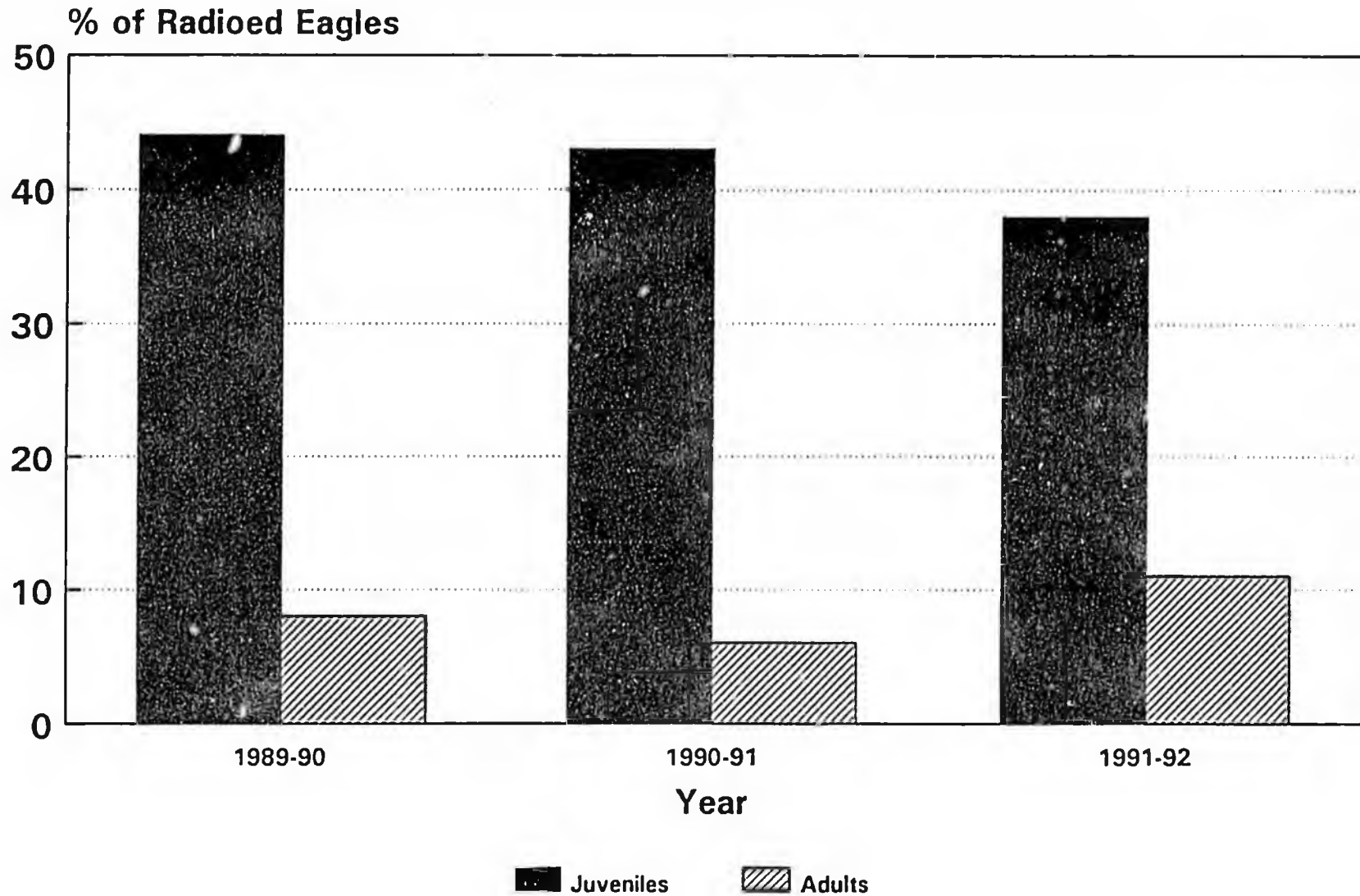
411

Fall/Winter Use of Cape Suckling Area by Bald Eagles From Prince William Sound



Fall/Winter defined as Oct. thru Jan.

Fall/Winter Use of Cape Suckling Area by Bald Eagles From Prince William Sound



Fall/Winter defined as Oct. thru Jan.

study by US FWS

HOUSE BILL 411

LEGAL OPINIONS

DIVISION OF LEGAL SERVICES

LEGISLATIVE AFFAIRS AGENCY STATE OF ALASKA

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

240 Main Street, Suite 500
Juneau, Alaska 99801-2101

MEMORANDUM

February 21, 1992

SUBJECT: Use of Exxon Valdez oil spill restitutionary payments (Work Order No. 7-LS1810)

TO: Representative Cliff Davidson
Attn: Jay Nelson

FROM: George Utermohle *GU*
Legislative Counsel

This memorandum addresses the issue of whether the restitutionary payment received by the State of Alaska as part of the Plea Agreement between the United States and Exxon Corporation and Exxon Shipping Company (Exxon) must be used exclusively for natural resources restoration projects.

SHORT ANSWER

Two things are clear. First, under the terms of a Memorandum of Agreement, the State of Alaska and the United States have agreed to use the restitutionary payments only for restoration of natural resources. Second, the State of Alaska, the United States, and the Court intend that the restitutionary payments be used to restore natural resources and the environment in the areas affected by the Exxon Valdez oil spill. What is unclear is the extent to the State of Alaska and the United States may have agreed, subsequent to entering into the Memorandum of Agreement, to use the restitutionary funds for purposes in addition to restoration of natural resources and the environment.

DISCUSSION

There is nothing inherent in the concept of restitution that requires the State of Alaska to use the restitutionary payment received under the Plea Agreement between the United States and Exxon for restoration of natural resources damaged by the Exxon Valdez oil spill. The victim of a crime is entitled to restitution for the loss of or damage to the property caused by the perpetrator of a crime. Money received as restitution is to make the victim whole and to restore the victim to the position the victim occupied before the crime. Generally, the victim is not required to use the

money received to replace the specific property that is lost or damaged; the victim may use the money for other purposes.^{1/}

However, at the specific request of Attorney General Cole, the Court included the purposes for which the restitutionary payments may be used as part of the Judgment.^{2/} Attorney General Cole made the request so that there is no misunderstanding as to how the restitutionary payments are to be used.^{3/} The order of restitution contained in the Judgment states, in relevant part:

The monies paid in restitution are to be used by the State of Alaska and the United States of America exclusively for restoration projects, within the State of Alaska, relating to the "Exxon Valdez" oil spill. Restoration includes restoration, replacement, and enhancement of affected resources; acquisition of equivalent resources and services; and long-term environmental monitoring and research programs directed to the prevention, containment, cleanup, and amelioration of oil spills.^{4/}

The order of restitution does not refer expressly to restoration of natural resources. Instead, in describing what are permissible restoration projects, the order uses only

^{1/} For the purposes of the Exxon Valdez oil spill Plea Agreement, the victims are the State of Alaska and the United States of America. Transcript of Proposed Change of Plea, United States of America v. Exxon Corporation and Exxon Shipping Company, United States District Court, District of Alaska, Case No. A90-015 CR, p. 68, October 8, 1991. Cited as Transcript.

^{2/} Judgment, United States of America v. Exxon Corporation, United States District Court, District of Alaska, Case No. A90-015 CR.

Judgment, United States of America v. Exxon Shipping Company, United States District Court, District of Alaska, Case No. A90-015 CR.

Cited collectively as Judgment.

^{3/} MR. COLE: I would like to have the scope of that restitution set out in full in the Agreement, as I recall it's set out in the Plea Agreement, so there's no misunderstanding on the part of anyone as to the scope of what those restitutionary funds may be used for. That was a carefully negotiated provision.

THE COURT: All right. The Plea Agreement, and I'm looking at Page 9, says such monies are to be used by the State of Alaska and the United States exclusively for restoration projects within the State of Alaska relating to Exxon Valdez oil spill, and then there's some more.

MR. COLE: Yes. I would like that

THE COURT: I would be happy to include that expressed language in the judgment.

Transcript at 76.

^{4/} Judgment at 4.

the broad term "resources". The failure to specifically refer to natural resources does not preclude the possibility that the order meant "natural resources" and only natural resources.

In order to determine whether the order of restitution meant "natural resources" when it said only "resources", it is necessary to look behind the order to the documents^{5/} which the Court had before it at the time and to the representations by the parties to the Court supporting acceptance of the Plea Agreement and the restitution requirement included therein.

The order of restitution is derived virtually verbatim from the Plea Agreement between the United States and Exxon. The Plea Agreement initiated the use of the term "resources" but does not indicate whether the term should be construed narrowly to mean only natural resources.

The best support for the conclusion that the restitutionary payment received by the State of Alaska may be used for restoration of natural resources and only natural resources is found in the MOA. Under the MOA the United States and the State of Alaska agreed to dedicate all natural resource damage recoveries received as the result of the Exxon Valdez oil spill to restoration of natural resources. For purposes

^{5/} Plea Agreement, United States of America v. Exxon Corporation and Exxon Shipping Company, United States District Court, Alaska District, Case No. A90-015 CR., September 26, 1991. Cited as Plea Agreement.

Memorandum of Agreement and Consent Decree, United States of America v. State of Alaska, United States District Court, District of Alaska, Civil Action No. A91-081 CV, August 27, 1991. Cited as MOA.

Agreement and Consent Decree, United States of America v. Exxon Corporation et al., United States District Court, District of Alaska, Civil Action No. A91-087 CV and United States of America v. Exxon Corporation and Exxon Shipping Company, United States District Court, District of Alaska, Civil Action No. A91-083 CV, filed October 9, 1991. Cited as Consent Decree.

Governments' Memorandum in Support of Agreement and Consent Decree, United States of America v. Exxon Corporation et al., United States District Court, District of Alaska, Civil Action No. A91-082 CV and United States of America v. Exxon Corporation and Exxon Shipping Company, United States District Court, District of Alaska, Civil Action No. A91-083 CV, filed October 8, 1991.

Government's Memorandum in Aid of Sentencing, United States of America v. Exxon Corporation and Exxon Shipping Company, United States District Court, District of Alaska, Case No. A90-015 CR, filed April 16, 1991.

Joint Sentencing Memorandum of Exxon Corporation and Exxon Shipping Company, United States of America v. Exxon Corporation and Exxon Shipping Company, United States District Court, District of Alaska, Case No. A90-015 CR, dated April 16, 1991.

of the MOA "natural resource damage recoveries" is defined to include "criminal restitution, unless the parties otherwise agree that criminal restitution recoveries can be separately managed by either government consistent with this MOA."^{6/}

The presentations made to the Court by Charles De Monaco of the U.S. Department of Justice and Attorney General Charles Cole state that the both the United States and the State of Alaska do intend to use the restitutionary payments for natural resources restoration projects, but are not wholly clear as to whether the payments will be used exclusively for natural resource restoration projects. In recommending that the Court accept the Plea Agreement, Mr. De Monaco said:

The Plea Agreement strives to settle the criminal litigation with pleas of guilty and a criminal sentence consisting of a fine in [sic] restitution. The amount of the sentence actually required to be paid within 30 days of conviction is 125 million dollars, with the bulk of the money earmarked for use in Alaska for restoration of the areas affected by the oil spill.

This oil spill was a catastrophe, and it was also an environmental crime. The criminal remedy should, likewise, in substantial part, be environmental in nature; that is 100 million dollars to be paid in restitution to be used exclusively in the State of Alaska for restoration of Prince William Sound and the Gulf of Alaska. The restitutionary components of a sentence for an environmental crime cannot be understated. The environment, as a victim, must be aided quickly through efforts funded by restitutionary payments.

...

Consequently, of the 125 million dollar sentence that is actually to be paid, 112 million dollars will go directly toward in aiding the environment for this environmental offense.^{7/}

Mr. De Monaco also said:

The Governments urge that there be restitution now for the areas affected by the oil spill, and it should not await years of legal battles over damages and liabilities. The Plea Agreement provides and [sic] immediate infusion of money needed to continue the work of restoring

^{6/} MOA at 6 - 7.

^{7/} Transcript at 26 - 27.

the Prince William Sound and the Gulf of Alaska, while the Consent Decree provides money over the long term to insure that the restoration work can continue over time to heal the damages caused by the Exxon Valdez oil spill.^{8/}

Attorney General Cole presented the position of the State of Alaska regarding how the restitutionary payments were going to be used, as follows:

Very important from the State's standpoint is that 100 million dollars of this Plea Agreement will be used for the restoration of the damage to the natural resources, and for, perhaps, other purposes in the State of Alaska.^{9/} (Emphasis added.)

In addition to indicating support for the Plea Agreement and the order of restitution, this statement by Attorney General Cole highlights an ambiguity as to whether the restitutionary payments are to be used exclusively for restoration of natural resources. For what "other purposes in the State of Alaska" may the restitutionary payments be used? Is Attorney General Cole referring only to the proposed science center to study oil spills or is he allowing an opportunity for the restitutionary payments to be used for additional restoration projects for non-natural resources under the right circumstances?

It is worth noting that the Court did not balk at the suggestion that the State of Alaska may use part of the restitutionary payment for purposes other than restoration of natural resources.

At the same time that the Plea Agreement was being negotiated and completed in the criminal case against Exxon, the same parties were engaged in negotiating and completing the MOA and Consent Decrees in three related civil cases: United States of America v. State of Alaska,^{10/} United States of America v. Exxon Corporation et al.,^{11/} and United States of America v. Exxon Corporation and Exxon Shipping Company.^{12/} In each of these cases the parties provided in detail for the

^{8/} Transcript at 32 - 33.

^{9/} Transcript at 39.

^{10/} United States of America v. State of Alaska, United States District Court, District of Alaska, Civil Action No. A91-081 CV.

^{11/} United States of America v. Exxon Corporation et al., United States District Court, District of Alaska, Civil Action No. A91-082 CV.

^{12/} United States of America v. Exxon Corporation and Exxon Shipping Company, United States District Court, District of Alaska, Civil Action No. A91-083 CV.

establishment and use of a trust fund for restoration of natural resources damaged by the Exxon Valdez oil spill. Each of the agreements and consent decrees used and defined the term "natural resources".^{13/} The MOA also included a definition of "restoration" that discussed restoration only in the context of natural resources.^{14/} If the State of Alaska and the United States intended to limit restoration projects funded through the restitutionary payments to only those projects involving natural resources, they could have expressly provided for such, as they did in the civil agreements and consent decrees.

The restitutionary provisions of the Plea Agreement were "carefully negotiated"^{15/} by several skilled and experienced attorneys so it is difficult to believe that any ambiguity in such a basic provision of the agreement was not the result of a conscious decision of the parties.

The extent to which the restitutionary payments may be used for other purposes is a matter known only to the parties who negotiated the Plea Agreement and the Court, because only they know why they used the term "resources" instead of "natural resources", what they intended the term "resources" to mean, and what subjective or implied constraints they intended to place on the use of the payments.

The Court was concerned that the money received in the settlement of the civil and criminal cases, including the restitutionary payments, is spent as the Court intended. The Court stated its continuing interest in seeing that the money is spent on the right things and imposed an obligation on the parties to the settlement, including Attorney General Cole, to monitor how the money is spent. If the money is being misdirected then the parties would have to bring it to the attention of the Court.^{16/} If the legislature is potentially subject to being brought before the federal District Court for

^{13/} MOA at 6.

Consent Decree at D-10.

^{14/} "Restore" or "Restoration" means any action, in addition to response and cleanup activities required or authorized by state or federal law, which endeavors to restore to their pre-spill condition any natural resource injured, lost, or destroyed as a result of the Oil Spill and the services provided by that resource or which replaces or substitutes for the injured, lost or destroyed resources and affected services. Restoration includes all phases of injury assessment, restoration, replacement, and enhancement of natural resources, and acquisition of equivalent resources and services.

MOA at 6 - 7.

^{15/} Transcript at 76 and 77.

^{16/} Transcript at 73.

Representative Cliff Davidson

February 21, 1992

Page 7

misusing the restitutionary payment, it is important, and only fair, that one of the participants in the drafting of the Plea Agreement inform the legislature of the constraints on the use of the payment.

Attorney General Cole is a key person in determining how the money is to be spent. As representative of the State of Alaska in the Exxon Valdez oil spill settlement negotiations, an active participant in those negotiations, one of the state trustees for the Exxon Valdez settlement trust, and "court appointed monitor" of the expenditures of the money received in the civil and criminal settlements, Attorney General Cole is an important resource available to the legislature to resolve the ambiguity as to what the State of Alaska, the United States of America, and the Court meant when they used the term "resources" in the order of restitution and Plea Agreement. Attorney General Cole can also resolve whether the restitutionary payments may be used for anything other than restoration projects relating to natural resources.

If I may be of further assistance, please advise.

GU:pl

92-118.plm



Sunrise, Mt. McKinley

Ansel Adams

SIERRA CLUB LEGAL DEFENSE FUND, INC.

The Law Firm for the Environmental Movement

325 4th Street Juneau, Alaska 99801 (907) 586-2751 FAX (907) 463-5891

MEMORANDUM

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TO:
FROM: Eric Jorgensen
RE: Limitations on oil spill restitution funds
DATE: February 12, 1992

My review of the plea agreement entered to resolve the criminal charges against Exxon Corporation arising out of the Exxon Valdez spill leads me to conclude there are stringent limits on the purposes for which the State of Alaska may spend the restitution payments it received pursuant to that agreement. This memo briefly summarizes my views on this issue. I would be happy to discuss this with you at greater length if you wish.

Fundamentally, I believe the plea agreement must be interpreted with an eye toward the violations underlying the agreement. Exxon pled guilty to violations of three environmental statutes--the Clean Water Act, Refuse Act, and Migratory Bird Treaty Act. All three statutes are designed to foster protection of the environment, wildlife and water quality in particular. The plea agreement describes the restitution payments as "remedial and compensatory." I would interpret the document to provide generally only for use of these funds in a manner which remedies the injuries addressed in the criminal complaint--that is, injuries to the environment and natural resources. Any other use--subsidizing development projects, for example--would not remedy or compensate for this injury and therefore should be barred.

This interpretation is confirmed if one reviews the statements made at the hearing on the approval of the plea agreement conducted by Judge Holland. There are numerous references to the restitutionary payments during the discussion of the plea agreement by the lawyers for the United States and Alaska, as well as Judge Holland, which indicate clearly that the parties and the court

intended the plea agreement to limit carefully the expenditure of funds to projects related to restoration of the natural environment. See, e.g., Plea Agreement Hearing Transcript at pages 26, 27, 32, 33, 40, 47-48, 68. The only possible exception provided for in these discussions is for an oil spill research center in Alaska. Attorney General Cole made a careful effort to explain to the court that this was the one area which might not fit the traditional definition of restoration, but which the State had explicitly negotiated to facilitate with the restitutionary payments. See Transcript at 77, 39, 47.

Given that this is the only project which may not fit the strict definition of restoration that was specifically mentioned by the State, I would argue that any other project not directed toward restoration of the natural environment be prohibited. Clearly, the State was aware of the narrow limits imposed by the agreement and required by the court and yet chose to insist on only this one exception. This is a clear indication that the parties and the court expected and agreed that this would be the only exception.

This interpretation of the agreement is also supported by a careful examination of the definition of "restoration" in the agreement. The first half of the definition, describing restoration, replacement and enhancement of affected resources and acquisition of replacement resources, is based on the similar provisions of the Clean Water Act, 33 U.S.C. section 1321(f)(5) and should be similarly interpreted. The main addition to the Clean Water Act definition is the specific reference to "long-term environmental monitoring and research programs." This is the oil spill research center so carefully preserved by the remarks of Attorney General Cole. Thus, both the language of the agreement and the Attorney General Cole's interpretation of the agreement at the hearing support a two part definition of the proper uses of the funds: first, restoration of the natural environment in the traditional sense as described in federal law; and second, long-term monitoring and research relating to oil spills. See Plea Agreement Hearing Transcript at 39 and 47.

Though arguments might be made to broaden the scope of the plea agreement, none of them is persuasive. It is true that the plea agreement uses the word "resources" to define the object of restoration efforts, in contrast to the consent decree entered to settle the civil litigation, which uses the term "natural resources". Thus, it might be argued that the plea agreement payments can be used to restore a broader group of resources than the "natural resources" benefitted by the civil

settlement. This argument should fail, however, because it conflicts with the clear understanding expressed by the parties at the plea hearing and, more fundamentally, with the idea that the payments must be used to remedy the injury for which the criminal charges were brought--environmental injury. In other words, properly interpreted in context, "resources" should be understood to mean natural resources, with the sole identified exception for a spill study center.

An argument could also be made that because the definition of restoration in the plea agreement is not exclusive (it says restoration "includes" rather than "means", or some other exclusive term) that other uses of the money are possible. In light of all the other evidence to the contrary, I do not believe this argument standing alone can prevail. Moreover, the force of the argument is severely limited by the general rule of contract and statutory interpretation which provides that if a definition is not exclusive, other possible meanings must be of the same nature or general type as the listed meanings. In this case, the definition of restoration in the agreement lists specific activities which are permissible. Even if the use of the word "includes" is interpreted to mean that other uses of the funds are appropriate, those uses must be of the same general nature as the specifically listed uses.

I have not discussed in this memo any arguments that might be made based on the briefs filed by the parties in support of the plea agreement. I simply did not have time to review them. If it would be helpful to you, I will try to find the time later in the week.

HOUSE BILL 411

*CORRESPONDENCE
&
PROPOSALS*

*EDUCATION AND
MISCELLANEOUS PROPOSALS*



NORTH GULF OCEANIC SOCIETY

P.O. BOX 15244
HOMER, ALASKA 99603
(907) 235-6590

Hon. Cliff Davison
Alaska Legislature
Juneau, Alaska

Atten: Jay Nelson

Date: MARCH 9, 1992

Re: Proposal to Continue Long Term Killer Whale Research
in Prince William Sound, Alaska via HB 411

Background:

Since 1983 systematic photoidentification studies have been conducted in the Sound by our group. We have been able to determine changes that have occurred in the highly stable resident killer whale pods, first as a result of interactions with the longline fishery and then as a result of the Exxon Valdez Oil Spill. Support from the State of Alaska via the Alaska Legislature and then Senator Mike Symanski's office was instrumental in providing data to assess changes in killer whale pods after the spill. Over the past 3 years the Federal Government has supported this critical work, but funding has now ended (as result of Trustees decision) despite the demonstration of damages. These are whales that are viewed by the tour boats and attract visitors from all areas. The Federal Government does not have the long term view of this work that the State has demonstrated in the past. We are asking that the State provide research monies once again to insure the continuity of the project through 1992. Bringing the project back under the State will improve communication and dissemination information as we have been extremely limited in this regard under the Federal program.

Research

The project involves the yearly photographic identification of each animal in the killer whale pods that use Prince William Sound. It is possible to keep track of births, deaths, and other changes within the killer whale population if the process is completed each year. Graduate projects at the University of Alaska and University of British Columbia have been fostered by this study and examine other aspects of killer whale biology. Recently NGOS has produced catalogues of individual whales (for both humpback and killer whales) that soon will be available to the individuals and the tour boat industry for use in identifying whales.

Budget

Because of in kind donations, and other support developed by our non-profit research group, the cost to the State for maintaining this project is substantially less than actual cost. Each season NGOS operates a fieldcamp and at least two research vessels and have 6 individuals working part time on the project. The total requested to continue operations in 1992 is \$60,000.

This includes the preparation and completion of the field program, data analysis, and annual report. As was our policy before the oil spill and federal funding, all data files remain open for use by other workers. At this time other users are primarily graduate students.

Breakdown:

Salaries	24,000
Vessel Operations (includes food, fuel, logistic support, etc.)	27,000
Photographic Processing	5,200
Communications, Computer	3,100
Travel	700
	<u>60,000</u>

RECEIVED MAR 3 1992



HOMER SOCIETY OF NATURAL HISTORY

PRATT MUSEUM
3779 Bartlett Street
Homer, Alaska 99603
(907)235-8635



February 28, 1992

Rep. Cliff Davidson, Chairperson
House Resources Committee
Alaska State Legislature
Box V
Juneau, AK 99811

RE: HB411

Dear Rep. Davidson,

The Pratt Museum educates thousands of students each year about the marine environment. More recently we have had the opportunity to educate children and the general public about the consequences of an enormous oil spill on that environment. In addition to our in-house education program, we have created an exhibit on the effects of the spill which will reach millions of people throughout the United States as it travels for the next three years.

We urge you and your fellow legislators to appropriate at least three million dollars (out of the 50 million criminal settlement) for education. By making this money available over time to organizations such as ours, the legislature will be able to play an important part in preventing such a disaster from happening again. Much has been lost, but now it is time to look to the future. Setting this three million aside for education is the greatest assurance that we will all not have to go through this again.

Sincerely,

Betsy Pitzman
Museum Director

cc: Gov. Walter Hickel	Rep. Gail Phillips	Rep. Mike Navarre
Sen. Paul Fischer	Rep. Georgianna Lincoln	Rep. Ivan Ivan
Rep. Pat Carney	Rep. David Finkelstein	Rep. Bill Hudson
Rep. Tom Moyer	Rep. Loren Leman	Rep. Jim Zawacki



KCHU

Terminal Radio, Inc.

P.O. Box 467 • Valdez, Alaska 99686 • (907) 835-4665 • FAX 835-2847

Representative Cliff Davidson
Capitol Building, Room 108
Juneau, Alaska 99811

March 2, 1992

Dear Representative Davidson,

I would like to offer the thanks of the KCHU, Valdez Board of Directors and membership for your sponsorship of HB 411. KCHU is also very pleased to have the opportunity to provide input to the bill. Most important and pertinent here was the provision for the funding of educational projects. Section 6 of the bill includes funding for "grants for environmental education projects related to the Exxon Valdez oil spill and coastal studies". Public information is the sine qua non of any plan for public involvement in the activities of the Trustees Council for the Exxon Valdez Settlement. An informed public makes good decisions and public radio is an integral part of Alaska's information network.

Since March 1989, the numerous social, environmental and political effects of the spill have consumed a sizeable portion of the time and energy of the Valdez/Cordova, Homer and Kodiak public stations. The story continues to be of primary interest to the residents of affected areas. Through the services of the Alaska Public Radio Network, a steady stream of oil spill news and information has been made available to virtually all interested Alaskans. Some, however, still do not have such access. Last week, I received a request from Gail Evanoff of Chenega Bay Corporation for access to KCHU and public radio.

Unfortunately, due to substantial cuts in State of Alaska funding for public broadcasting, the ability of local stations and of the network to respond to requests for service from isolated communities and to provide essential information has been considerably reduced. The residents of Chenega Bay are the most spill impacted population and get no public radio signal. They have little access to news of the trustees or the activities of the Legislature or the Governor that closely affect their lives. Yet the need for public information and public education remains very high.

Community licenced radio stations in spill-impacted areas have been the primary provider of oil spill information and education, to the very limit of their resources, for almost three years. This coverage has been very costly and early on nearly bankrupted KCHU. The cost to the other stations is a burden that becomes daily more difficult to carry. KCHU, Valdez, KMXT, Kodiak, KBBI, Homer and APRN continue to be the logical vehicle for the collection and dissemination of this information. They are also a legitimate recipient of funding through this legislation.

The activities of the Trustees Council and the proposed public advisory group that will aid the trustees are not big news outside of spill affected areas. This is no longer a glamorous story commanding national and international attention. But to folks like the residents of Chenega Bay and Cordova, of English Bay and Homer, news of the settlement and restoration process is vital. What is decided in this process will, in large measure, determine their quality of life for years to come. The residents of spill affected areas need direct access to the decision making process and public radio, properly funded, can and will provide that access.


Three million dollars has been earmarked in HB 411 for education. Please consider the allocation a portion of these funds, \$500,000, directly to public radio in Valdez, Homer, Kodiak and to the Alaska Public Radio Network, which links the other 25 stations across the state. During the spill, the greatest limitation to news coverage was the lack of a satellite uplink facility in Valdez, making coverage of breaking events difficult and greatly degrading the audio quality of the reports. APRN has been working to acquire a mobile satellite uplink. Federal funds have been secured for the project pending appropriate matching money. We would recommend that \$50,000 be allocated for purchase of the uplink, supporting equipment and installation. The uplink project directly benefit the spill-impacted areas and could be quickly deployed in response to other emergencies, in Prince William Sound, or elsewhere in the state.

The remainder of the allocation, \$450,000, would be conveyed to the three individual stations based on the degree to which their area has been directly affected by the spill, by the clean-up and by ongoing environmental, social and political concerns. These funds would be reserved for news coverage and educational reporting in environmental, natural resource and oil spill interest areas. Structured as endowments, these disbursements and accrued interest would be parcelled out over a period of no less than five years for oil spill, environmental and natural resource reporting. \$200,000 would go to KCHU, Valdez and \$125,000 each to KBBI, Homer and KMXT, Kodiak. A small portion of the KCHU endowment, \$10,000, would be used to install a translator in the village of Chenega Bay.

In summary; the \$500,000 appropriation would be divided between the Alaska Public Radio Network and the three public stations in the spill-affected areas with \$50,000 for APRN, \$200,000 for Valdez and \$125,000 for both Kodiak and Homer. The funds for APRN will be used as matching monies for a federal grant to purchase mobile satellite uplink. The disbursements to the three stations will be in the form of endowments to provided news and educational reporting for oil spill, natural resource and environmental issues.

Representative Davidson, the stations of the Alaska Public Radio Network stepped in to provide superlative coverage of the March 24th, 1989 oil spill. In the months and years since, these same stations have continued to keep the citizens of Alaska informed of the many, many complex issues arising from the spill. But, our ability to effectively cover this ongoing and important story has been greatly diminished. 95% of Alaskans have access to public radio. There is simply no better way to reach all those who need to know. Please help us to continue doing the kind of job that listeners and voters all over the state have come to expect.

Sincerely,


James Winchester
General Manager

CHENEGA CORPORATION

P.O.: Office Box 60
Chenega Bay, Alaska 99574-0060
(907) 573-5118

February 14, 1992

Mr. James Winchester
General Manager
KCHU Radio Station
Valdez, Alaska

Dear Mr. Winchester:

A few weeks ago, I was fortunate to meet Mr. Tom Van Brocklin who works in Rep. Gene Kubina's office. In informal discussion,

I learned that he sits on the KCHU board and I expressed how troublesome it is to receive in Chenega Bay KCHU. Some fishermen have reported picking up the station while in the Montague Strait but locally it is very difficult. I know I've tried many times. We thought if there could be somekind of receiving apparatus mounted someplace locally that the likelihood of receiving the station would be greater?

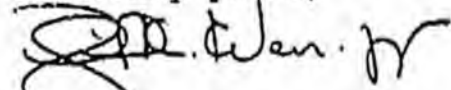
I wish I could remember just what kind of equipment he thought we would need, but these kinds of things just don't register with me. I'm afraid I'm one of those that likes to turn the switch on and if it doesn't work, string somekind of wire on some tree and hope.

Anyway, since we have heard many good things about KCHU, we would like to explore with you ways that we might enjoy the station more then we presently are.

May I hear from you? All I can say is that we don't get good reception at all, and I would be happy to identify an individual to answer what questions you might have.

Thank you.

Sincerely yours,



Gail K. Evanoff
P.O. Box 8003
Chenega Bay, Alaska 99574-9999

Ofc. # 573-5118



BIRD TREATMENT AND LEARNING CENTER

PO. BOX 230496
ANCHORAGE, ALASKA 99523

The Bird Treatment and Learning Center would like to be considered for a portion of the funds allocated in HB411, specifically those funds which provide for environmental education projects related to the Exxon Valdez oil spill. We are requesting \$200,000. to match existing funds to secure complete ownership of the property overlooking Potter's Marsh in Anchorage, for the future home of our permanent facility. This site will give us an opportunity to add a broad variety of environmental education topics into our existing educational program that are not currently available through any single source in Alaska. Through joint efforts with the Alaska Department of Fish and Game, our facility can be the location for the State Hunter Education and Wildlife Education Programs, which currently have no specific location due to budget cutbacks in their departments. Another exciting development as a result of our close association with the Alaska Department of Fish and Game will be the extension of the existing boardwalks through Potters Marsh to our facility. This will allow us to provide educational walking tours on the diverse range of animal, plant and bird life represented in this Alaskan habitat to many thousands of residents and visitors. For more extensive programs, our facility will house an auditorium capable of seating approximately 100 people. Exhibit space will include permanent educational exhibits, as well as short term exhibits from other environmental education organizations on current topics of public interest. The facility will also house the medical and rehabilitation wing of the organization. These areas will not be open to public tour however special groups will observe surgeries and special procedures. In addition it will be used to train volunteers on specific procedures and interns will be invited to spend time at Bird TLC as part of their exposure to avian medicine. Additional fundraising efforts are underway from a variety of sources to secure funds to build the facility.

A brief summary of each of our program areas is included for your information. Please contact me at the Bird TLC office (562-1852) or at home (349-3552) if you have any questions relating to this proposal. This is in no way inclusive of all the services we provide to the community or Alaska's resident and migratory bird populations, but rather a small glimpse at the goals of the Bird Treatment and Learning Center. Birds are a valuable barometer of the state of our environment. The legislature by supporting the Bird Treatment and Learning Center will be supporting a better tomorrow for us all.

Thank you,

Linda D. Simmons
Executive Director, Bird TLC

PURPOSE OF BIRD TLC-

The Bird Treatment and Learning Center (Bird TLC), a member-supported, Alaskan non profit organization, was organized by James R. Scott, D.V.M. to provide primary medical care for wild birds and educational opportunities for people. Dr. Scott had been treating Alaska's wild birds for thirty years as an extension of his veterinary practice in Anchorage. It became clear in 1988 that the time was right to formally organize these efforts. Since that time, the organization has grown and expanded its scope. During the Valdez Oil Spill, we treated twenty seven Bald Eagles critically affected by the spill. In June of 1990 we returned nine of these rehabilitated eagles to Cordova's skies. The exposure generated by this involvement accelerated the normal growth of Bird TLC. Today we are treating more birds than ever, educating many more students and other groups with environmental education programs, and are expanding our efforts statewide to communities such as Valdez, Cordova, Nome and Kotzebue.

EDUCATIONAL PROGRAMS-

Alaska is teeming with bird life, including 405 different species of resident and migratory birds. This abundance of bird life also provides us with a wide variety of species to treat. In 1991 we treated 837 birds of 90 different species. Some birds, due to the severity of their injuries, can never be returned to the wild, and are classified as non-releasable. Bird TLC, by federal permit, carefully chooses a variety of educational candidates from among these birds. After a specific training program for both volunteer handler and bird, educational presentations are begun, and the bird becomes a valuable teacher in ways we alone could never accomplish.

All ages, from pre-school to adults have benefitted from our programs. The impact of seeing a wild bird up close, of feeling the air from their wingbeats, for many is powerful inspiration. We are proud beyond measure of the lights we have lit in the eyes and the imaginations of the many children who have shared this experience. By expanding our reach to communities throughout the state we will be able to bring the varied cultures and traditions together in a common understanding of the importance of our environment in our lives today and for the future.

MEDICAL CARE AND REHABILITATION-

Bird TLC is unique in that, unlike many centers which treat only limited or specific species, we treat all wild birds. This broad approach to avian care makes the information gathered at Bird TLC very valuable. Bird TLC's release rate is over 65%. Affording us the best success of all, to share the moment of freedom to soar in Alaska's skies once again. Through a strong communication network, we share this data with centers all over the world. Since the 1989 oil spill we have shared knowledge learned at Bird TLC with Australia, California, New York, Washington and countries in the Middle East. Currently research is being done at Bird TLC to develop new treatment procedures for Avian Pox in bald eagles, a disease rarely seen in the lower 48 but common in Alaska about which very little is known. This information is being shared with educational institutions in the lower forty-eight, in an effort to reduce the eagle deaths due to this painful and debilitating disease. The world of avian medicine is growing at an incredible rate, and we are proud to be at the cutting edge of that growth. Interns working with us in the future, learning new and innovative medical and surgical techniques will help facilitate that growth. We know from history that medical procedures developed for animal medicine offer new insights into human medicine.

IMPACT ON TOURISM-

Visitors to our state have also been able to take advantage of the chance to experience nature in this unique way. Throughout the summer, weekly programs given at the Alaska Public Lands Information Center in Anchorage have become a very popular attraction for visitors. These educational programs not only treat the audiences to a close look at Alaska's avian wonders, but also provides us with a forum to sell the uniqueness of Alaska.. Many visitors who have experienced our programs have become members of our organization and are supportive of our efforts.

VOLUNTEER SUPPORT-

Bird TLC has over six hundred members. This program inspires people to give their very best, from the artist, to the architect, from the fisherman to the filmmaker, from the magazine editor to the educator; many have shared their special talents. Monthly membership meetings provide a variety of educational programs to further expand our base of knowledge. The volunteers who support this organization are truly dedicated and remarkable. This organization truly is supported on their backs, and from their pockets. Dr. Scott has said, "We all benefit from helping something from the wild", and we see this benefit every day in the eyes of those who are touched by realizing the quality of our environment tomorrow is in our hands today.

STATEWIDE OUTREACH-

Our impact is not limited to the Anchorage area alone. Birds are now brought to us from many sources throughout the state: Alaska Department of Fish and Game, U.S. Fish and Wildlife Service, schools and individuals, among others. One example of this positive trend is a bird brought to us from Russian Mission, Alaska. This Peregrine Falcon, an endangered species, was found by school children that had been studying about birds. Efforts are now being made to take the rehabilitated bird and an environmental education program for the entire school back to Russian Mission. The event will culminate with the release of the Peregrine and a community celebration. These children will feel great pride in saving the life of this endangered bird. The message is clear: watching any bird released to fly free again touches a strong psychological chord in each of us. These are lessons that go beyond schoolbooks and dollars; these are lessons that have lasting, positive effects for us all.

CITY OF CORDOVA



January 30, 1991

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

Dear Trustees,

On behalf of the Cordova City Council, I am writing to express the City's support for research projects designed to enhance the restoration of salmon, herring, and other wild fish stocks damaged by the Exxon Valdez oil spill. We believe that the research projects proposed by biologists in the Cordova Office of the Alaska Department of Fish and Game merit special attention by the Trustees. These studies target both restoration and effective management of a complex fishery. We support this research for the following reasons:

1. This research specifically targets the restoration of species damaged by the oil spill. This falls directly in line with a Council mandate; to restore damaged natural resources and the ecological integrity of the Sound.

2. If this research is not adequately funded, it will very likely have adverse impacts upon ADF&G's in-season management capabilities given the complex mixed stock salmon fishery in Prince William Sound. Without the information these projects could provide, it is likely that ADF&G will have a very difficult time meeting its dual mandates to restore and enhance damaged wild stocks while at the same time, meeting industry demands for an efficient and timely harvest of large hatchery returns. This is particularly true now, given the pressure to move harvest zones out of hatchery terminal areas and into entrance corridors where hatchery and wild stocks mix. This research could give Fish and Game more effective management tools. Without them, there could be adverse impacts both for the fishing industry and for the health of wild fish stocks; particularly salmon and herring.

3. These proposed projects could also provide important pre-season and post-season information. These data could greatly increase ADF&G's ability to forecast returns and anticipate stock specific temporal and spatial distributions in the fisheries. These types of data are of tremendous value in resolving the types of controversial issues which are routinely addressed by citizen advisory groups, the Salmon Harvest Task Force, the Board of Fisheries, the Prince William Sound/Copper River Regional Salmon Planning Team, and the Legislature.

4. Interactions between wild salmon stocks and hatchery reared stocks is a research topic of vital concern to industry officials and biologists alike. Damage assessment and restoration research projects are very important in understanding these interactions.

5. The oil spill happened less than three years ago. This is a very short time in ecological terms. We believe that it is very important that long term research on damage assessment and restoration take place. We are not confident that the amount of data collected to date is sufficient to make valid scientific conclusions and resource management decisions. The fact that much of the data is "litigation sensitive" and not open to public scrutiny does little to bolster our confidence.

6. The damage assessment and restoration research projects being carried out by the Cordova ADF/G Office have tremendous economic value to the City of Cordova. First, the economy of this community is primarily based upon the fishing industry. Any research that will assist ADF&G's management capabilities will ultimately benefit the community. The combined goals of maintaining the health and integrity of all salmon stocks and maximizing economic opportunities for fishermen are central to a stable economy. Second, much of this research money has been injected directly into the Cordova economy. Most of the people hired for these projects, both permanent and temporary, are Cordova residents. Most of the money spent for food and supplies has gone to local businesses. The Cordova economy suffered a great deal in the wake of the Exxon Valdez spill and it is going through a kind of restoration process of its own. These research dollars have provided, and hopefully will continue to provide, an economic stimulus for this community.

In summary, the City of Cordova takes the position that the type of research proposed by the Cordova ADF&G Office is vital to restoration of the ecological integrity of Prince William Sound. It is also vital to the economic health of Cordova and to sound management of our resources. We understand that funding decisions have not yet been made on these projects. We would urge the Trustees Council to provide the necessary funding for these projects in light of its mandate to restore the natural resources in Prince William Sound. We appreciate the opportunity to comment and please contact us if there are any questions regarding our position on this issue. Thanks for your attention to this matter.

Sincerely,



Charles K. Weaverling, Mayor

c.

Representative Kubina
Senator Menard
Senator Kurtulla
Resource Restoration Coordination Group
Representatives Davidson, Navarre, Gruenberg
ADF&G/Cordova Office

THE BIOREMEDIATION RESEARCH PROJECT

Project Director
R. K. Dearborn
University of Alaska
907/474-7086

Project Manager
Earl Clabo
Palmer, Alaska
907/746-4564

PURPOSE: Establish bioremediation as an effective and available response for treating beaches after an oil spill.

BIOREMEDIATION, A SOUND APPROACH

The Office of Technology Assessment, the Environmental Protection Agency, and the Alaska Department of Environmental Conservation have concluded that bioremediation can be an effective and safe response for cleaning petroleum fouled beaches after a spill. Bioremediation was tested in the marine environment following the *Exxon Valdez* spill and reports show that bioremediation can help beaches recover up to four times faster. Research over the past three years points to importance of making this new technology available to Alaska for its future needs.

SHOULD ALASKA INVEST IN THIS TECHNOLOGY?

The oil transportation companies have suggested, and both state and federal government have agreed, that spilled oil in the ocean is the responsibility of industry. Precautions have been taken by the industry to reduce the chance of a spill, and equipment has been purchased to skim or disperse oil from the ocean's surface. But what about our beaches? That responsibility has been left in our hands. It is time to pull together what we have learned about shoreline treatment and test appropriate technologies for effectively treating beaches. We must be better prepared than we were on March 24, 1989.

WHAT IS THIS PROJECT?

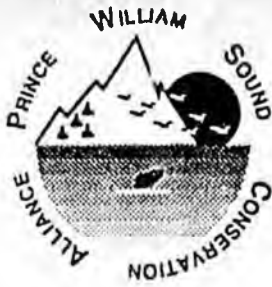
Several departments of the University of Alaska joined in partnership a year ago with Earl Clabo and Charlie Trowbridge to test in Prince William Sound a process of bioremediation which would help complete the cleanup in the Sound and which would lay a foundation of knowledge which would help the government and people of Alaska respond more effectively to the next oil spill, large or small. Working together, this team will test application techniques of approved bioremediation products to various beach types that are still covered with oil from the *Exxon Valdez* spill. A practical guide will be developed for the following:

- Converting available vessels for shoreline treatment.
- Treating and retreating beaches with safe and cost effective bioremediation approaches, including nutrient enrichment and seeding with naturally occurring oil degrading microbes.
- Technically evaluating new products proposed for bioremediation.

Following this research project, Alaska will have the information to prepare itself to effectively respond to beach cleanup needs.

WHAT IS THE COST?

Millions have been spent for research in Prince William Sound. It is time to pull this information together into a practical guide for responding to the challenge of treating beaches after a spill. The cost of the project for the first year is \$2.2 million. At the end of the first year a report will be available as an effective guide for oil spill preparation. Two additional years of research at a much more modest investment will follow. We must not leave ourselves exposed to the question: What is the cost of NOT funding this project?



Prince William Sound Conservation Alliance

P.O. Box 1697
Valdez, AK 99686
(907) 835-2799
Fax (907) 835-5395

October 7, 1991

To: John Devens, Paul McCollum, Dave Dengal, Gary Lenhausen, Sandy Annaker, Lyle van Bargaen,
Re: Prince William Sound Nature Center, Valdez
From: Clare Pavia, Chairperson

Status Report:

1. PWSCA, working in conjunction with other groups, has been trying to establish a PWS Nature Center in Valdez that would be open to the public from May to September.
2. Purpose: To introduce local residents and visitors to the natural world of Prince William Sound through the use of educational displays, interaction with a staff naturalist, guided interpretive walks, lectures and videotype viewing. Displays will cover topics such as local flora and fauna, wetlands ecology, and geology.
3. Proposed location: Former Valdez Fisheries Association experimental hatchery at Crooked Creek. A small building on site, which has been abandoned for several years, would serve as a modest facility for housing displays and a desk for staff. There is not enough room in the building to accommodate all the passengers from a large tour bus. DOT has constructed a bus turn out for people viewing salmon spawning in Crooked Creek. The City has constructed a pleasant overview area with seating.
4. Status of property: The property is managed by the State land office. The business manager at PWS Community College has helped PWSCA obtain permission to use the land. The facility is owned by the Valdez Fisheries Development Association. Jason Wells, the former director of VFDA, offered PWSCA use on a trial basis for two years.
5. Wildlife spotting scopes: PWSCA has discussed the possibility of purchasing (via grant monies: Alyeska has indicated they would entertain such a request from PWSCA) wildlife spotting scopes that could be installed at the turnouts. Nancy Peterson of Valdez Parks & Recreation indicated that they would be interested in reviewing a proposal that Parks & Rec. construct and maintain annually the spotting scope pads. PWSCA would provide daily/weekly maintenance and receive funds from the use of the telescopes to help underwrite their participation. The possibility of installing interpretive placards

has also been discussed, but no proposals have been developed.

5. Organizations contacted for possible participation.

- a. Valdez Fisheries Assoc./PWSCC: permission to use facility
- b. USFS (Bruce van Zee, Gary Lenhausen): discussed possibility of FS providing a full-time information officer with training as a naturalist
- c. PWS Conservation Alliance: administrative coordination, program to train volunteers to provide information; fliers on Valdez Duck Flats, plant and bird lists (depending upon receipt of funding)
- d. City of Valdez, Parks & Recreation, maintenance: Can they contribute funding and manpower to build platforms for telescopes?
- e. Fish and Wildlife Service: has offered mounted birds for display; when available, they can loan a travelling exhibit.
- f. North Pacific Rim: contact person said they are interested in doing a display for the center.
- g. Sea Grant: person contacted indicated that there might be professional assistance or funding available

Suggested Action:

1. PWSCA proposes that a committee be formed to:
 - a. design displays for facility
 - b. organize paid and volunteer staffing
 - c. develop volunteer training program
 - d. write and print natural history fliers
 - f. contact local and regional groups and agencies to encourage their participation.

CC: Linda Bowman, PWSCC



Prince William Sound Conservation Alliance

P.O. Box 1697
Valdez, AK 99686
(907) 835-2799
Fax (907) 835-5395

Established in 1988 and incorporated in 1989 as a non-profit (501c3) membership and public advocacy group, the Prince William Sound Conservation Alliance (PWSCA) promotes sound environmental policies for the Prince William Sound region of Alaska; advocating conservation of Pr. Wm. Sound's natural resources and engaging in educational activities concerning the Sound's natural history, environmental problems, and legislative issues.

Following the 1989 Exxon Valdez oil spill, PWSCA was the primary non-government organization monitoring annual cleanup efforts. PWSCA served as the Volunteer Coordinating Center under a contract from the Alaska Department of Environmental Conservation (ADEC), represented environmentalists on the Inter-Agency Shoreline Cleanup Committee, a decision making advisory group to the Federal On-Scene Coordinator and operated under contract from the City of Valdez and ADEC the Valdez Local Response Program from January 1990 through completion in September 1991.

Presently PWSCA continues to be involved with and is following many issues and projects affecting the Pr. Wm. Sound region including: Exxon Valdez Restoration; Petro Star Valdez Refinery; Alyeska Pipeline Service Co. Terminal and Tanker Operations; Forestry/Logging; Valdez Duck Flats; Proposed Yukon Pacific Natural Gas Pipeline Project; Proposed Cordova and Whittier Roads; State Forest Practices; Recycling; Coastal Management Program Reviews; Air and Water Quality; Valdez Nature Center; Chugach National Forest; Fisheries; Mining; Regional Citizens Advisory Council; Marine Pollution; Newsletter ("Sound Watcher") and Issue Specific ("Sound Talk") Mailings.

PWSCA is on the Board of the Alaska Environmental Assembly and the Alaska Environmental Lobby and is a participant in the Trans-Alaska Gas System Environmental Review Committee.

PWSCA also hopes to build our regional alliances through better communication between Valdez and Cordova and in the future Whittier, Chenega and Tatitlek and to develop relationships with a broader segment of the regions population to help better protect one of the most wondrous places on Earth, Prince William Sound.

PAINT RIVER FISHERY DEVELOPMENT PROJECT- February 1992

Introduction

Paint River runs into the Kamishak Bay of Lower Cook Inlet about 100 miles WSW of Homer, Alaska (Fig 1). In 1989 oil from the Exxon Valdez spill fouled Kamishak Bay waters sufficiently to preclude customary commercial salmon fishing activities.

Paint River watershed is contained within the expanded McNeil River State Game Sanctuary and associated Refuge. Paint River did not previously produce salmon; a tidewater falls prevented access.

This project is intended to create significant salmon runs which are sustained through natural spawning. Introduction of salmon and construction of up to two fish ladders are required.

Alaska Department of Fish and Game and Cook Inlet Aquaculture Association (CIAA) demonstrated feasibility and desirability of establishing Paint River salmon populations (Quimby and Dudiak, 1984, Summit Technology, 1986). Paint River is believed capable of producing annual returns of more than 1.7 million adult salmon (Table 1). Annual ex-vessel harvest value will be at least \$3,500,000. Value added by processing generates an additional \$3,500,000.

Table 1- Projected Ex-Vessel Value of Paint River Salmon Harvest (Summit Technology, 1986. Recalculated using 1990 prices)

Species	Run Size (1000's)	Harvest (1000's)	Avg. Wt. (lbs)	\$/lb. (1990)	Value (\$1000's)
Sockeye	225	150	5.0	1.80	1,351
Pink	900	600	3.5	.30	630
Chum	600	300	8.0	.55	1,320
Coho	7.5	5	8.0	.70	28
King	7.5	5	30.0	1.25	187
	=====				=====
	1,740				\$ 3,516

Establishing salmon in Paint River allows development of new sport fisheries and additional bear viewing opportunities or both. New management plans are being created for the Sanctuary and Refuge; protection of bear, bear habitat and bear viewing are, by statute, of primary concern.

Progress to Date

The mainstem falls is located where Paint River enters tidewater (Fig 2). Fish ladder construction at this site was completed in 1991. Funding (\$2,800,000) was provided by the State of Alaska, Economic Development Administration (U.S. Dept. of Commerce), Cook Inlet Seiners Association and CIAA. A lawsuit challenging permit

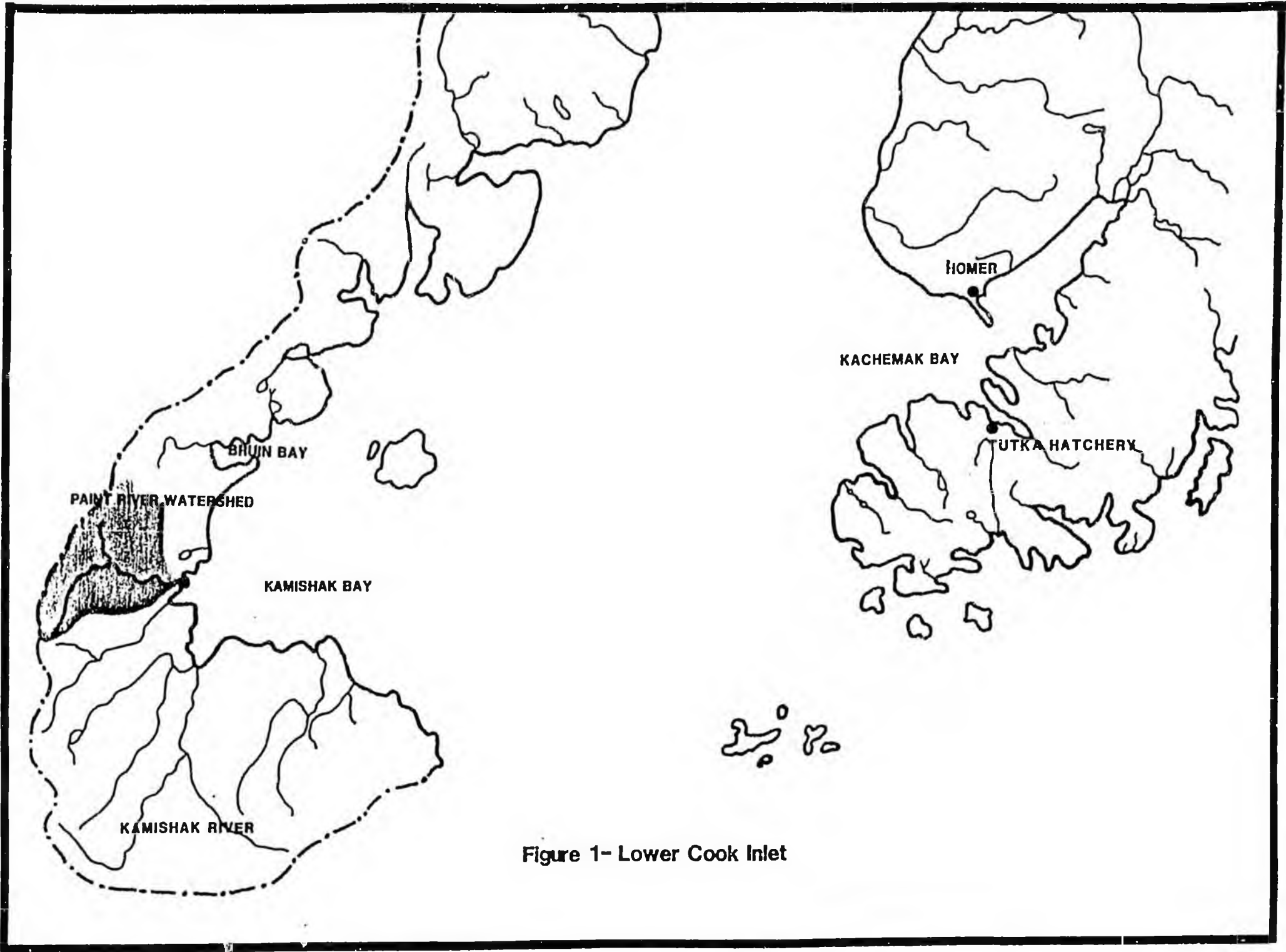


Figure 1- Lower Cook Inlet

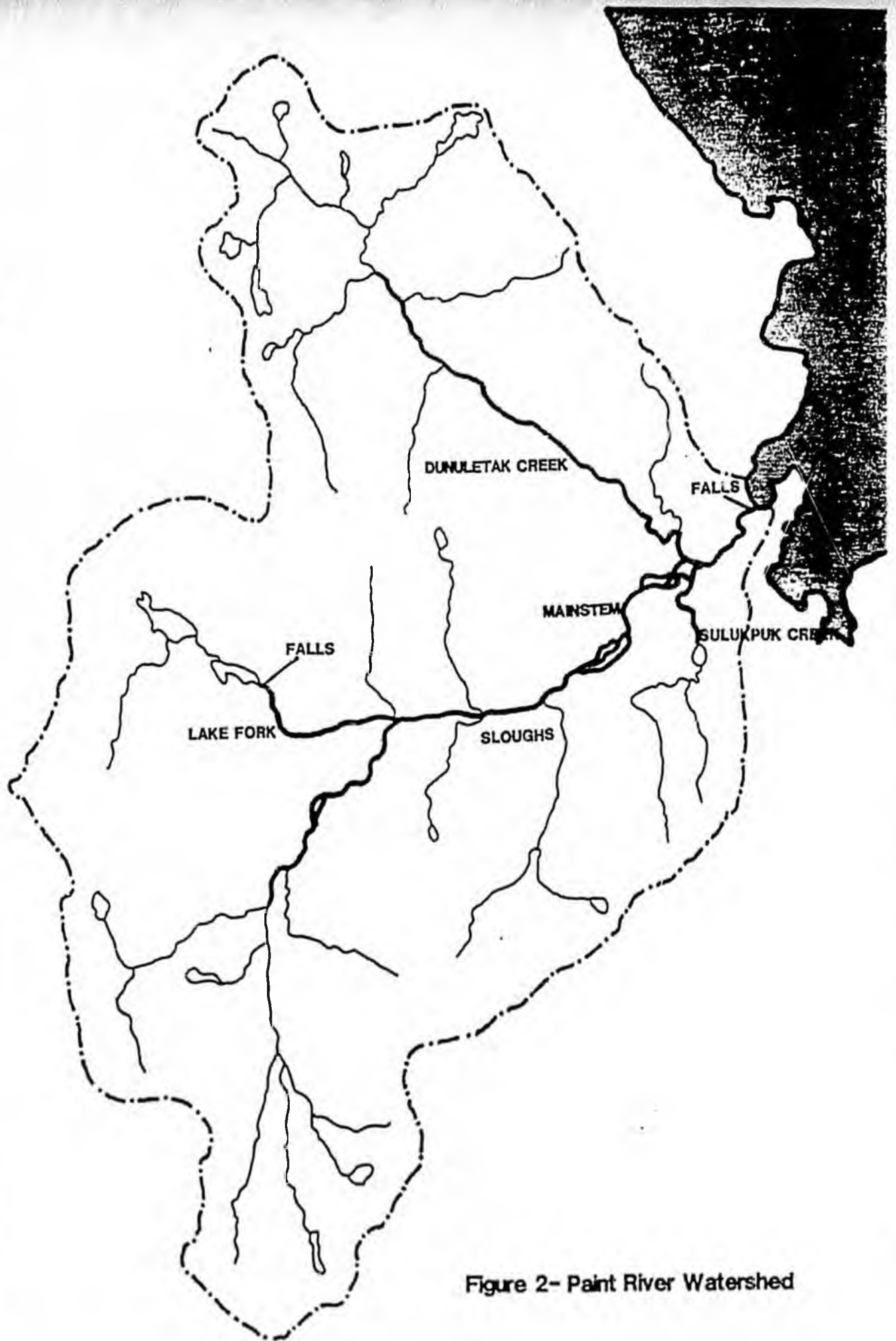


Figure 2- Paint River Watershed

validity and extra concrete work found to be necessary once construction began resulted in cost over-runs totaling \$345,439.

Some 1 to 2 million sockeye fry were transported from Crooked Creek Hatchery to headwater lakes each spring since 1988. As a result, adult sockeye returned to the mouth of Paint River in 1991. Only 2 more stockings of sockeye fry should be required.

Tasks Yet to be Accomplished

Adult sockeye must also pass Lake Fork falls to enter spawning areas in headwater lakes (Fig 2). CIAA will allow up to 5,000 adult sockeye to ascend the mainstem falls fish ladder in 1992. If these fish cannot ascend the relatively low Lake Fork falls, CIAA plans to construct a small ladder during the spring of 1993.

Pink, chum, king and coho salmon will be stocked into Paint River. Each species will be stocked for a number of years equal to a typical life cycle; e.g. 2 years for pink, 6 years for king, etc.

Up to 8 million pink and 8 million chum eggs will be collected annually from Kamishak Bay stocks. Pink eggs will be incubated at Tutka Hatchery. In the spring fry will be transported to Paint River in an oxygenated tank slung below a helicopter.

Chum eggs will be transported to a groundwater fed slough adjacent to Paint River. Eggs will be buried in the gravel bottom of the slough. Fry will emerge and migrate to sea the following spring.

King and coho fry (up to 1 million each) will be obtained annually from Crooked Creek or Trail Lakes Hatchery. Because king and coho juveniles prey upon pink and chum fry, king and coho stocking will be delayed until pink and chum populations are established.

Mainstem ladder operation will require about 2.5 months each year. A CIAA crew will adjust water flow and count salmon escapement. Planned evaluation studies include estimates of sockeye smolt production and spawning fish distribution within the watershed.

Some \$2,995,000 and 10 years (Table 2) will be required to complete all tasks necessary to fully develop Paint River salmon runs.

LITERATURE CITED

Quimby, Alan and Nick Dudiak. 1984. Paint River Fish Pass Feasibility Studies. ADF&G, F.R.E.D. Division, Homer. 117 pp.

Summit Technology, 1986. Paint River Fish Pass Feasibility Study. Summit Technology Consulting Engineers, 1075 Dexter Horton Bldg. Seattle, Washington. 18 p.

TABLE 2- PAINT RIVER PROJECT IMPLEMENTATION SCHEDULE

ACTIVITY	Annual Expenses In Thousands of Dollars										TOTAL	
	1993	94	95	96	97	98	99	00	01	02		
CONSTRUCTION												
Cost Over-runs	345											345
Lake Fork Ladder	69											69
Lower Ladder Camp	93											93
	==											===
Subtotal	507											507
SALMON INTRODUCTION												
Pink	216	204										420
Chum	130	115	119	122								487
Sockeye	5	5										10
Coho					37	37	38	39				151
King					37	37	38	39	39	40		230
	==	==	==	==	==	==	==	==	==	==	==	===
Subtotal	350	324	119	122	74	75	76	77	39	40		1,297
OPERATION	41	38	39	40	41	43	44	45	47	48		426
EVALUATION	86	67	69	71	73	75	78	80	82	85		766
	==	==	==	==	==	==	==	==	==	==	==	===
GRAND TOTAL	984	429	227	234	188	193	198	202	168	173		2,995

HOUSE BILL 411

CORRESPONDENCE
&
PROPOSALS

HABITAT
ACQUISITION:

PRINCE WILLIAM
SOUND



Southeast Alaska Conservation Council

SEACC 419 Sixth Street, Suite 328 Juneau, Alaska 99801 (907) 586-6942

Southeast Alaska Conservation Council Testimony on HB 411 House Resources Committee -- March 5, 1992

Good afternoon, my name is Theresa Svancara and I am representing SEACC, the Southeast Alaska Conservation Council. SEACC is a grassroots coalition of fifteen local community, volunteer conservation groups in twelve communities across the Alaska panhandle, from Ketchikan to Yakutat. SEACC's individual members number well over one thousand, and are Alaskans from all walks of life. On SEACC's Board of Directors we have a pulp mill worker, several former loggers, a number of commercial fishermen, tourism business operators, teachers, biologists, and local community volunteers.

SEACC supports House Bill 411 and the acquisition of habitat as an appropriate use of the Exxon Valdez settlement funds. The funds received by the state under the criminal plea agreement can be used most effectively for restoration which includes replacement and enhancement of affected resources, and acquisition of equivalent resources.

We support acquiring habitat which prevents further environmental stress resulting from timber harvesting or other industrial activities. Timber and land acquisition will assist the recovery of the already damaged coastal estuaries.

As policy makers discuss options to enhance the recovery and restore the oil damaged resources, we urge you to think in terms of the entire ecosystem affected by the tragic Exxon Valdez oil spill. This entails careful consideration of the shoreline, estuaries, and upland forest habitat areas as well as the waters themselves.

For example, imminent logging, road construction, and related activities compound the impacts of the oil spill and threaten areas available for replacement of impacted resources. Clearcut logging and road building create soil erosion, muddying streams and suffocating life in the streams and on the ocean floor near the mouths of streams. These are habitats that support salmon, shellfish, and marine mammals. Protecting forest habitat is essential near salmon streams because the trees maintain a moderate in-stream temperature and prevent silt from eroding stream banks from suffocating the salmon eggs.

Marbled murrelets, a bird severely damaged by the Exxon Valdez oil spill, not only spends time in the water but also nests in old growth forests.

Animals that we commonly think of as forest dwellers such as brown and black bear, deer, mink, and other small mammals also use the intertidal areas to forage for food and have been impacted by the Exxon Valdez Oil Spill. Studies have shown that both brown bear and deer in the oiled areas, have elevated oil levels in their tissue and fecal samples. Preserving their forest habitat will help them recover.

People in the communities impacted by the spill will also benefit from habitat acquisition. Jobs tied to intact forest and coastal habitat include commercial fishing, hunting and fishing guiding, recreation, and tourism. Cultural lifestyles are possible when habitat to allow subsistence use is preserved.

House Bill 411 makes sense. Common sense tells us if you're trying to nurture a stressed area back to health and revive fish and wildlife populations you don't clearcut and destroy the forests where they live.

Habitat acquisition is what the public wants. I've participated in several public meetings addressing how the restoration money should be spent. At each meeting citizens consistently and overwhelmingly called for restoration purchase of critical coastal forest habitat. The public is sending a clear message that habitat acquisition is a high priority for the settlement money.

HB 411 represents a chance to solve statewide conservation area protection issues. It provides for habitat acquisition in Prince William Sound, Afognak Island, Kachemak Bay, and Cape Suckling.

The area that SEACC is particularly interested in is Cape Suckling. It is highly valued as an economic resource by our member group the Yakutat Resource Council and SEACC has a long standing concern for this area.

Cape Suckling, the Suckling Hills, and the watersheds encompassed therein, will provide equivalent subsistence, sport, and commercial fishing, recreation and tourism opportunities to replace those resources essential to Cordova and other Prince William Sound communities that were damaged by the oil spill.

The Cape Suckling area is state land just east of Cordova, adjacent to the Yakataga State Wildlife Refuge. The timber rights, which the Alaska Department of Natural Resource has yet to convey properly to the University of Alaska, include the Suckling Hills in a 32,000 acre parcel between Cape Suckling and the Seal River.

When the Yakataga refuge bill passed in 1990 legislators recognized the valuable habitat of Cape Suckling and placed a moratorium on timber cutting until the timber rights were repurchased. This repurchase remains unachieved, however, because of a stalemate between the University of Alaska and the Department of Natural Resources. Sadly, cutting could begin in this valuable coastal habitat in 1993. Now, money appropriated from HB 411 to repurchase timber rights at Cape Suckling can fulfill a legislative goal and preserve one of the most valuable habitat areas in the state.

Appropriating money to Cape Suckling serves multiple purposes. First, it replaces resources that were damaged by the oil spill. Impacts to Prince William Sound and other regions increase our reliance on potential replacement habitats, such as Cape Suckling. Cordovans have a history of using Cape Suckling for fishing, guiding, and tourism and is very economically important to them.

Second, critical fisheries will be safeguarded. The Suckling Hills is laced with several anadromous salmon streams boasting some of the best Coho habitat on the Pacific Coast. The Kiklukh River is commercially fished by Prince William Sound and Yakutat gillnet fishermen. Thirty gillnet fishermen holding permits for Eshamy in Prince William Sound can also fish in the Cape Suckling area with their permits. Both the Kiklukh and Seal Rivers host intensive commercial set net fisheries. The Okalee and Tashalich rivers are other important salmon streams. This rich salmon resource is not only important to commercial fishermen but also lures sport fishermen and sustains subsistence fishermen.

Third, a thriving wildlife habitat will be protected. Mountain goats live in the Suckling Hills of Boone and Crockett record size. Adjacent areas once held Alaska's largest goat population, but in the last 10 years have suffered a 75% decline, in part due to logging. Exceptional populations of brown bear, black bear, and moose are found in the Cape Suckling area. A guide from Cordova told me he counted 40 bears in a single strawberry patch. Bird life in this region is astounding. The nearby Eastern Copper River Delta nesting and migration areas are world-famous, and Cape Suckling includes significant expanses of contiguous habitat.

A fourth purpose served by appropriating money to Cape Suckling is an investment in the University of Alaska. Money allocated to purchase the timber rights will go into a trust fund available for educating Alaskans. This is an investment in our citizens, our children, and our future.

When it comes to Cape Suckling the Legislature cannot go wrong by investing in coastal forest habitat at Cape Suckling and the University of Alaska.

We encourage you to support House Bill 411 with the inclusion to re-purchase Cape Suckling's timber rights.

**CORDOVA DISTRICT FISHERMEN UNITED**

P.O. Box 939

Cordova, Alaska 99574

(907) 424-3447

January 27, 1992

Representative Cliff Davidson, Chair
House Resource Committee
P.O. Box V, Room 108
Juneau, Alaska 99811

Dear Representative Davidson:

The Board of Directors for CDFU appreciates your willingness to consider our input for using the State's Exxon settlement money and we thank you for providing us an opportunity to work with you and your staff on HB 411. The Board has held several workshops to review the bill and we would like to offer the following comments and recommendations:

\$7 Million: CDFU strongly supports the purchase of lands on Afognak Island, particularly since timber harvesting on Afognak may impact Steller sealion rookeries in the area.

\$11 Million: The purchase of timber in-holdings within Kachemak Bay State Park is also a priority item. The fact that other funding alternatives may exist through unexpended monies from the Bradley Lake project and Rep. Navarre's HB 83 make it difficult to decide how much of the settlement should be earmarked for the project.

Since the price tag for Kachemak Bay has been quoted at approximately \$22 million, CDFU suggests putting aside \$11 million for the Kachemak timber buy-back. This amount is roughly half of the total cost for the Kachemak Bay timber and it can be used in combination with the anticipated funding from Bradley Lake or to reduce the fiscal note on HB 83.

\$6 Million: CDFU has also identified the Suckling Hills timber tract near Cape Yakataga as a high priority for acquisition. We are aware of the on-going difficulties with the University of Alaska in determining a fair price for the Suckling Hills timber rights, but we've heard indications that the University might settle for \$12 million. At this point, we suggest an initial budget of \$6 million to begin negotiations. CDFU feels that there's plenty of wiggle-room in HB 411 to shift dollars around and accommodate various buy-back projects. This initial suggestion of \$6 million is simply an arbitrary starting point for beginning negotiations with the University of Alaska. We fully expect the actual purchase price for the Suckling Hills timber to be much higher and we intend to support the necessary increases to fund the acquisition.

\$17 Million: At this point, the combined allocations which we've proposed for Kachemak Bay State Park and Cape Suckling amount to \$17 million. This leaves \$17 million of the initial \$34 million set aside in HB 411 for timber buy-backs for use in Prince William Sound. Realistically, \$17 million may not buy a great deal of timber, but it would certainly provide us with a tool to begin talking with various timber owners in the Sound.

CDFU has identified several critical areas in PWS for potential timber acquisitions:

- a. Tatitlek Village Corporation holdings around Port Fidalgo; particularly Fish, Whalen and Landlocked Bays.
- b. Chenega Village Corporation holdings in the Southwest district; particularly the areas around San Juan Hatchery on Evans Island and the area which includes Chenega Island and Eshamy Bay.
- c. Chugach Native Corporation holdings on Montague Island at Macleod Harbor and Patton Bay.

CDFU will be contacting the Tatitlek, Chenega and Chugach corporations to determine their interest and willingness to negotiate buy-backs of their lands and/or timber holdings.

\$9 Million: CDFU recognizes the need to direct funds toward spill-related projects and supports the general intent for the proposed allocation of \$9 million to appropriate state agencies. However, we wish to see these monies directed to specific projects rather than just giving discretionary money to various state departments.

In the PWS region, there are a number of on-going salmon tagging and enumeration projects which are in danger of being cut from this year's ADF&G budget. CDFU recommends allocating \$5 million to ADF&G to continue research in PWS to assess spill damage to salmon and herring resources and to conduct resource restoration projects.

Although we are not aware of any particular projects being conducted by DEC, it is our opinion that funding would be better utilized for funding fish and habitat-related activities through ADF&G. Since DEC has access to the 470 Fund for spill-related projects, we feel that \$2 million is a reasonable allocation for that agency.

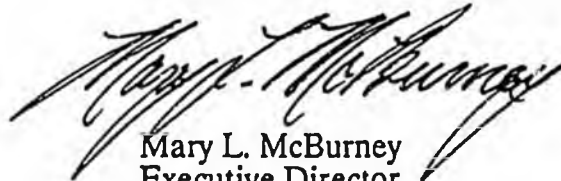
The CDFU Board also strongly recommends directing a portion of the money designated for the DOE to funding public radio stations in Valdez, Kodiak and Homer. During the oil spill, KCHU Radio played a critical role in providing current and accurate information to the communities around PWS. Since that time, KCHU has dedicated a great deal of time and effort to keep the public informed on various environmental issues related to the Exxon Valdez oil spill, marine oil transportation, and the Alyeska oil terminal. We suggest that \$0.5 million be allocated to the Department of Administration to be divided equally between the public radio stations in Valdez, Kodiak and Homer.

Finally, if there are appropriate education projects which require state funding, we propose allocating the remaining \$1.5 million to the Department of Education.

In summary, the Board of CDFU would like to see the bulk of the settlement monies spent on timber acquisition and resource enhancement projects in the spill impacted areas. The CDFU Board of Directors looks forward to working with you and other interested groups on HB 411. We appreciate your assistance and consideration.

Sincerely,

CORDOVA DISTRICT FISHERMEN UNITED

A handwritten signature in cursive script, appearing to read "Mary L. McBurney".

Mary L. McBurney
Executive Director
for the Board of Directors

cc: Representative Gene Kubina
Senator Jay Kerttula
Senator Curt Menard

CHENEGA CORPORATION

POST OFFICE BOX 8060
CHENEGA BAY, ALASKA 99574-9999
TELEPHONE (907) 573-5118 TELECOPIER (907) 573-5135

FACSIMILE COVER PAGE

TO: REPRESENTATIVE Cliff Davidson DATE: 02-14-92
Attn: Jay Nelson TIME: 9:50 A
telecopier 465-3444

FROM: GAIL K. EVANOFF

RE: 02/13/92 Kubina Itr

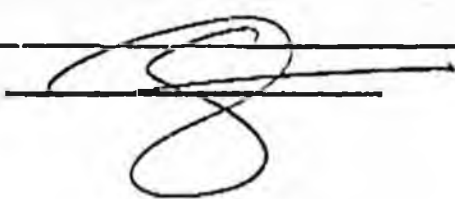
We are transmitting _____ pages (including this cover page) with a SHARP FO-033, if you do not receive all pages, please contact _____ at (907) 573-5118 immediately.

--Originals will follow this transmission via _____
--Originals will not follow this transmission unless requested.

* * * * * MESSAGE * * * * *

Mr. Nelson: Thought I'd share this Itr. from
Chenega Corp to Kubina on our
prelim. thoughts.

Thank you for talking w/me.



CHENEGA CORPORATION

Post Office Box 60
Chenega Bay, Alaska 99574-0060
(907) 573-5118

February 13, 1992

Representative Gene Kubina
Alaska State Legislature
State Capitol
Juneau, Alaska 99801-1182

Dear Representative Kubina:

I am responding to a letter written to Rep. Cliff Davidson, Chairman of the House Resource Committee from the Cordova District Fishermen United on January 27, 1992.

Chenega Corporation is carefully considering the language in the proposed Bill, where \$41 million is outlined for acquisition of resources in Prince William Sound, the Kenai Peninsula and Kodiak.

It has long been the position of Chenega Corporation as one of the larger private timber holding companies in PWS, that outright sales of our lands goes in direct conflict of our acquiring these lands under the Alaska Native Claims Settlement Act.

I am supportive of your position whereby you, at this time, are not supporting this bill until you hear debate on the Bill. It is evident that debate is ensuing by CDFU's letter to Rep. Davidson.

Chenega Corporation does not have the financial resources to research options of the State buying land, timber or development rights in PWS. But, is willing to participate in PWS coastal community public meetings should they occur.

If for instance, Chenega Corporation elects to offer select stands that are in high environmental risk areas i.e., fish, tourism, aquaculture, and it gets placed in National Park status, what is our assurances that the State or Federal Government wouldn't become in direct conflict with any of our economic endeavors for the future? Disenfranchise the Corporation's ability to compete for economic opportunities on behalf of the public's interest? In reality, the only access into PWS is by air or boat, use and enjoyment is seasonal, mostly summer months, and opportunities are for those with money.

What would be the parameters of "non development easements" if the public wants easy access or simply the comforts while enjoying PWS scenic beauty?

Selling Chenega Corporation lands, fee simple, may not be the way to go for us. The quick money it would bring would be. But, that's a tradeoff our shareholders would never accept.

Proposing a PWS Resource Council that would enable the coastal communities to work together by consensus to identify common public use areas for fisheries, sport fishing, tourism, recreation, development, and management has a lot of appeal. Currently, as you are aware, the state and federal government whose representatives do not even remotely live in the area, set the rules and we have to live by them.

Proposing infrastructure to better serve the public is very appealing. I would propose the development of a refueling station in Chenega Bay where fuel sales to boats, and float planes is a reality.

A Research Center in Chenega Bay. Studying the effects of the Oil Spill is an immediate and future requirement. But studying habitat, fisheries and ecosystems to support commercial, sport and subsistence resources is also needed. The glacial erosion in our environment and the health of our resources are in question. The use of interpol and customblen, bioremediation agents, used on all the PWS beaches, by Exxon is a constant threat to the ecosystem in the PWS.

Communication links with the larger communities in PWS and South Central Alaska are still in the dark ages and a direct health and safety hazard. There are no Repeaters in areas south of Whittier in PWS. Repeater site stations could be identified under the Fund.

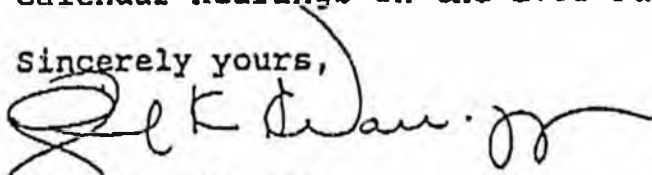
Clean-Up. Chenega Corporation lands were hard hit. Oil contamination is still present. Many beaches have not been restored as they were before the Spill. The only thing that is preventing that restoration, is the Federal Government and Exxon. I am very tired of the Government's disregard to our "public" statements that oil is still present on the beaches. The free flowing and subsurface oil must be removed. I propose future clean up monies come from the Fund.

For Comment purposes, I am at a loss as to what interest a fish marketing company, CDFU, would take electing Chenega Corporation's privately owned lands for acquisition by the Fund without first consulting us on the matter. To this date we have not been contacted by CDFU for any meetings.

I am not supportive of Chenega Corporation selling any of its land in the interest of the public. I think we could best serve the public by land lease arrangements. Chenega Corporation works well with recreationalists and the general public when there is a land use interest. Chenega Corporation allows maximum use with maximum control.

We with the Chenega Corporation would appreciate receiving any kind of supplemental material to HB 411 and/or information regarding calendar hearings on the EVOS Fund.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Gail K. Evanoff".

Gail K. Evanoff
Vice-President of Corporate Operations

jlk/GKE

pc: file

RESOLUTION 91-92

A RESOLUTION OF THE CITY OF CORDOVA, ALASKA, EXPRESSING SUPPORT FOR THE STATE/FEDERAL TRUSTEES FOR NATURAL RESOURCES DAMAGED BY THE EXXON-VALDEZ OIL SPILL TO NEGOTIATE WITH WILLING SELLERS THE ACQUISITION OF PRIVATELY HELD TIMBER RIGHTS IN AND AROUND PRINCE WILLIAM SOUND IN THE INTEREST OF RESTORATION

WHEREAS, the Exxon Valdez Oil Spill caused enormous biological, economic, sociological, and psychological damage to PWS, Cordova, and its residents, and

WHEREAS, the State/Federal Trustees are required by law to use damages collected from Exxon to attempt to return the damaged ecosystem to its pre-spill condition, and

WHEREAS, the pre-spill condition of the impacted ecosystem included fully forested coastal uplands, and

WHEREAS, the Eyak Corporation and the Sherestone Corporation have publicly expressed their sincere willingness to sell their timber assets in the highest public interest, and

WHEREAS, the commercial fishing industry, recreational users, tourism industry, and many other local residents have expressed strong support for the acquisition and protection of coastal forests, and

WHEREAS, such acquisitions will resolve a highly contentious and divisive issue in Cordova to the satisfaction of all parties, and

WHEREAS, such acquisitions are probably the only way to resolve this conflict,

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS: that the Mayor and the City Council support the concept that the highest priority use of Exxon settlement monies be the acquisition of timber assets in and around Prince William Sound in order to conserve coastal forests for the public good and in the interests of oil spill restoration, and that the Trustees act immediately to secure lease/option arrangements on these forests that would fairly compensate timber owners in the region in exchange for a 2-3 year moratorium on all timber harvesting activities so that the Trustees can methodically assess all acquisition options and integrate them into a systematic Restoration plan, without such options being foreclosed.

PASSED AND APPROVED THIS 18th DAY OF December, 1991

Mayor, Kelley Weaverling

City Clerk

HOUSE BILL 411

CORRESPONDENCE
&
PROPOSALS

HABITAT
ACQUISITION:

KODIAK ISLAND AREA



A

Afognak

F

...A Second

O

Chance for

G

Alaska's

N

Unknown

A

Jewel.

K

Imagine a place so unusual only one type of tree grows there...so
terious, the threatened marbled murrelet dwells there —though
nest is rarely seen. • Streams teem with flashing, wild salmon.

Atak brown bears, the world's
largest land carnivores, cross paths
with thriving herds of elk, 160 spe-
cies of birds, ducks and geese, and
active colonies of beaver, fox, and
deer. Humpback whales breach off-
shore, as sea lions and porpoises
glide elegantly through stunning
bays and inlets. • This is Afognak
Island, a little-known jewel lying
north of Kodiak Island in the west-
ern portion of the Gulf of Alaska. •



At once spectacular and serene, its
450,000 acres, unique in their "monotypic" stands of majestic Sitka
spruce, define the northernmost boundaries of North America's
legendary old growth forests. Rich archeological sites reveal the
cultural heritage developed over thousands of years of habitation by
Native Alaskans. Five hundred miles of striking coastline make for an
ecosystem found nowhere else in the world. • It's the kind of
dramatic, yet reassuring country that should be maintained for
future generations. And it was— • In 1892, President Benjamin
Harrison issued a Presidential Proclamation creating the historical



Afognak Forest and Fish Culture Reserve, one of the first wildlife
reserves in the Nation. Later, Afognak became a unit of the Chugach
National Forest. • But in 1980, as a result of the Alaska Native Claims
Settlement Act (ANCSA) and the Alaska Lands Act (ANILCA),
Afognak was declassified as a national forest, the only conservation
area in Alaska ever to be so treated. • Logging by the U.S. Forest





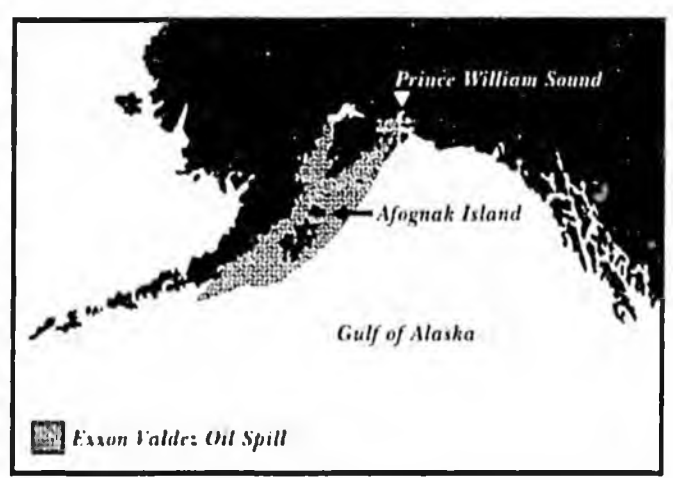
Service and then the Natives began to alter the Afognak wilderness. Then came the Exxon Valdez oil spill, polluting the shores of the Gulf of Alaska and imperiling the hundreds of thousands of sea and land animals throughout the oil spill zone that depend on a healthy ocean for survival. The pristine future of Afognak, once presidentially acknowledged as one of America's crown jewels, was endangered. • Fortunately, today a singular opportunity is at hand to protect sig-

nificant, critical areas of key habitat on Afognak. • In reparation for the damage its tanker did to the environment, the Exxon Corporation must pay \$1 billion to help restore lands and resources damaged by the oil spill. These funds may also be used to acquire "equivalent resources" anywhere in the spill zone, thereby protecting healthy ecosystems that offer all of the wildlife threatened by the oil spill a



chance to rebound. • The Exxon settlement gives Alaska, indeed all of America, a second chance — probably the last chance — to protect Afognak, by using part of the settlement to purchase the island's most critical wildlife and resource areas. • There is no better way to allocate the Exxon funds. The oil clean-up has been concluded. Bureaucratically-driven research on oil pollution could fritter away millions of precious dollars. And preventing future oil spills should be an on-going expense borne by oil companies themselves. • Approximately 150,000 acres of

pristine land are available for sale by the Afognak Joint Venture. Out of economic necessity, these lands will be logged if they cannot be acquired. • Afognak can be saved — and should be.





I *magine an island so unusual only one type of tree grows there...
mysterious, the threatened marbled murrelet dwells there...
valuable, it must be saved.*

Afognak Joint Venture
P.O. Box 1277 Kodiak, Alaska 99615
Phone: (907) 486-6014 • Fax: (907) 486-2514



Printed on recycled paper

Photographs courtesy of David Menke and Peter Olsen

coastal areas of particular concern

recreation, scenic and heritage
resources



kodiak archipelago

DRAFT

Recreation, Scenic and Heritage
Areas of Particular Concern:
Kodiak Archipelago

A Report by
Alaska Division of Parks
Department of Natural Resources

Kathryn A. Troll
with initial research by
Pete Martin and
Jo Antonson Mohr

This project was supported through funds provided by the Coastal Zone Management Act of 1972, as amended through the Coastal Energy Impact Program, administered by the Office of Coastal Zone Management, National Oceanographic and Atmospheric Administration U. S. Department of Commerce and administered for the State of Alaska by the Department of Community and Regional Affairs.

July, 1979

3



afognak and neighboring
islands

AFOGNAK AND NEIGHBORING ISLANDS

The only villages in the area, Afognak and Port Williams, were abandoned some time ago, leaving this area free of human development. Afognak Island is surrounded by Raspberry Island to the south, Shuyak Island to the north, and Marmot Island to the east.

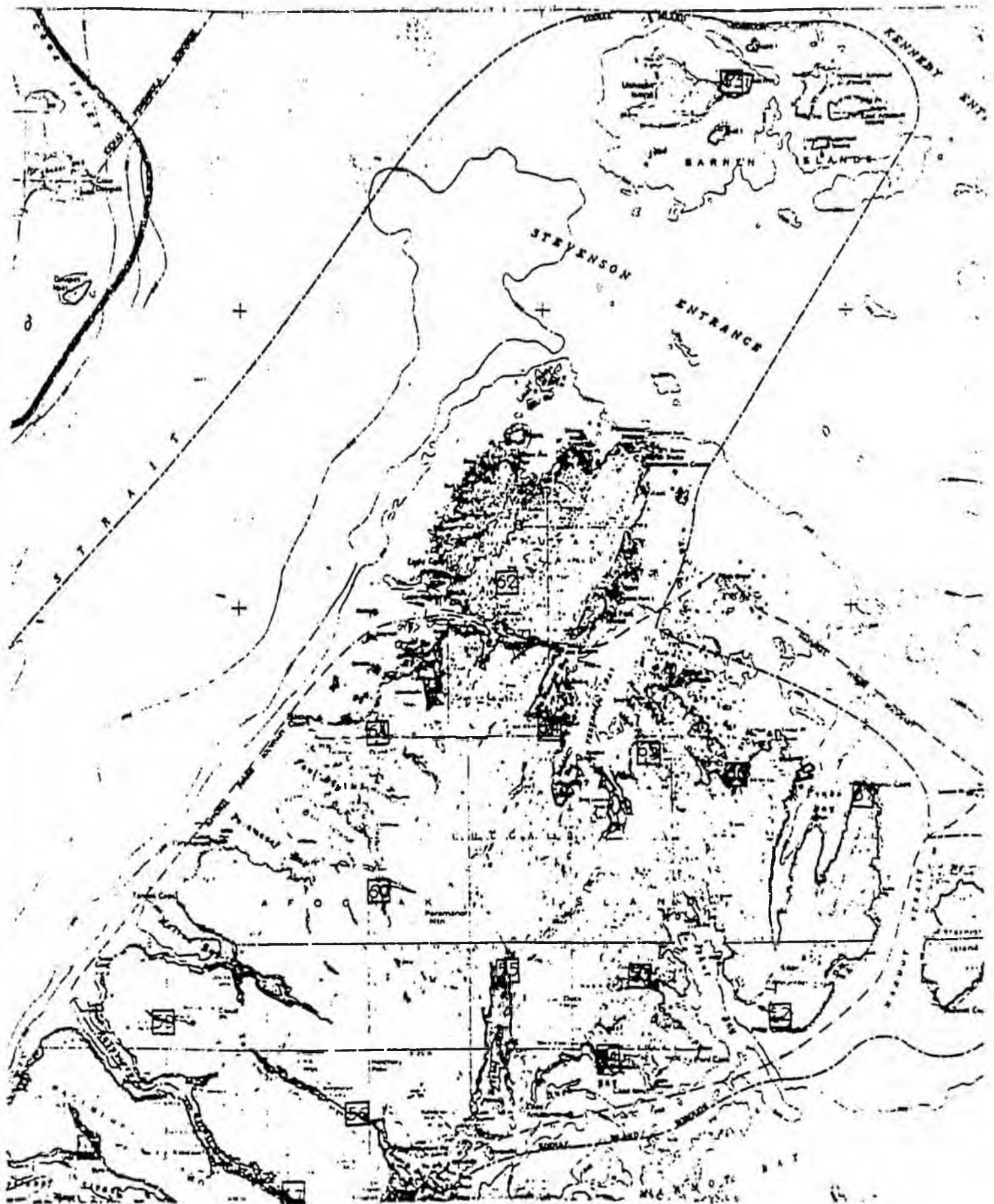
The vegetation on Afognak Island and adjacent islands is unique in that the forests are devoid of western hemlock, and serve as the vanguard of forest invasion into the grasslands. The pattern of vegetation is generally a combination of grasslands and Sitka spruce stands. Along the indented bays and on scattered islands, Sitka spruce stands tall and thick. The exception to this pattern are the tundra areas in the west and on the exposed capes.

Afognak's wildlife is spectacular with brown bear, elk, bald eagles, and Sitka black-tail deer inhabiting the area in pockets of high concentrations. Along the coast there are many areas where sea birds, sea lions, sea otters are just as much a part of the summer scenery as the sea cliffs.

Recreational opportunities in this area impress even the casual visitor. Much of the recreational activity consists of bear, elk and deer hunting, and boating by those with sizeable watercraft. Anton Larson Bay, where many boaters originate, is nearby making Afognak's southern bays and Raspberry Straits accessible for exploration and enjoyment, even for those in skiffs. In 1976, 33% of all deer harvested and 50% of all bear hunted and all elk successfully hunted in the Kodiak Archipelago came from this area. Attesting to the recreational opportunities yet to be fully realized in this area is the existence of a recreation camp and a wilderness lodge.

Some of the Native village corporations of Kodiak have formed a timber management company named KONCOR. Logging is currently ongoing on part of Afognak Island and can be expected to expand to other parts of Afognak in the future. Kazakof Bay has been identified as a potential base site for outer continental shelf (OCS) oil development and liquified natural gas (LNG) facilities. It is likely that more suitable sites may be ascertained in studies for leasing of additional oil and gas tracts.

Multiple use management can integrate resource values in a manner that stresses use compatibility. For instance, timber operations can open up new areas to recreationists as well as be designed to mitigate impacts to wildlife and to the scenic qualities of an area. Since, Afognak Island is being logged and other neighboring islands may be logged or developed in some fashion, identification of resource values in this area is paramount to the initiation of timely multiple use management of the area. APC's identified herein should assist any such efforts.



Numbers refer to individual APC's
as referenced on area maps.

A COASTAL AREA OF PARTICULAR CONCERN

1) Name of Area: Malina Lakes

2) Value Classification

• Primary: Recreation

• Associated: Scenic, Wildlife

3) Location

• Region/Subregion: Southcentral Region/Kodiak Archipelago

• Latitude/Longitude: 58° 11' N, 153° 13' W

• Community/Orientation/Distance: Malina Lakes are about 48 air miles northwest of the City of Kodiak and 36 boat miles from Anton Larsen Bay.

• Topographic Quad/ 1:63,360: Afognak A-4

4) Upland Acres (Hectares): 5,987 acres (2395 hectares)

5) Seaward Distance for Protection: 1 mile

6) Existing Ownership: The entire area is in federal ownership. Litnik, Inc. and other native corporations have selected the area, pursuant to the Koniag D-2 amendment and historical place selections.

7) Existing Management: Until conveyance all federal lands are managed by the U.S. Forest Service as part of the Chugach National Forest.

8) Adjoining Ownership/Management: All adjoining lands are federally owned lands with similar selections.

9) Area Description

• Dominant Physical/Biological Features: Malina Lakes are two, mile-long lakes surrounded by mountains and ridges on three sides. A small freshwater creek, Malina Creek drains the lakes and flows into Shelikof Straits where a wide sandy beach lies at the mouth. The vegetation on the lower slopes is comprised of alder and willow mixed with grasslands, while the higher slopes are predominately alpine tundra. While seals and sea lions are only seen on occasion, sea otters congregate in high density near the mouth of Malina Creek. The grasslands surrounding the beach serve as an elk winter range. The uplands provide habitat for elk and deer during the summer. Malina Creek provides spawning habitat for pink salmon while upper Malina

Lake provides spawning habitat for silver and red salmon. Brown bear concentrate around the lakes in spring. Small mammals common to the area include muskrat, beaver, weasel, land otter, and red fox.

• **Recreation, Scenic, Heritage or Wilderness Significance:** Malina Lakes receive significant use by Kodiak residents as they offer good to excellent elk hunting, sportfishing, and hiking. The Forest Service maintains a recreational cabin at upper Malina Lake and has constructed trails that link up to Afognak Lake and Muskomee Bay. The protection from winds and bad weather, and the ease of hiking will continue to attract hunters to this area. The scenery at Malina Lakes enhances the recreational attributes of the area. The high, steep mountain peaks around Cloud Peak are a beautiful backdrop as one looks over the clear blue waters of the lake and the lush green, grassy hills. The historic fishing village of Nuniliak is located at the mouth of Malina Creek.

• **Other Significant Resource/Land Use Values:** There are no forest stands of commercial value within this area. While the grasslands may hold some grazing potential it is unlikely that this area would be used for such purposes as there are better grasslands closer to the City of Kodiak. A small amount of gold was located in Malina Bay in 1937. No productive mining is known to have occurred. If offshore oil production does occur in Shelikof Straits this area may be considered suitable for an OCS terminal base, however, more protected waters are nearby. Site suitability studies for oil and gas leasing and production in Shelikof Strait have not been initiated. Soils and slopes in this area are generally unfavorable for development. Silver and lead lodes have been identified toward the mouth of Malina Creek.

10) **Recommended Management:** Malina Lakes' management emphasis should remain as recreation. The village corporations and the State Division of Parks should seek a cooperative management agreement to ensure that the recreation and scenic values of the area are maintained and enhanced.

11) **Allowable Uses** Hunting, trapping and sportfishing as managed by the Alaska Department of Fish and Game should continue. Grazing activities should be allowed provided that there is sufficient regulation and management at the appropriate time to protect public recreation values and access to these lands.

12) Information Sources

Literature:

U.S. Forest Service, Chugach National Forest, 1979. Inventory and use records. Kodiak, Alaska.

U.S. Forest Service, 1974. Final Environmental Statement: Chugach National Forest Land Use Plan. Prepared by Chugach National Forest in accordance with federal statutes and regulations. Anchorage, Alaska.

• Knowledgeable Contacts:

Roger Smith, Alaska Department of Fish and Game, Kodiak.
Lee Culbertson, U.S. Forest Service, Anchorage.
Dave Wanderaas, U.S. Forest Service, Kodiak.
Kate Troll, Alaska Division of Parks, Anchorage.

KOD 59
 Malina Lakes
 --- EVALUATED AREA
 ——— AREA WHERE RECOMMENDATIONS MAY BE APPLICABLE
 SCALE: 1" = 1 MILE ↑ NORTH

A COASTAL AREA OF PARTICULAR CONCERN

1) Name of Area: Pauls and Laura Lakes

2) Value Classification

• Primary: Recreation

• Associated: Scenic, Wildlife, Historic

3) Location

• Region/Subregion: Southcentral Region/Kodiak Archipelago

• Latitude/Longitude: 58° 21' N, 152° 11' W

• Community/Orientation/Distance: Pauls Lake is 42 air miles directly north of the City of Kodiak and some 60 boat miles.

• Topographic Quad/ 1:63,380: Afognak B-1

4) Upland Acres (Hectares): 4674 acres (1870 hectares)

5) Seaward Distance for Protection: Two miles

6) Existing Ownership: Pauls and Laura Lakes lie in federal ownership. All federal lands have been selected by Shuyak, Inc. and by other native corporations.

7) Existing Management: Until conveyance the lands are managed by the U.S. Forest Service as part of the Chugach National Forest.

8) Adjoining Ownership/Management: The lands adjoining this area are U.S. Forest Service lands that have been similarly selected.

9) Area Description

• Dominant Physical/Biological Features: The coast of Pauls Bay is primarily a protective cove wherein lies a gravel beach and small offshore islands. The Bay and the lakes are surrounded by a tall, mature Sitka spruce forest underlain by a carpet of mosses and lichens. Pauls Lake is connected to the bay by a narrow passage which can be traveled at high tides. Laura Lake is a large lake (the largest on Afognak) with a highly convoluted shoreline. There are occasional grass and alder openings in the forest. Within Pauls Bay harbor seals can be found in high densities, while sea otters and sea lions are seen less frequently. Bird life consists of a small gull rookery and extensive nesting by a variety of waterfowl at Pauls

and Laura Lakes. A few eagles can also be found nesting in the area. Both Pauls and Laura Lakes serve as major fisheries for Dolly Varden, rainbow trout, pink salmon, silver salmon, red salmon, and steelhead. Accompanying these salmon runs is a high concentration of brown bear throughout the area. The forest surrounding Pauls Lake and Bay provide winter habitat for elk. Deer, land otter, beaver, muskrat, short-tailed weasel, and red fox are common mammals to this area.

• **Recreation, Scenic, Heritage or Wilderness Significance:** Pauls and Laura Lakes receive significant recreation use as many residents have identified this area as a "fine" fishing spot. Due to the many small lakes surrounding Pauls and Laura Lakes this area offers an excellent opportunity to establish a canoe/portage system with excellent sportfishing. There is a private recreation cabin in the area. Some deer, bear, duck, and elk hunting occurs, but not in high numbers. There is a possibility of logging roads eventually connecting up to Danger Bay (Kazakof Bay) which may cause an increase in recreational use. Due to the rolling topography, the towering Sitka spruce, and the highly irregular shorelines with many secluded coves, Pauls and Laura Lakes offer lake and forest scenery at its best. Two archaeological sites of unknown significance can be found near Pauls Bay.

• **Other Significant Resource/Land Use Values:** The spruce forests are within an area considered to be "Afognak's quality timber area". Stand volume is variable ranging from less than 10 MBF per acre to 35 MBF per acre in individual patches. Logging roads were once proposed throughout the area. No known mineral deposits or claims can be found in this area. Located offshore in Pauls Bay is a major purse seining area for salmon. Soils and slopes are generally favorable for development.

10) **Recommended Management:** Multiple-use resource management practices should be closely implemented in this area in order that the scenic qualities, key wildlife habitat, and recreational attributes are protected and provided for in the design of timber sales. Stream and shoreline buffers, landscaping patch clearcuts, logging in the off seasons, minimization of roads, etc. are all mitigation measures that should be practiced in this area of outstanding resource value. The development of a canoe/portage system and campsites should be considered, wherein the Division of Parks could be consulted for assistance.

11) **Allowable Uses** Hunting, trapping and sportfishing as managed by the Alaska Department of Fish and Game should continue. Some residential development could be allowed. Setback controls and greenbelts to protect the scenic and recreation values of the area should be considered if residential

development were to occur.

12) Information Sources

Literature:

U.S. Forest Service, 1974. Final Environmental Statement: Chugach National Forest Land Use Plan. Prepared by Chugach National Forest in accordance with federal statutes and regulations. Anchorage, Alaska.

U.S. Forest Service, 1974. Final Environmental Statement: Perenosa Timber Sale. Prepared by Chugach National Forest in accordance with federal statutes and regulations. Anchorage, Alaska.

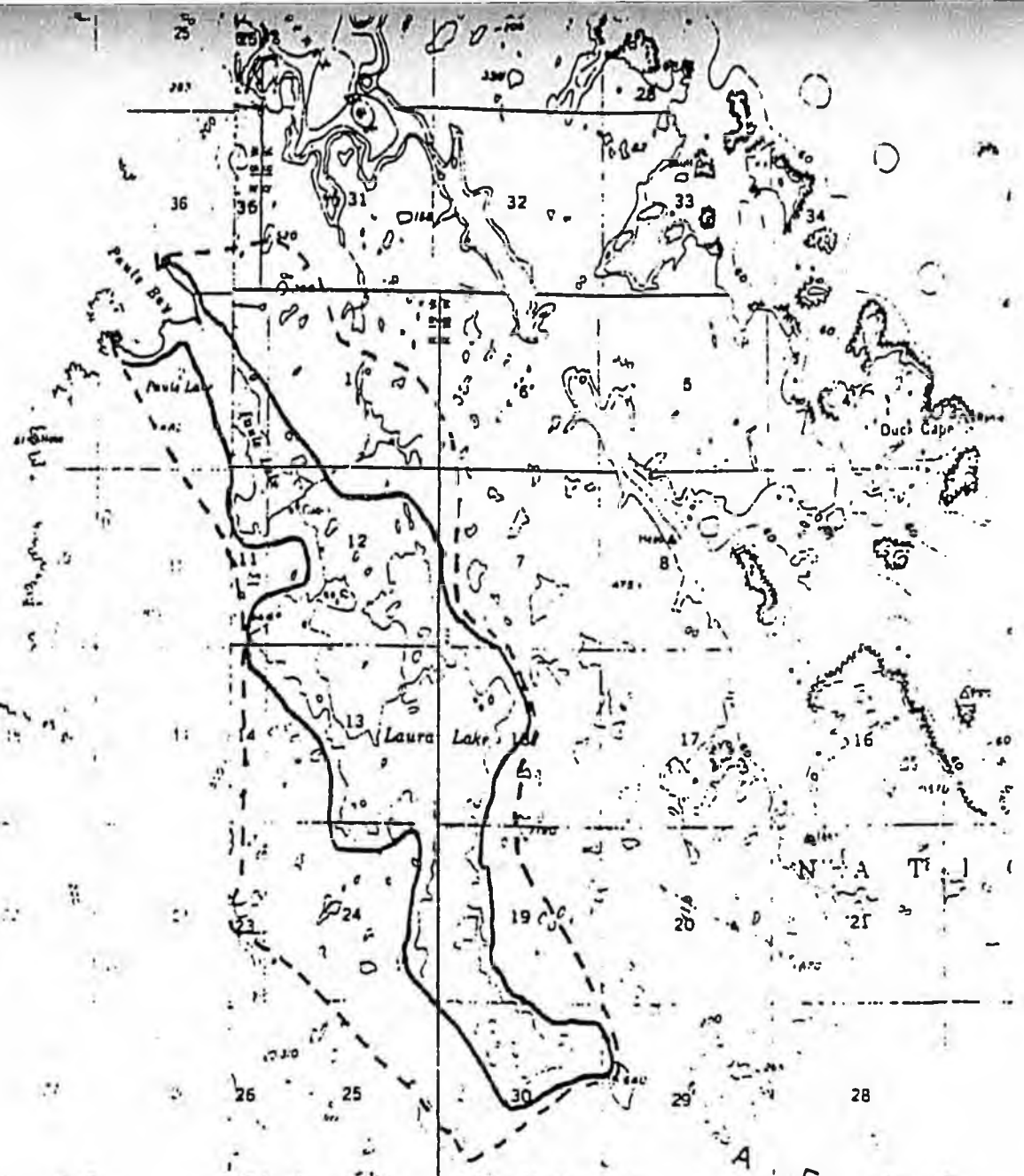
•Knowledgeable Contacts:

Roger Smith, Alaska Department of Fish and Game, Kodiak.
Lee Culbertson, U.S. Forest Service, Anchorage.
Dave Wanderaas, U.S. Forest Service, Kodiak.
Kate Troll, Alaska Division of Parks, Anchorage.

70 S 4

N D

Discoverer Bay



KOD 65
 Pauls & Laura Lakes
 --- EVALUATED AREA
 — AREA WHERE RECOMMENDATIONS MAY BE APPLICABLE
 SCALE: 1"=1 MILE ↑ NORTH

HOUSE BILL 411

*CORRESPONDENCE
&
PROPOSALS*

*HABITAT
ACQUISITION:*

**KACHEMAK
BAY**

1/7/92

SELDOVIA NATIVE ASSOCIATION, INC.

P.O. Drawer L

Seldovia, Alaska 99663

(907)234-7625 Fax 234-7637

December 31, 1991

Honorable Representative Cliff Davidson
P.O. Pouch V (MS 3100)
Juneau, AK 99811

**Re: Kachemak Bay State Park Trade
HB 83 and SB 148**

Dear Representative Davidson:

With the 1992 Legislative session due to start soon, I am writing this letter to explain and hopefully clarify the current status of the Seldovia Native Association (SNA) Lands within the Kachemak Bay State Park (KBSP), and the proposed State buyout of this land.

The Seldovia Native Association, Inc. is an Alaska Native Corporation established pursuant to the Alaska Native Claims Settlement Act, Public Law 92-203.

SNA's Land Entitlement in the Seldovia withdrawal area is 69120 acres. SNA's first land selections were at Seldovia Bay and Valley, Jakalof Bay, and Tutka Bay. The State filed protests against SNA selections in the Jakalof Bay and Tutka Bay areas, because these lands were selected by the State under the State Mental Health Land Selection Act.

With the uncertainty of being able to secure these selections SNA then selected Land within the boundaries of the Kachemak Bay State Park.

On February 5, 1975, SNA with the help of Clem Tillion (a founder of the KBSP) met with Governor J. Hammond. SNA and Gov. Hammond agreed we could work out a land trade which would transfer to the State SNA's inholding in the KBSP and give to SNA land which could generate revenue for the corporation. Initially SNA was interested in the State owned land at the Penland Trailer Park in Anchorage. That land became unavailable for trade when it was used for the Anchorage Municipal Land Entitlement.

The Kenai Peninsula Borough Land Entitlement also had priorities on lands which SNA had expressed an interest in. The Cook Inlet Region Incorporated (CIRI) Land Trade removed land from the State pool also. State Agency reviews and public hearings as well as Department of Natural Resources (DNR) inhouse decisions took land away from the trade.

On May 9, 1979, the Seldovia Native Association, Inc., the Kenai Peninsula Borough, the Cook Inlet Region Inc. and the State of Alaska entered into a four party agreement to facilitate the States acquisition of SNA's surface rights and CIRI's subsurface rights to about 30,000 acres of land within the Kachemak Bay State Park.

CIRI traded about 10,000 acres of it's subsurface estate for some of the Kenai Gas Field, thus CIRI has about 20,000 subsurface acres in the park remaining.

Two partial trades totaling 5000 acres were accomplished by DNR and SNA. Further trades stalled over land value disagreements and the State DNR's inability to make land available that was satisfactory to SNA. SNA now has 24,000 acres in the Park.

In 1976 the State Department of Fish and Game began using SNA's land at China Poot Bay for a sport and dip net Fishery. This project was done without permission of SNA, in fact without notice to SNA . The State posted signs directing the public use of SNA Land for the dip net fishery.

This has become a popular sport, commercial and personal use Fishery with people Statewide.

The State has also started a new Fish program at Hazel Lake and the Wosnesenski River. This program had its first Red Salmon return this year (1991). With Hazel Lake and the Wosnesenski River fronting SNA land, there will be more public use of SNA land by sport and personal use Fishermen.

These Fishery enhancement programs are very popular with all Alaskans, yet they encourage trespass on our land. If the State buys this Land from SNA, all problem of trespass would be resolved.

In 1988, after negotiations with the State DNR to trade land for land broke down, SNA made a proposal to sell it's inholdings to the State for cash. Senator Paul Fischer introduced a bill for this purpose. Hearings were held by the Senate Resource Committee. DNR spoke against the bill and it died in committee. After the State decided it would not buy the land, SNA took this to mean the 1979 agreement was ended.

With no further interest shown by the State, SNA sold timber in the area to Timber Trading Co. (TTC). Thus although SNA still owns the land, TTC owns the trees.

Because of concerned citizen's requests and input, the State again said it wanted to acquire SNA's land for Park purposes. SNA and TTC both agreed to work with DNR to put together a package deal for the State Legislator's approval.

For this renewed trade, SNA agreed to appraise its corporate land and the State agreed to appraise the State land. When the SNA appraisal of 25 million dollars was done, the State rejected it. SNA's appraiser then did a supplemental appraisal, which conformed to the State's land appraisal regulations. This second appraisal stated that SNA's land in the KBSP is valued at 22.7 million dollars, as Park and Public interest land.

The State then hired a firm to do another appraisal of SNA's land for market value. This came in at 11.9 million. Three appraisers then did a review of the SNA appraisal and the State appraisal. This review panel gave SNA's land a cash value of \$15,490,000. (without the TTC trees).

From Feb. 1975 to Feb. 1990 the State DNR and SNA have worked at a "value for value" land trade. There have been many ups and downs through the years. State regulations require DNR to hold local public hearings wherever proposed trade lands are located. Most public comments have not been favorable to SNA acquiring land adjacent or near to those responding.

Along with the two small trades actually accomplished there have been several other attempts to trade, which did not work out.

Finding replacement timber for TTC's trees in the Park also brought several unsolvable problems.

At a meeting, Feb. 28, 1990, The State offered to pay SNA \$15,490,000 cash for it's inholdings of The Kachemak Bay State Park. The State also offered TTC \$4,510,000. for its timber in the park.

Recognizing the improbability of trading land and timber for land and timber of equal value both SNA and TTC agreed to accept the States offer.

By accepting this offer SNA will be receiving \$7,210,000 less than the appraised value of its land. TTC also will be accepting substantially less than value for it's trees.

During the 1990 Legislative session House Bill 590 and Senate Bill 536 were introduced. Both bills were to effect the buyout plan.

Both bills were introduced late in the session. They did not get through the various legislative committees prior to the end of the 16th session, and they then died.

When the 17th session started in 1991 H-B 83 and S-B 148 were introduced H-B 83 made its way through committees and was approved by the State House of representatives.

S-B 148 did not get acted on - Senate C.S. for H-B 83 was introduced by the Senate Labor and Commerce Committee. This bill did not reach the Senate floor for action, and remained in the Senate resources committee.

The second half of the 17th session will start in January 1992. As I understand the procedure, the Senate resources committee has the present bill before it.

Included in the Bill is \$2,000,000 to buy the remaining CIRI subsurface. I do not know how many acres of subsurface CIRI has remaining in the Park. Previously CIRI and the State made a trade for about 1/3 of CIRI's holdings for some of the Kenai Gas field.

As the State legislators and Governor address this issue again, we need to look at the options available.

IS THE BUYOUT A GOOD DEAL FOR THE PARTIES ?

(A) It is good for the State because the State will have the Kachemak Bay State Park whole again, instead of two parcels separated by private lands. The China Foot sport and dip net Fishery will be able to continue. The Wosnesenski River Fishery will be totally on State land.

The future of Kachemak Bay as a reachable recreation area for all Alaskans will be assured. The SNA land at 3 miles distance is the closest land to Homer Spit.

The State will acquire \$22,700,000 of SNA land for \$15,490,000. The State will acquire the TTC Timber valued at \$6.4 million for \$4,510,000.

I cannot speak about subsurface values. They are owned by the Cook Inlet Region Inc. which did make one trade with the State.

(B) Is the deal good for T.T.C.? They are in the business of buying standing timber, cutting it and marketing logs. This is why they bought the SNA trees.

TTC prides itself on being a logging company that is sensitive to logging without damaging the environment as much as possible. They recognize the timber stand is in a park area, and highly visible.

They have stated a willingness to sell the Timber to the State for \$4,510,000 but at the same time, they are actively pursuing the necessary permits to begin harvesting.

(C) Is the deal good for SNA ? SNA is an ANCSA Native Corporation with a 69,000 acre land entitlement in the Seldovia area. It's main land activities are homesite and recreation leases. SNA does not offer its land for sale.

SNA agreed to sell this land to the State when the land for land trade did not work out. This land sale agreement is to the State only. The terms of 68 cents for each dollar of value is not available to any others.

After all the years spent trying to accomplish and finalize a mutually satisfactory deal, I would say the buyout plan is good for SNA.

SNA has worked very hard at being a good corporate citizen. Finalizing the plan to restore this land to State ownership would be another demonstration of our efforts.

IF THE STATE DOES NOT COMPLETE THE PROPOSED BUYOUT, WHERE ARE WE ?

Most likely the Legislative session will be over and any bills not acted on will die.

People and groups that lobbied for the buyout will be disappointed. Some may file lawsuits or try to interfere with the logging when it starts.

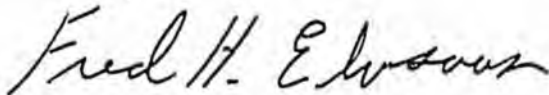
SNA will offer three additional sections (1920 acres) of timber in the China Poot Bay area for sale. These three sections were not part of the initial timber sale.

TTC will begin timber cutting, road and camp construction.

SNA has an obligation to TTC that it must honor, and it will, although this may put SNA in an adverse position with the conservation groups.

SNA feels the proposed buyout is best for all concerned and we support the concept.

Sincerely,



Fred H. Elvsaas President
Seldovia Native Association, Inc.

STATEMENT OF INTENT

WHEREAS, the Seldovia Native Association (SNA), Timber Trading Company (TTC), and Cook Inlet Region, Inc. (CIRI), collectively referred to as "the Parties," own certain property and timber rights within the Kachemak Bay State Park (KBSP); and

WHEREAS, during its 1991 session the Alaska Legislature proposed legislation authorizing the State of Alaska to purchase all property and timber rights of the Parties within the KBSP for a total purchase price of twenty two million dollars (\$22,000,000).

NOW THEREFORE, the Parties agree that they will sell their collective property rights within the KBSP to the State of Alaska subject to the following terms and conditions:

1. The Legislature approves a \$22,000,000 1992 appropriation for the purchase of the property and timber rights of the Parties within the KBSP;
2. The Governor does not veto the appropriation;
3. The Boards of Directors of the Parties approve the subsequent purchase agreement presented to the Parties by the Alaska Department of Natural Resources and receive the appropriated funds; and
4. Purchase is completed by July 1, 1992.

Nothing in this Statement of Intent shall restrict TTC's ability to pursue permits necessary for timber harvest operations; provided, however, TTC shall not commence timber harvest operations until such time as this Statement of Intent has expired.

AGREED TO THIS 14 DAY OF FEBRUARY, 1992.

Seldovia Native Corporation

Timber Trading Company

By: Fred H. E. [Signature]

By: [Signature]

Its: President

Its: [Signature]

Cook Inlet Region, Inc.

By: [Signature]
Its: Sacior, Vice President

RECEIVED FEB 27 1992

11001 Hideaway Trail
Anchorage, AK 99516
February 25, 1992

Mr. Cliff Davidson
State Capitol Rm. 108
Juneau, AK 99801

Dear Mr, Davidson:

On a recent trip to Homer we were shown the vast area across Kachemak Bay that is currently scheduled for clear-cut logging. Having seen the results of this kind of logging in certain areas of Washington State, and having been Alaskan residents for thirty-three years, we find it difficult to believe that Alaska does not have laws already in place to prevent such an operation here. Besides destroying one of the most beautiful areas of our state, the clear cutting of timber would impact dozens of bird species which nest there, including bald eagles. The animals of this forest would also be harmed. One of the worst ecological disasters would result in future years as tons of soil would wash off these steep slopes into the clear waters of the various bays which are now very productive in terms of salmon, halibut, and a variety of shellfish. A beautiful recreation area would be devastated.

The kind of logging proposed is the very worst kind for the environment. A proposed slide for the logs into Peterson Bay would fill the area with floating bark, sawdust and soil.

One financial consideration is the loss of taxes from the owners of private land in the logging area as this recreation land becomes worthless due to the noise and crowding caused by the logging operation itself as well as the ruination of the view and the loss of the recreational value of the area.

Please try to preserve this area by voting for the state to buy back these timber rights. Please do not let Alaska become a horrible example to be used in other states to fight this kind of environmental abuse.

Thank you,

Jack Sprague
Jack and Jeanne Sprague

Jeanne Sprague

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE DAVIDSON

NAME: SUSAN REILLY
TITLE:
ADDRESS: 1833 CINDYLEE LANE
CITY: ANCHORAGE
PHONE: 562-1024
ZIP: 99507
BILL NO:
SUBJECT: KACHEMAK BAY BUY BACK
MESSAGE: KACHEMAK BAY IS A JEWEL IN OUR CROWN. AS A FREQUENT VISITOR TO THE SOUTH SIDE OF THE BAY I APPRECIATE THE WILDERNESS EXPERIENCE OFFERED TO FAMILIES WITH LIMITED TRAVEL BUDGETS. MY FAMILY'S VACATION DOLLARS ARE SPENT IN ALASKA ON KACHEMAK BAY. WE SUPPORT THE BUY BACK OF TIMBER AND MINERAL RIGHTS. /JSM

POHID: 03132338
DATE: 92/02/27
TIME: 13:23:38
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COPIES: REPRESENTATIVES SENATORS

BAKER	COLLINS
PARNELL	STURGULEWSKI
CARNEY	
FINKELSTEIN	
HUDSON	
IVAN	
LEMAN	
LINCOLN	
MOYER	
ZAWACKI	
DONLEY	
ELLIS	
GRUENBERG	
GRUSSENDORF	
MARTIN	
TAYLOR	

HOUSE BILL 411

*CORRESPONDENCE
&
PROPOSALS*

*HABITAT
ACQUISITION:*

COOK INLET



Cook Inlet Seiners Association

P.O. Box 4311
Homer, Alaska 99603
235-2656

Memo

Date: February 10, 1992

To: Theo Matthews

From: Chris Moss & Ken Castner

Subject: HB 411 and Other Restoration Funds

Post-It™ brand fax transmittal memo 7671		# of pages > 2
To Jay Nelson	From Pam Brodie	
Co. House Resources	Co. Sierra Club	
Dept.	Phone # 276-4048	
Fax # 465-3444	Fax # 258-6807	

Cook Inlet Seiners Association has the following projects and requests for funding for restoration of fisheries resources impacted or lost due to the oil spill of 1989 caused by the wreck of the *Exxon Valdez*.

1) We generally support the concept of acquisition of uplands habitat as a way of mitigating future adverse impacts to fisheries. This is, in a sense, a proactive "restoration", a prevention of loss before it occurs. In lower Cook Inlet there are few areas that make any sense on a fisheries protection rational.

2) If lands are purchased, we would insist that the land managers allow uplands fish enhancement projects. We are currently prevented from doing any stocking or lake fertilization work on lands in the Kenai Fjords National Monument, Katmai National Park, Lake Clark National Park and the federal moose range. It would be ironic to allow the acquisition of lands that, by some management scheme, preclude the ability to mitigate impacts of the spill.

3) We would like the state, through HB 411, to purchase lands near the mouth of the Rocky River, located on the outer coast of the Kenai Peninsula. The site should be large enough to provide for a hatchery and airstrip. We also would like to have the state acquire a conservation (strict water quality and flow reservation) easement for the Rocky River watershed.

4) We would like a provision inserted in HB 411 allowing the Department of Natural Resources to lease not more than two acres (one location) in the Kachemak Bay Wilderness Park for the storage and support of restoration

programs in Port Dick. The programs would be supported by the Rocky Bay hatchery facility.

5) We would like HB 411 to also provide funds to do a sockeye program in outer Resurrection Bay (Thumb Cove).

6) The estimated costs (HB 411) for the land acquisition and the sockeye program will not exceed three million dollars.

7) We will ask Senator Stevens to help us with the funds needed for the hatchery construction, and the Trustees for the operating funds for the time necessary needed to fulfill the restoration mandate. It would be a combined facility for finfish and shellfish to do mitigation for both fishery and subsistence losses.

We have considered other projects, such as Paint River stocking, but feel very strongly that the money be spent in the area that sustained the most damage from the oil spill. There is no debate that Port Dick, Rocky Bay, and Windy Bay were among the most heavily impacted habitats. While Rocky Bay and Windy Bay, and most of the other private land on the outer coast, have already been logged off, we still see real benefit in the land acquisition.

Please call if you have any questions concerning this proposal.

BEAR CREEK WEIR PROJECT

In the summer of 1989, oil spilled by the Exxon Valdez flowed out of Prince William Sound impacting the Kenai Peninsula coast all along the Gulf of Alaska. The spill damaged a variety of resources utilized by the resident and visitor populations of Seward.

Background

Bear Lake is located about 5 miles north of Seward, Alaska (Figure 1). The Alaska Department of Fish and Game (ADF&G) initiated a coho salmon enhancement program in Bear Lake in 1962. Since that time Bear Lake has been the centerpiece of the coho salmon enhancement program in Resurrection Bay. Annual releases of coho fingerling in Bear Lake and coho smolt in Seward Lagoon have made Resurrection Bay the second largest sport fishery for coho salmon in the State (Vincent-Lang et al. 1988).

Initially Bear Lake was treated with a fish poison in an effort to eliminate sockeye and stickleback populations which were thought, at that time, to compete for food with young coho salmon. A weir was constructed at the lake outlet to allow for enumeration of migrating salmon and to prevent recolonization of the lake by stickleback. Despite massive efforts, sockeye salmon were never eliminated from the system; eventually it became policy to each year allow a token number of adults to pass upstream into the lake's spawning grounds. ADF&G applied fertilizer to Bear Lake from 1981 through 1986 in order to increase its carrying capacity for young salmon.

In July of 1988 Cook Inlet Aquaculture Association (CIAA) took over operation of the State's Trail Lakes Hatchery. All coho fingerling stocked into Bear Lake are incubated and reared at Trail Lakes Hatchery.

In December 1988, the Alaska Board of Fisheries modified its Bear Lake Management Plan allowing for re-establishment of a commercially significant sockeye run. It is currently believed that both sockeye and coho smolts can be grown in the lake without effecting each other because they occupy separate rearing areas. Since spawning area in Bear Lake is extremely limited and cannot often furnish proper numbers of fry to maximize production, enhancement of sockeye and coho stocks is to proceed simultaneously. CIAA first collected sockeye salmon eggs for release into Bear Lake during the summer of 1989.

In 1990 CIAA took over responsibility for operating ADF&G's Bear Creek weir. Use of the weir is essential for monitoring and evaluating smolt production from, and adult return to the lake. All coho broodstock utilized for CIAA's fingerling stocking program and ADF&G's Resurrection Bay smolt stocking program are held for ripening in the associated raceway.

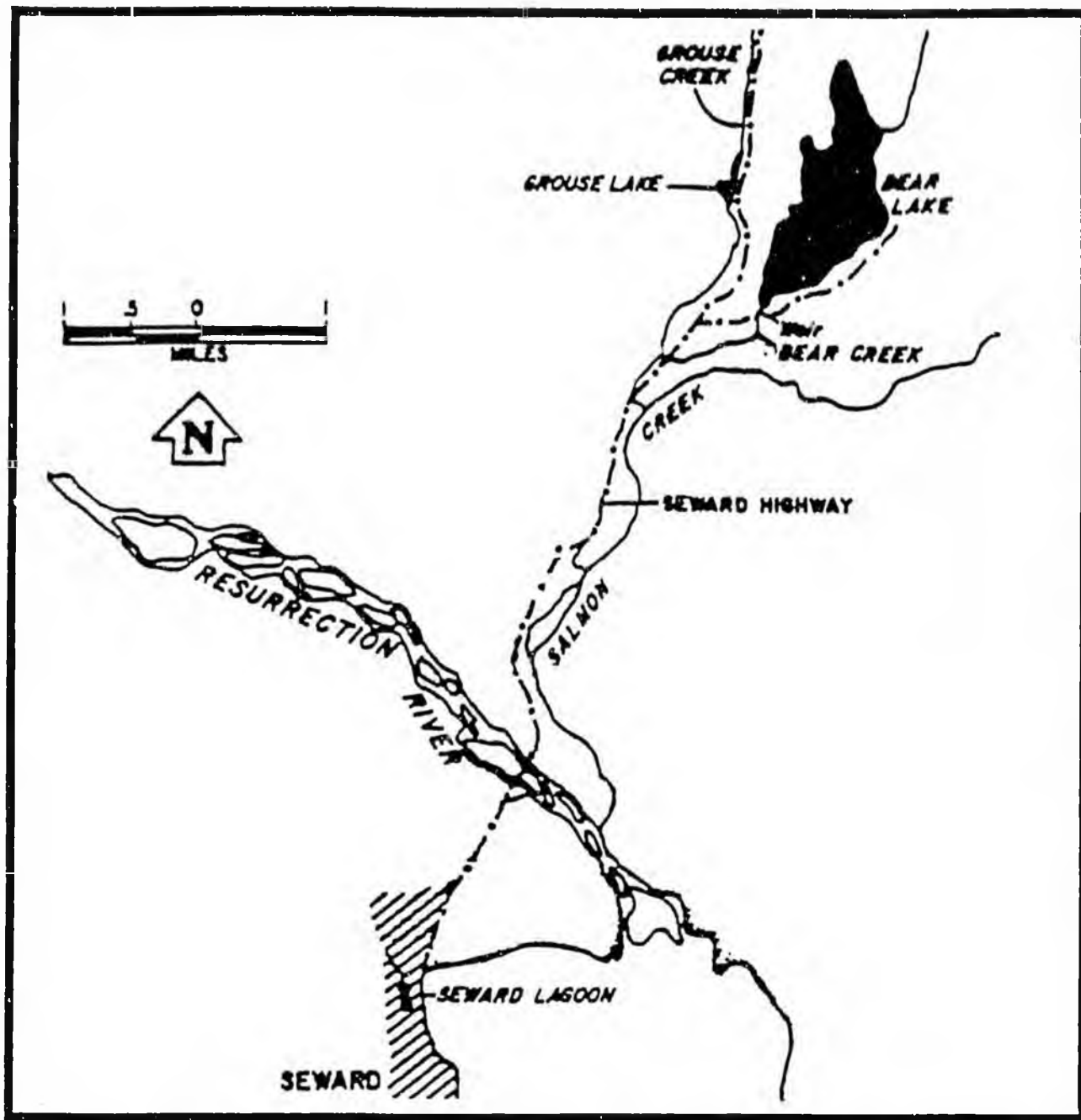


Figure 1. Location of Bear Creek Weir

With continued stocking of coho and sockeye fingerling and resumed fertilizer applications, Bear Lake can be expected to produce about 90,000 coho smolt (Koenings and Petanovitch 1986) and 440,000 sockeye smolt (Koenings and Burkett 1987) which will result in annual returns of more than 6,000 adult coho and, beginning in 1992, returns of up to 90,000 adult sockeye.

Coho are harvested exclusively in the Resurrection Bay sport fishery. Sockeye, worth about \$750,000 annually, will be harvested in a springtime commercial purse seine fishery.

Existing Bear Creek Facilities

The Bear Creek weir site is a State owned, triangularly shaped property of about 0.25 acres. The two long legs of the triangle are comprised of Bear Creek and Bear Creek Road (Figure 2).

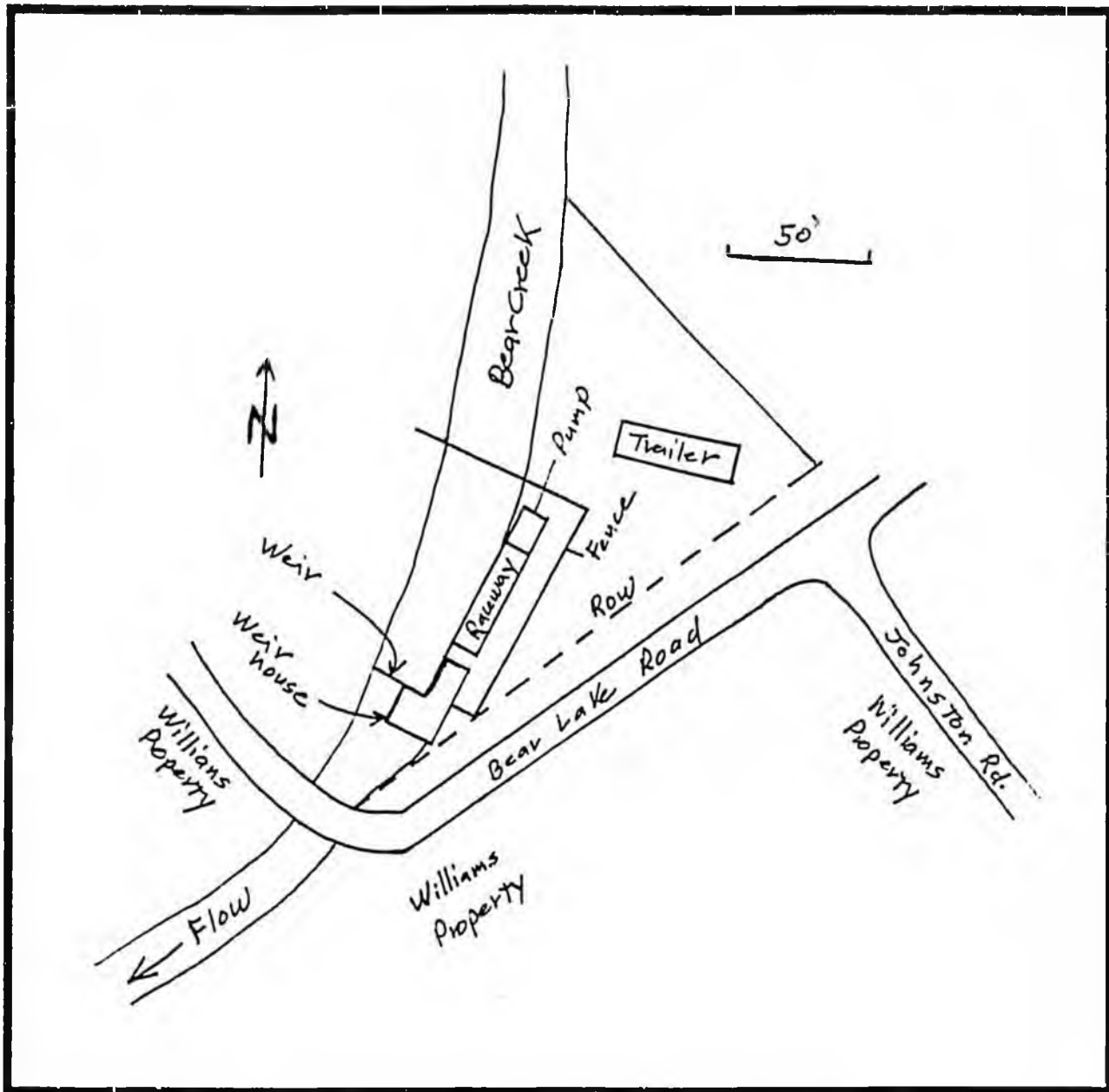


Figure 2. Bear Lake Weir Site.

Facilities were constructed by ADF&G at various times since 1962. The "fish-proof" weir is a low-head dam comprised of concrete piers and wooden gates (dam boards). Facilities for capture of adults and smolts are incorporated into the weir and are enclosed in a heated building.

An associated concrete raceway is used as a release site for hatchery-produced smolts and as a ripening area for coho broodstock. Creek water is pumped to the raceway.

Since commencing operation of the site CIAA has spent at least \$20,000 remodeling the State-owned weir and raceway facilities in order to make them more functional, reliable and in conformance with State electrical and safety codes. Additional major maintenance will be required.

A State-owned 30 ft. house trailer (1971 model) is provided for crew housing. The floor coverings, walls, ceilings, appliances and furnishings are badly worn. A secondary roof was built over the trailer some years ago. Well water is not drinkable. There is no disposal method for gray water. The outhouse is located too close to Bear Creek to be legal. The property is too small and too near the Creek for construction of an approved septic tank and leech field.

Land and Facilities Acquisition

CIAA became aware the parcel of land (Kenai Peninsula Borough Tax Number 125-010-32, hereafter called the Williams property) across Bear Creek Road from the weir site is for sale. The unsurveyed parcel within the N 1/2 of the N.E. 1/4 of Section 13, T1N, R1W consists of 33 wooded acres more or less. A portion of Salmon Creek also crosses the property. The Borough assessment for this property is \$87,400.

CIAA has an option to purchase the Williams property for \$75,000 which expires June 30, 1992. The Williams property uniquely satisfies CIAA's need for additional space within close proximity to the Bear Creek weir site.

The Williams property offers an excellent location for construction of crew housing, indoor shop/storage and outdoor storage facilities. Housing CIAA crew members near the weir is essential any time fish are being held in the raceways and desirable during the remaining work periods. Presence of the crew members nearby insures prompt response in case of electrical or pump failures and minimizes loss of broodstock to poachers.

Construction of significant indoor and outdoor storage on the Williams property would allow CIAA to remove a small and unsightly fenced storage area from the weir site. All of the boats, fork lifts, trucks, pumps, fertilizer barrels, etc. associated with Bear Lake fertilization could be stored on the Williams property.

Removal of the existing house trailer, outhouse and outdoor storage areas from the weir site would allow that space to become available for an additional raceways, visitor parking and an interpretive display. As sockeye salmon returns build additional space near the weir will be necessary for fish handling equipment (totes, icing station, steam cleaning area).

Project Budget

Phase I- purchase the Williams property	\$ 75,000
Phase II- construct facilities	
Crew housing	90,000
Indoor shop/storage (40'x60')	<u>132,000</u>
Total	\$297,000

LITERATURE CITED

- Koenings, J.P. and G. Petanovitch, 1986. Production of coho (O. kisutch) smolts from Alaskan Lakes: the importance of a littoral zone defined by light penetration. Ak. Dep. Fish and Game, F.R.E.D. Division, 27p.
- Koenings, J.P. and R.D. Burkett. 1987. Population characteristics of sockeye salmon smolts relative to temperature regimes, euphotic volume, fry density and forage basin within Alaskan lakes, p. 216-234. In H.D. Smith, L. Margolis and C.C. Wood (ed.) Sockeye salmon (Oncorhynchus nerka) population biology and future management. Can. Spec. Publ. Fish. Aquat. Sci. 96.
- Vincent-Lang, D., D. Bernard and D. N. McBride, 1988. Evaluation of past enhancement of coho, chinook, and sockeye salmon stocks of Bear Lake and Resurrection Bay, Alaska, with recommendations for the future. AK. Dep. Fish and Game, Fishery Manuscript Series No. 6. 46p.

HOUSE BILL 411

*MISCELLANEOUS
CORRESPONDENCE*

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE DAVIDSON

NAME: BECKY LONG
TITLE:
ADDRESS: POB 344
CITY: TALLEHUSSEE ZIP: 99676
PHONE: N/R-
BILL NO: HB 411
SUBJECT: APPROP: EXXON VALDEZ RESTORATION PROJECTS
MESSAGE: & SB 379: I SUPPORT HB 411 AND SB #11. THESE NATURAL RESOURCES AND
HABITATS MUST BE PRESERVED.

POMID: 14134109
DATE: 92/02/07
TIME: 13:41:09
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CARNEY	COTTEN
FINKELSTEIN	ELIASON
HUDSON	FRANK
IVAN	HALFORD
LEHMAN	JONES
LINCOLN	MENARD
HOYER	ZHAROFF
ZAWACKI	

Dear Rep. Davidson,

1/26/92

Thank you for introducing HB 411
to purchase timber rights from the
Exxon Valdez oil spill settlement. Habitat
protection is the best investment and
restoration strategy.

- Mike Benson

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE DAVIDSON

NAME: DONALD E. SHERHOOD
 TITLE:
 ADDRESS: 1640 WINK DRIVE
 CITY: ANCHORAGE ZIP: 99504
 PHONE: 384-2415
 BILL NO: HB 411

SUBJECT: APPROX: EXXON VALDEZ RESTORATION PROJECTS
 MESSAGE: HB 411 MUST ONLY BE USED FOR OIL SPILL RESTORATION IN THE AREAS DIRECTLY AFFECTED BY THE DISASTER. IF THE OIL SPILL FUND HAS SURPLUSES AFTER AREA RESTORATION HAS BEEN COMPLETED, THEN USE IT FOR EDUCATION, SAFETY, TRANSPORTATION AND HEALTH PROJECTS. I DO NOT WANT TO HAVE ENVIRONMENTAL BUYOUT PET PROJECTS WHICH LOCK UP AND LOCK OUT ALASKANS. THIS MONEY WAS TO BE USED FOR OIL SPILL ONLY. /JSM

POHID: 03122937
 DATE: 92/01/24
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BAKER	BARNES	ADAMS
BOYER	BROWN	COLLINS
BRUCHMAN	CARNEY	COTTEN
CHOQUETTE	B. DAVIS	CRAFT
C. DAVIS	DONLEY	DUNCAN
ELLIS	FINKELSTEIN	ELIASON
FOSTER	GONZALES	FISCHER
GRUENBERG	GRUSSENDORF	FRANK
HANLEY	HUDSON	HALFORD
IVAN	JACKO	HOFFMAN
KOPCHEN	KUDINA	JONES
LARSON	LENAN	KERTTULA
LINCOLN	HACKIE	HEHARD
MACLEAN	MARTIN	PEARCE
H. A. MILLER	H. W. MILLER	POURCHOT
MOYER	HAVARRE	RODEY
PARNELL	G. PHILLIPS	SHULTZ
P. PHILLIPS	SHARP	STURGULENSKI
TAYLOR	ULMER	UEHLING
ZAWACKI		ZHAROFF

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE DAVIDSON

NAME: KATHY DUPREY-FORD
 TITLE:
 ADDRESS: SR 1250
 CITY: KODIAK ZIP: 99615
 PHONE: 486-5353
 BILL NO: HB 411

SUBJECT: SB 379 & HD 411
 MESSAGE: I SUPPORT THESE TWO BILLS BECAUSE I BELIEVE THEY ARE IMPORTANT TO THE FUTURE OF ALASKA. ACQUIRING THESE LANDS WILL SUPPORT COMMERCIAL FISHING, TOURISM, SUBSISTENCE AND CULTURAL ACTIVITIES FOR RESIDENCE OF SPILL IMPACTED COMMUNITIES. ACQUIRING INTACT FORESTS AND MARINE ECO SYSTEMS WILL HELP COMMUNITIES LAST FOR GENERATIONS.

POHID: 09091417
 DATE: 92/02/25
 TIME: 08:14:17
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CARNEY	ZHAROFF
FINKELSTEIN	COTTEN
HUDSON	ELIASON
IVAN	FRANK
LENAN	HALFORD
LINCOLN	JONES
MOYER	HEHARD
ZAWACKI	

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE DAVIDSON

NAME: GORDON JONES
TITLE:
ADDRESS: BOX 241262
CITY: ANC ZIP: 99524
PHONE: 272-2668
BILL NO: HB 411
SUBJECT: & SB 379- EXXON VALDEZ SETTLEMENT MONEY
MESSAGE: PLEASE SUPPORT HB 411 AND SB 379. EXXON VALDEZ SETTLEMENT FUNDS SHOULD NOT GO INTO RESEARCH NOR WILL FURTHER BEACH RESTORATION HELP AT THIS TIME. I URGE YOU TO SUPPORT THESE BILLS WHICH WILL SECURE PRIVATE LANDS SLATED FOR LOGGING AND OTHER DEVELOPMENT. /LD

POMID: 03082112
DATE: 92/02/13
TIME: 08:21:12
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	BOYER	BROWN	COLLINS
	BRUCKMAN	CARNEY	COTTEN
	CHOQUETTE	B.DAVIS	CRAFT
	C.DAVIS	DONLEY	DUNCAN
	ELLIS	FINKELSTEIN	ELIASON
	FOSTER	GONZALES	FISCHER
	GRUENBERG	GRUSSENDORF	FRANK
	HANLEY	HUDSON	HALFORD
	IVAN	JACKO	HOFFMAN
	KOPONEN	KUEINA	JONES
	LARSON	LEMAN	KERTTULA
	LINCOLN	MACKIE	MENARD
	MACLEAN	MARTIN	PEARCE
	M.A.MILLER	M.W.MILLER	POURCHOT
	MOYER	NAVARRE	RODEY
	PARNELL	G.FHILLIPS	SHULTZ
	R.PHILLIPS	SHARP	STURGULEWSKI
	TAYLOR	ULMER	UENLING
	ZAWACKI		ZHAROFF



RECEIVED MAR 3 1992

Kodiak State Parks Citizens' Advisory Board

S.R. 3800, Kodiak, Alaska 99615. Phone: 486-6339

February 25, 1992

Senator Fred Zharoff
P.O. Box V, Room 121
Juneau, AK 99811

Dear Fred:

The Kodiak State Parks Citizens' Advisory Board (KSPCAB) requests your support and assistance in acquiring lands and natural resources for public use and benefit with Exxon Valdez settlement payments. Native Joint Venture lands on Afognak Island and Seldovia Native Association inholdings and rights within the Kachemak Bay State Park are of importance this legislative session.

Lands on Afognak Island that are not purchased will probably be logged with potential impacts on water quality, salmon fisheries, and other resources. The placement of these lands and resources into parks or refuges protects and preserves these valuable resources for public benefit and use. The purchase of inholdings and rights (timber and mineral) within the Kachemak Bay State Park will retain high quality park lands for public use and enjoyment. This legislative session is probably that last chance for action to maintain this park in an undeveloped natural state.

The KSPCAB suggest that possibly Exxon Valdez settlement funds could be used to reimburse general fund appropriations for purchase of these park lands in 1992. The outer coast of the Kachemak Bay State Park and some coastal areas of Afognak Island were severely impacted by the 1989 Exxon Oil Spill.

The KSPCAB would appreciate your support and assistance in legislation that will acquire lands and resources for public benefit. We believe that the expenditure of Exxon settlement funds for this purpose will be a wise investment.

Sincerely,

Rogm

Roger Blackett
Chairman, KSPCAB /

Alan Studebaker

James E. Blackburn

Lois Ben Hancock

Mindy Pruitt

Wendy C. Beving

Karen

Keith G. Law

Audrey Fong Lange

Scott Gawelle

cc: Senator Lloyd Jones
Representative Cliff Davidson
Representative Mike Navarre

Michael W. Anderson
Leslie L. Latta



Kachemak Bay Citizens Coalition

P.O. Box 240343
Anchorage, AK 99524
907/276-5477

P.O. Box 15242
Fritz Creek, AK 99803
907/235-2899

March 5, 1992

Testimony regarding HB 411 before the House Resource Committee via
Teleconference.

Hello, my name is Willy Dunne, Co-chair of the Kachemak Bay Citizens Coalition. Also with me today are a number of Coalition members. For those of you who do not know who the Kachemak Bay Citizens Coalition is, we are a group of citizens working with a broad based constituency including Seldovia Native Association, Timber Trading Company, Cook Inlet Region Incorporated, tourism related businesses, commercial fishing interests and others who have been working together since 1988 toward reuniting Kachemak Bay State Park. For the past four years, the Coalition has worked with the legislature towards the appropriation of \$22 million for the purchase of Kachemak Bay State Park inholdings from the willing sellers--Seldovia Native Association, Timber Trading Company, and Cook Inlet Region Incorporated. Last year the State House approved the use of \$22 million of general fund money to be used for this purchase with passage of House Bill 83. Unfortunately House Bill 83 is still awaiting action in the Senate Resource Committee.

Due to the changing budget climate in Juneau, the KBCC realizes that it will be much more difficult to justify the expenditure of that large a sum of General Fund money this year. We therefore strongly support the use of Exxon criminal restitution money for the acquisition of habitat in the spill impacted area. We feel that the inholdings of Kachemak Bay State Park are an appropriate use of this money for a number of reasons.

Kachemak Bay State Wilderness Park was one of the areas most heavily impacted by the Exxon Valdez oil spill. Numerous areas of pristine wilderness there were degraded by oil which fouled the waters,



shorelines, and salmon streams. I personally assisted in the collection of thousands of dead, oiled birds and mammals on the outer coast of Kachemak Bay State Wilderness Park and observed numerous instances of predators and scavenging wildlife feeding on the carcasses of dead oiled animals. The protection of the wildlife habitat contained in the inholdings of Kachemak Bay State Park would replace values lost on the outer coast as well as enhance fish and wildlife habitat and scenic values of the area.

The purchase of these inholdings to be reunited with the state park would also benefit sport and commercial fisheries through the protection of anadromous fish habitat and the opening of access to fishing areas currently off limits to public use. Protection of upland and riparian habitat included in the park inholdings would also enhance and protect the marine and intertidal environments and their accompanying biotic components, many of which provide significant economic benefits.

Reuniting the threatened inholdings of KBSP would also help reverse the damage which was done to the tourism industry, by both the real and perceived impacts of the Exxon Valdez oil spill. The Kenai peninsula supports a thriving tourism industry which will be negatively impacted by the clearcut logging proposed in Kachemak Bay State Park. By purchasing these lands and reinstating them to their original state park status, not only will existing scenic values will be protected, but in addition visitors as well as local residents will be provided with new recreational opportunities.

In concluding, the Kachemak bay Citizens Coalition strongly urges this committee to approve HB 411 which we feel reflects the spirit and intent of the Exxon oil spill criminal settlement--- restoration and replacement of habitat in the oil spill area. We feel that the majority of the criminal restitution money should be spent on habitat acquisition. Not only will this hasten the healing process of the lands damaged by the spill, but will protect the economic base upon which the fishing and tourism industry depends.

Thank you for the opportunity to testify.

Good afternoon Ladies and Gentlemen of The House Resource Committee. My Name is Chuck Totemoff. I am President and C.E.O. of the Chenega Corporation. I will be speaking about some changes we believe are necessary to your proposed legislation.

First, we note that lands we own in Prince William Sound are the subject of Section 4 of HB 411. I have previously testified that Chenega is not interested in selling lands, but we would consider negotiating sales of development rights.

Section 4 uses the word "and" between "land" and "development rights". We believe that the word "or" should be used. See, for example Section 8 of HB 411, regarding Rocky River Timber rights, Section 4, as it reads now, creates an impasse, if you want to seriously pursue purchase of replacement resources in our area.

Second, we are relieved that the latest draft contains language concerning restoration of subsistence resources. However, we propose a new Section 4a, which specifically identifies areas the residents of Chenega Bay rely upon for subsistence resources. We also propose an appropriation of \$ 3 Million from unappropriated funds and from other Sections. The appropriation will be used for restoration of subsistence services by oil removal in areas where oil is still mobile and heavy. We are also requesting an appropriation for cultural stewardship, the ability to protect cultural and archeological sites from looters and pot hunters.

We believe that restoration of subsistence services and amelioration of harm to our sites is mandated by the terms of the restitution payment the State received.

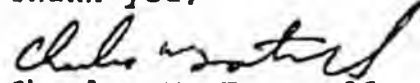
We support the satellite reception appropriation for Chenega Bay. We only request that you use the correct name of our village, Chenega Bay. To us, Chenega is our old village and Chenega Bay is where we now live.

We are concerned about Section 20 of the Bill. Without adequate safeguards, cultural and archeological sites will be exposed to plunder, looting and vandalism. Federal and State laws both recognize the importance of confidentiality with regard to such sites. We are opposed to mapping of sites. We also bring to your attention that, under the settlement agreement we have with the Federal and State Governments our archeological and cultural sites on our lands are private. Assessment and restoration of those sites require our consent. Under Federal and State laws, permits are required before persons can study archeological and cultural sites. We have suggested language to make this clear.

In conclusion, although House Bill 411 recognizes the need to restore subsistence services, it does not address how. We support Chenega Bay I.R.A. Council's inclusion, and the appropriation of funds to restore, at a few sites, subsistence services. We also support an appropriation to protect archeological and cultural sites.

We do not believe sale of land is something we can support. We urge the Legislation to authorize a purchase of development rights.

Thank you,


Charles W. Totemoff

✓



Southeast Alaska Conservation Council

SEACC 419 Sixth Street, Suite 328 Juneau, Alaska 99801 (907) 586-6942

March 18, 1992

Representative Cliff Davidson
Chairman, House Resources Committee
Alaska State Legislature
PO Box V (MS 3100)
Juneau, AK 99811

re: H.B 411 - an Act making appropriations for restoration projects relating to the Exxon Valdez oil spill

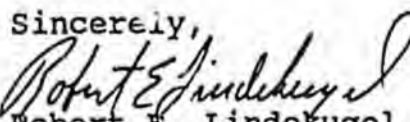
Dear Representative Davidson:

Yesterday, Theresa Svancara testified on behalf of the Southeast Alaska Conservation Council (SEACC) in support of the March 17, 1992 working draft of H.B. 411. As part of her testimony, she shared some results from an ongoing study by the Fish and Wildlife Service with the Committee. This study is important because it establishes the critical nexus between the breeding and feeding habitat provided for eagles in the Cape Suckling parcel and Prince William Sound eagles, which were severely impacted by the oil spill.

At this time we respectfully request that the Committee also consider the Memorandum of Understanding (MOU) entered into by a host of state and federal resource management agencies in 1986. This MOU was intended to facilitate agency cooperation in protecting and managing the diverse fish and wildlife populations and their habitat in the Copper River Delta Fish and Wildlife Management Area. The MOU is attached for your convenience.

As shown in Exhibit 1 (p. 16), the Copper River Delta Fish and Wildlife Management Area includes the Cape Suckling parcel under consideration in Section 5 of H.B. 411. The MOU confirms that both state and federal resource agencies consider the Cape Suckling parcel to be an integral part of the Copper River Delta Fish and Wildlife Management Area and inextricably connected to the Prince William Sound ecosystem.

Thank you for considering this additional information.

Sincerely,

Robert E. Lindekugel

COPPER RIVER DELTA FISH AND WILDLIFE

Memorandum of Understanding

for Cooperative Management of
the Copper River Delta Fish and Wildlife Management Area

between

the U.S. DEPARTMENT OF AGRICULTURE

FOREST SERVICE
ALASKA REGION

and

the U.S. DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT
ANCHORAGE, ALASKA

and

the U.S. DEPARTMENT OF THE INTERIOR

FISH AND WILDLIFE SERVICE
ANCHORAGE, ALASKA

and

the STATE OF ALASKA

DEPARTMENT OF FISH AND GAME
JUNEAU, ALASKA

and

the STATE OF ALASKA

DEPARTMENT OF NATURAL RESOURCES
JUNEAU, ALASKA

THIS MEMORANDUM OF UNDERSTANDING (hereinafter this "MOU") between the U.S. Department of the Interior, Fish and Wildlife Service, hereinafter called the Fish and Wildlife Service (FWS); the U.S. Department of the Interior, Bureau of Land Management, hereinafter called the Bureau of Land Management (BLM); State of Alaska Department of Fish and Game, hereinafter called the Alaska Department of Fish and Game (ADF&G); State of Alaska Department of Natural Resources, hereinafter called the Alaska Department of Natural Resources (ADNR); and the U.S. Department of Agriculture, Forest Service, hereinafter called the Forest Service (FS), combines and supersedes the Copper River Delta Game Management Area Cooperative Agreement dated April 5, 1962, and is consistent with: the Act of June 30, 1914, pertaining to cooperative funds, the provisions of Section 601 of the Economy Act of June 30, 1932, the Master Memorandum of Understanding (MOU) between the FS and the ADF&G (FS #81009) dated July 6, 1981, and Sections 501(b) and 809 of the Alaska National Interest Lands Conservation Act (ANILCA), Public Law 96-487 dated December 2, 1980, the Bering River-Controller Bay Trumpeter Swan Management Area Cooperative Agreement (FS #76007) dated October 19, 1976, the Copper River Delta Critical Habitat Area established in A.S. 16.20.230(11), and the Alaska Coastal Management Act. This MOU applies to the following lands defined herein as the Copper River Delta Fish and Wildlife Management Area (hereinafter "the Area"): lands defined under Section 501(b) of ANILCA, and adjacent lands administered by BLM and State of Alaska lands collectively depicted on the attached map with a written description, inclusive of the Bering River and Controller Bay drainages shall be identified as The Copper River Delta Fish and Wildlife Management Area.

WITNESSETH:

WHEREAS, the FWS is the Federal agency having primary responsibility for the management and protection of migratory birds in the State of Alaska, and

WHEREAS, the BLM, under guidelines for public land administration established by Public Law 94-579, the Federal Land Policy and Management Act, administers land including Native-selected land adjacent to the Chugach National Forest boundary near Mt. Campbell, Upper Oaklee River, and Berg Lakes in the Bering River-Controller Bay drainages, and

WHEREAS, the FS, by authority of the Constitution, laws of Congress, and regulations of the U.S. Department of Agriculture, is the Federal agency responsible for the administration and multiple-use management of the natural resources within the Chugach National Forest, to include management of fish and wildlife habitat, recreation, wilderness, range, minerals, timber, and watershed, and

WHEREAS, the ADF&G has been created under the laws of the State of Alaska to protect, conserve, manage, enhance and rehabilitate the fish and wildlife resources of the State of Alaska, and

WHEREAS, the ADNR has been created under the laws of the State of Alaska to conserve and develop the natural resources, other than fish and wildlife, on land under State jurisdiction in the best interests of the public, and is in the process of developing the Prince William Sound Area Plan for State lands in this area, and

WHEREAS, the Alaska State Legislature has created in A.S. 16.20.230(1), the Copper River Delta State Critical Habitat Area to protect and preserve habitat areas especially crucial to the perpetuation of fish and wildlife, and

WHEREAS, the Prince William Sound Area Plan will be used to establish intent and guidelines for the management of State lands subject to this MOU. This MOU and the Bering River-Controller Bay Trumpeter Swan Management Area Cooperative Agreement (FS #76007) will be re-evaluated upon completion of the Prince William Sound Area Plan, and

WHEREAS, there are private lands interspersed within the boundaries covered by this MOU, and this MOU has no force or effect on private lands, patented lands, or Native lands currently conveyed, or to be conveyed during the term of this agreement, and

WHEREAS, under Section 501(b) of ANILCA, the FS is directed to manage the Copper/Rude River Addition and the Copper River-Bering River portion of the existing Chugach National Forest for the conservation of fish and wildlife and their habitat as the primary purpose, and

WHEREAS, the FS has been directed under Section 501(b) of ANILCA to draft special regulations for adoption by the Secretary of Agriculture for multiple-use management for the Copper/Rude River addition and the Copper River-Bering River portion of the Chugach National Forest consistent with the conservation of fish and wildlife and their habitat, and

WHEREAS, multiple-use activities shall be permitted in a manner consistent with the conservation of fish and wildlife and their habitat as set forth in special regulations adopted by the Secretary of Agriculture, and

WHEREAS, the taking of fish and wildlife shall be permitted pursuant to applicable State and Federal Law, and

WHEREAS, the Area includes wetlands that are essential nesting, rearing, and staging habitat for a distinct subspecies known as the dusky Canada goose which breeds almost exclusively on the west Copper River Delta, and

WHEREAS, the Area also provides nesting and rearing habitat for one of the largest concentrations of trumpeter swans in North America, and

WHEREAS, the Area's diverse habitats support a wide variety of other breeding water birds, and are a very important spring and fall staging area for a large number of migrant shorebirds, Pacific flyway waterfowl, and sandhill cranes, and

WHEREAS, the Area provides breeding and feeding habitats for large concentrations of bald eagles and a variety of other raptors, and

WHEREAS, the Area provides important habitat for moose, mountain goats, brown and black bears, Sitka black-tailed deer, wolves and other furbearers, and a variety of other species of mammals and birds, and

WHEREAS, the Area includes spawning and rearing waters for significant populations of chinook, pink, sockeye, and coho salmon, and supports both resident and anadromous trout, char, whitefish, halibut, and shellfish, and

WHEREAS, the Area currently provides opportunities for hunting, fishing, trapping, and a broad range of outdoor recreational activities, and

WHEREAS, the FS, FWS, BLM, ADF&G and ADNR recognize the increasing need to coordinate resource planning and policy development for the lands, waters and fish and wildlife of the Copper River Delta Fish and Wildlife Management Area, and

WHEREAS, it is the mutual desire of the FS, FWS, BLM, ADF&G, and ADNR, to cooperate in protecting, developing, maintaining and managing the diverse fish and wildlife and their habitat in the Copper River Delta Fish and Wildlife Management Area for the best interest of the public of Alaska and the United States of America.

NOW THEREFORE:

A. THE FISH AND WILDLIFE SERVICE AGREES:

1. To exercise management authority over migratory birds and to enforce appropriate laws and regulations.
2. To conduct periodic surveys of dusky Canada geese and trumpeter swans.
3. To conduct fish and wildlife research in cooperation with all parties to this MOU.
4. To coordinate with and assist all parties in waterfowl management activities.
5. To provide technical assistance to all parties for waterfowl habitat improvement.

B. THE ALASKA DEPARTMENT OF FISH AND GAME AGREES:

1. To exercise State management authority for migratory birds in accordance with appropriate State laws and regulations.
2. To coordinate and cooperate with all parties to this MOU in planning and conducting fish and wildlife management projects.
3. To conduct migratory bird surveys in cooperation with the FWS and the FS.
4. To cooperate with the FS, BLM, FWS, and ADNR in habitat studies and habitat improvement work to maintain and enhance waterfowl and other fish and wildlife populations of the area.

5. To recommend and enforce harvest regulations that are compatible with the maintenance of fish and wildlife populations and their habitat.
6. To conduct fish and wildlife research in cooperation with all parties.
7. To review under A.S. 16.20.250-260 and 5AAC 95 all proposed land use activities on lands administered by the State within the Copper River Delta Critical Habitat Area and authorize only those activities on lands administered by the State which are compatible with the conservation of fish and wildlife resources, habitats, and uses, as described in A.S. 16.20 Of the Alaska Statutes and 5AAC 95 of the Alaska Administrative code.
8. To develop a management plan for the Copper River Delta Critical Habitat Area.
9. To involve all parties to this MCU in the formulation of the management plan for the Copper River Delta Critical Habitat Area.
10. To conduct an active monitoring and enforcement program on lands administered by the State for land use activities authorized under A.S. 16.20.250-.260 and 5AAC 95.

C. THE ALASKA DEPARTMENT OF NATURAL RESOURCES AGREES:

1. To administer State lands within the Copper River Delta Critical Habitat Area consistent with the State legislature's intent for those lands.
2. To manage lands within the area encompassed by the Bering River-Controller Bay Cooperative Agreement consistent with that agreement and consider fish and wildlife values when making permit, lease or other disposal decisions on State lands within the Copper River Delta Fish and Wildlife Management Area.
3. To take appropriate measures consistent with current authority and to develop, where appropriate, additional measures to prevent or mitigate significant damage, disturbance, deterioration, or misuse of waterfowl, fish, or other wildlife and their habitat on the lands administered by the State within the Area through the Prince William Sound area planning process.
4. To assist the ADF&G in monitoring land use activities within the Copper River Delta Critical Habitat Area and report any unauthorized land uses promptly to the ADF&G.
5. To assist the ADF&G during the development of a management plan for the Copper River Delta Critical Habitat Area.

D. THE BUREAU OF LAND MANAGEMENT AGREES:

1. To coordinate with all parties to this agreement in the conduct of wildlife and fish research and in the management and protection of the breeding, resting, and feeding habitat of waterfowl, bald eagles, fish, and other wildlife of the area on lands administered by BLM.
2. To cooperate with all parties to this MOU in fish and wildlife habitat work necessary to maintain or enhance fish, waterfowl, and other wildlife populations of the Area.
3. Upon request, to assist all parties to this MOU in their fish and wildlife management activities to the extent possible.

E. THE FOREST SERVICE AGREES:

1. To manage and protect the breeding habitat, resting and feeding grounds of waterfowl, bald eagles, fish and other wildlife of this Area.
2. To provide leadership in the management of fish and wildlife habitat to maintain or enhance fish and wildlife carrying capacity on lands administered by the FS within the Copper River Delta Fish and Wildlife Management Area.
3. Upon request to assist all parties to this MOU in their wildlife management activities to the extent possible.
4. To coordinate and cooperate with all parties to this MOU when possible in all fish and wildlife research and habitat management activities.
5. To undertake an area analysis of the Copper/Rude River addition and the Copper River-Bering River area to plan multiple-use management activities consistent with the conservation of fish and wildlife and their habitat, and
6. To involve all parties to this MOU in the formulation of draft regulations, Forest plans, management area analyses, and management plans for the Copper River Delta.

F. THE FISH AND WILDLIFE SERVICE, THE BUREAU OF LAND MANAGEMENT, THE ALASKA DEPARTMENT OF FISH AND GAME, THE ALASKA DEPARTMENT OF NATURAL RESOURCES, AND THE FOREST SERVICE MUTUALLY AGREE:

1. That the area identified on the attached map shall be designated as the Copper River Delta Fish and Wildlife Management Area.
2. That Federal lands in the Copper River Delta Fish and Wildlife Management Area and State lands within the Copper River Delta Critical Habitat Area will be managed primarily for the conservation of fish and wildlife and their habitat.

3. That the primary uses, management intent, and management guidelines for State lands outside the Copper River Delta Critical Habitat Area will be determined through the Prince William Sound Area Plan.
4. To acknowledge that multiple use activities shall be permitted on lands administered by the FS on the Copper River Delta Fish and Wildlife Management Area in a manner consistent with the conservation of fish and wildlife and their habitat as set forth in special regulations adopted by the Secretary of Agriculture.
5. To meet annually to discuss the specific management programs each agency plans to implement in the forthcoming 12 months.
6. That all parties to this MOU will cooperate in the development, execution, maintenance, and periodic revision of management plans that incorporate lands, waters, fish and wildlife of the Copper River Delta Fish and Wildlife Management Area.
7. To the extent consistent with and allowed by each party's applicable laws, regulations, and policies, to recognize and support the planning, enforcement, and permit authority of each other party with respect to the lands, waters, fish, and wildlife of the Copper River Delta Fish and Wildlife Management Area.
8. To make no changes or departures from the approved management plans without consultation with the parties to this MOU.
9. To consult with each other when developing policy, regulations or legislation that affects the Copper River Delta Fish and Wildlife Management Area.
10. To develop such cooperative interagency agreements or memoranda of understanding between the parties as may be required to implement the provisions contained herein or as needed to address other operational matters.
11. That each and every provision of this MOU is subject to the laws of the State of Alaska and the laws of the United States.
12. That the parties to this MOU will consult with each other before the issuance of leases for oil or permits for mineral explorations, or other resource development activities consistent with regulations in place at the time of the action.
13. That nothing in this MOU shall be construed as obligating the State of Alaska or the Federal Government in the expenditure of funds or for future payment of money in excess of appropriations authorized by law.
14. That nothing in this MOU shall be construed to enlarge or diminish the authority of the State of Alaska, the Secretary of the Interior, or the Secretary of Agriculture over the management of any lands, waters, interests therein, or management of fish and wildlife and their habitats.

15. That amendments to this MCU may be proposed by any party to this agreement and shall become effective upon written approval by the authorized representative of each party.
16. No member of or Delegate to Congress, or Resident Commissioner, shall be admitted to any share or part of this agreement, or to any benefit that may arise therefrom; but this provision shall not be construed to extend to this agreement if made with a corporation for its general benefit.
- 17 This MCU shall continue in force until terminated by any party upon thirty (30) days notice in writing to the others of their intention to terminate and a date indicated.

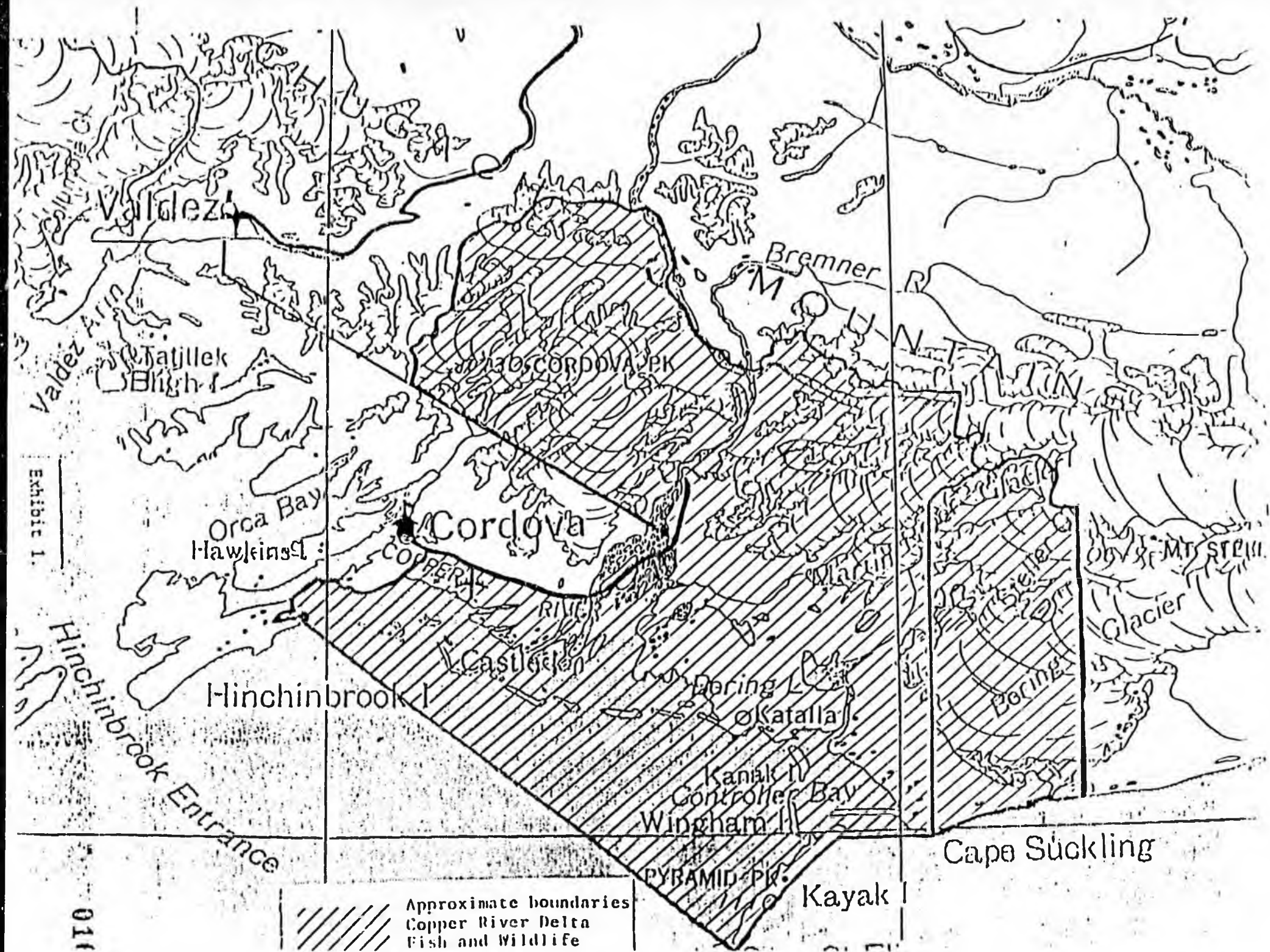



Exhibit 1.


 Approximate boundaries
 Copper River Delta
 Fish and Wildlife

COPPER RIVER DELTA FISH AND WILDLIFE MANAGEMENT AREA
BOUNDARY DESCRIPTION

All public land, tideland, submerged land, and water contained in the following description: Beginning at a point on the south edge of the Copper River Highway right-of-way 200 feet west of its intersection with the Eyak Trail trailhead; thence southwesterly 200 feet west of the Eyak Trail and parallel to it approximately 4 miles to the mean high tide line; thence southwesterly along the mean high tide line to Point Whitshed; thence northwesterly along the mean high tide line to a point of intersection at the west edge of Section 21, T16S, R4W, C.R.M. and the mean high tide line at the mouth of Orca Inlet; thence westerly a distance of approximately 3 miles to the northeast tip of Little Mummy Island; thence southwesterly a distance of approximately 4 miles to the intersection of the south edge of Section 33, T16S, R5W, C.R.M. and the mean high tide line; thence along the mean high tide line on the east portion of Hinchinbrook Island, including Boswell Bay to Point Bentinck; thence approximately south 129 degrees east approximately 66 miles more or less to a point approximately 1/2 mile southeast of Pinnacle Rock adjacent Cape Saint Elias, Kayak Island; thence following the Chugach National Forest boundary to Cape Suckling; thence continuing northwesterly along the mean high tide line approximately 19 miles to a point due south of the west edge of Midtimber Lake; thence north to the boundary of Wrangell-Saint Elias National Park; thence following the Park boundary northwesterly to the left bank of the Copper River at its junction with the Wernicke River; thence following the boundary between the Chugach National Forest and Wrangell-Saint Elias National Park to the confluence of Cleave Creek with the Copper River; thence westerly following the Chugach National Forest boundary and continuing southwesterly to an angled point southeasterly approximately 122 degrees along the former Chugach National Forest boundary approximately 36 miles to a point on the east boundary of the Copper River Highway right-of-way identified as the 39th mile post of the Copper River and Northwestern Railway, established by U.S. Survey 3600 as Lat. 60 degrees, 32 minutes, 02.02 seconds North; Long. 144 degrees, 47 minutes, 20.08 seconds West; thence southwesterly along the south edge of the Copper River Highway right-of-way excluding all areas within the Cordova Airport boundaries, to the point of beginning.

Exhibit 2.

G. In witness whereof, the parties hereto have executed this agreement as of the latest date written below.

STATE OF ALASKA
DEPARTMENT OF NATURAL RESOURCES

Esther C. Wunnicke 10/21/86
for ESTHER C. WUNNICKE Date
Commissioner

STATE OF ALASKA
DEPARTMENT OF FISH AND GAME

Don W. Collinsworth 10.23.86
DON W. COLLINSWORTH Date
Commissioner

U.S. DEPARTMENT OF AGRICULTURE
FOREST SERVICE

Michael A. Barton 10/1/86
for MICHAEL A. BARTON Date
Regional Forester, Alaska Region

U.S. DEPARTMENT OF THE INTERIOR
FISH AND WILDLIFE SERVICE

Robert E. Gilmore
ROBERT E. GILMORE Date
Regional Director, Alaska Region

U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

Michael J. Penfold 11-10-86
MICHAEL J. PENFOLD Date
State Director, Alaska

TO THE ALASKA STATE REPRESENTATIVES;

AS A WASHINGTON STATE RESIDENT I'VE ENJOYED THE LAST TWO SUMMERS SPORT FISHING IN ALASKA. TO READ HOUSE BILL 505 I'M THINKING TWICE ABOUT COMING SPORT FISHING TO ALASKA. IN MY OPINION I FEEL I'M BEING DISCRIMINATED AGAINST. WHY SHOULD I COME TO ALASKA AND FISH FOR THE SAME BAG LIMIT AS WASHINGTON STATE. NOW I'M LOOKING TOWARD CANADA AS A MEANS OF FISHING FOR KING SALMON. MY DAD HAS BEEN TOLD OF MY FISHING TRIPS TO ALASKA AND WANTS TO COME TO ALASKA AS A NON-RESIDENT AND FISH AND EXPERIENCE THE SAME FISHING THAT I HAVE HAD OVER THE LAST TWO SUMMERS. NOW WITH H.B. 505 WHY SHOULD MY DAD COME TO ALASKA AND FISH? I'M ONE VOICE IN MANY NON-RESIDENT SPORT THAT COME TO ALASKA AND FISH BUT I FEEL I CAN TALK FOR ALL WHO COME TO ALASKA AND FISH, FOR KING SALMON, AND SAY WHY SHOULD I GO SPORT FISHING IN ALASKA ANYMORE IF H.B. 505 IS ENACTED? IN AN ARTICLE I READ THEY RELEASED RESULTS OF A 1990 STATE WIDE SPORT FISHING SURVEY SHOWING THAT NON-RESIDENT SPORT FISHERMEN BOUGHT MORE FISHING LICENSES THAN RESIDENT SPORT FISHERMEN. THAT WAS A FIRST FOR ANY STATE IN THE UNION. I SEE WITH ENACTING H.B. 505 YOU WILL CUT DOWN ON THE NUMBER OF NON-RESIDENT FISHERMEN(LIKE ME) WHO ARE BUYING LICENSES AND PUTTING MONEY INTO THE SYSTEM. YOU, I WOULD THINK, SHOULD ASK YOUR SELF DO WE WANT MORE OR LESS MONEY COMING IN FROM NON-RESIDENT FISHING LICENSES? THE STATE OF ALASKA PROMOTES TOURISM TO A GREAT EXPENSE, NOT ALL COME HERE TO SPORT FISH BUT TO CUT OFF THE NON-RESIDENT FISHERMAN IS LIKE CUTTING OFF YOUR OWN FOOT. I CAN STILL LIVE WITHOUT A FOOT BUT IT'S A LOT EASIER WITH TWO FEET. I HOPE TO SE THE STATE REPS. WEIGH ALL THE FACTS AND SEE THAT H.B. 505 NOT BE ENACTED. ONE DAY I HOPE TO BRING MY CHILDREN TO ALASKA AND FISH FOR THAT GREAT KING SALMON.

THANK YOU FOR YOUR TIME.

Mark W. Tuschhoff

MARK W. TUSCHHOFF
BELLEVUE, WA.

F. 01

Stella Callentine
5660 South Tongass Highway
Ketchikan, Alaska 99901
Phone: (907) 247-8780
Fax: (907) 225-7994

March 13, 1992

Representative Cliff Davidson
Alaska State Legislature

RE: HB 505

Dear Representative Davidson:

I was unable to give testimony before the Resources committee last Wednesday, so would appreciate your sharing this statement with other members of the committee.

I am against HB 505 both for myself as a sport fisherman and charter boat operator and for the credibility of our State Government.

Dividing sport fishermen on the basis of utilization of "guide services" is both fallacious and discriminatory. The purpose is ostensibly to give the Board of Fisheries more clearly defined tools to manage a fish resource. However, the resource of "guides" is not fish, but people.

Any effort to divide people into guided or unguided categories discriminates against a wide variety of groups and types of people to include nonresident, resident non boat owners, handicapped, elderly, etc.

The type of "clarification" proposed by HB 505 opens the State of Alaska and its government up considerable adverse and expensive scrutiny in regard to discrimination. It also places considerable power in the hands of the Board of Fisheries (many of whom have personal monetary interests in allocative issues) to place the State of Alaska in a very precarious position.

This position is even more precarious due to the fact that salmon are a migratory resource. For example, 80% of the treaty chinook which are the subject of the latest allocation by the Board of Fisheries originate in Canada, Washington, Oregon, and California. The "ownership" of these fish is not clearly exclusive to the State of Alaska and, therefore, discriminating against non-Alaskans in their utilization is very questionable.

Thank you for your consideration,

Stella Callentine

Mr. Hudson

Members of the House Resource Committee

I've been a resident for 24 yrs. I'm a homemaker and do most of the fishing in our family.

I've just attended three afternoons at the Fisheries Board meetings. I feel there is a lack of organized support for private sportfishermen. I'm here today representing only my family. I urge you to support the bills ~~SB 397~~ and HB 505.

I view the continued expansion of the unregulated charterboat fleet as a threat to the maintenance of the resource and as a loss of equitable sharing of king salmon. Without regulation, the potential for growth in the numbers of charterboat operators is substantial. With increasing emphasis on tourism, guided fishing has become an integral part of the appeal of Southeast. Operating a charter service is an attractive business venture for many, including trollers who find their share of the treaty quota being diminished by the rising catch of the charter fleet.

I believe the dramatic rise in the sport catch rate since 1988, is primarily due to the increased numbers of fish taken by the charter fleet. Personally, I have noticed the fleet in the Juneau area grow substantially in the last few years. In areas like South Shelter, charter boats comprise a generous portion of those fishing.

Since fish in our waters are a publicly-owned resource, it would seem that private harvest of the fish (the right of all user groups) takes precedence over commercial use of the resource. Charterboat operators should be considered separately from private fishermen. Guided fishing is a commercial operation and should be regulated in the same manner as the troller and net fisheries. Application of the daily sportfishing limit alone is an inappropriate method for regulating guided fishing. The daily limit is rendered ineffective because of unlimited access to that industry by both charter boat operators and their clients.

I support the traditional method of regulating sportfishing catch rates through daily limits which are estimated yearly, deducted from the quota, but with the remainder to be divided between the trollers and the charter fleet. If it would result in increased availability of salmon, I think we should return to one fish per day per person for sportfishermen. If catches from charter boats were excluded from sportfishing totals, I think the sportfishing effort would stabilize around levels similar to those in the early 1980's. Any future increase in the sportfishing rate would be moderate and fairly predictable as in the past.

Judy Pella

P.O. Box 210331

Auke Bay, AK 99821

3/15/92 HB 411

Devette Bowen
220 W Alton
Anchorage, AK 99501

To the Honorable
Cliff Davidson,
Chair of House
Resources.

I support the land & timber buyout provisions in HB 411 as a long term investment for the spill impacted communities from Cordova to Kodiak.

These timber & land buyouts have the potential for providing guiding, hunting, fishing & tourism opportunities far into the future - kept intact these areas can add to the long term economic stability of the communities they are near.

I would like to ~~support~~ emphasize my support of ^{the} Cape Suckling ^{near} Cordova as ~~an important~~ a replacement resource area. The legislature formally recognized the importance & value of this area 2 years ago when it created the Yakataga State Game Refuge & directed ENR & the University to ~~begin~~ negotiate repurchase of the University rights. Thank you all

Thank you to the Committee members
that supported that effort then & hopefully
we can move forward to finishing the
job through this legislation.

I also support the Education appropriation
and would urge the Committee to
consider setting up an endowment &
grant committee structure to avoid
a piecemeal approach and address
continuing education needs over time.

CHENEGA CORPORATION

Post Office Box 8060
Chenega Bay, Alaska 99574-8060
(907) 573-5118

M E M O R A N D U M

TO: State of Alaska, House Resource Committee Members

FROM: Charles W. Totemoff

DATE: March 6, 1992

RE: House Bill 411

Thank you Mr. Chairman, my name is Chuck Totemoff, the President and C.E.O. of the Chenega Corporation, which is the local ANCSA Corporation for the Village of Chenega Bay. Chenega Corporation believes that a portion of the criminal fine money from Exxon should be used for restoration of subsistence services. Subsistence activities are diminished at oiled sites. Chenega Corporation's lands continue to be oiled. Chenega residents' subsistence activities continue to be reduced. Representative Davidson's bill should include an appropriation for restoration of subsistence activities at sites used by residents of Chenega Bay.

Such restoration activities would include removal of oil from the sites selected, and removal of oily waste to toxic waste sites or other storage areas. It is our estimate that such restoration of subsistence resources would amount to approximately \$ 1.5 million.

The criminal fine should also be used, in part, for cultural site stewardship, including protection of the sites from pot hunters.

Other proposed uses of the criminal fine money have included the purchase of private timber rights. Chenega is extremely wary of such proposals, which could involve the purchase of private fee simple lands. We have waited a long time for title to our lands and resources. Our policy is no sale of land.

We believe that the restoration of resources injured by the spill and the protection of such sites also harmed by the spill are meaningful ways to utilize the criminal fine money. Although we are not interested in selling our land we are not foreclosed to the idea of nondevelopment easements in certain areas. If we get subsistence resources restored we also want to make sure our resources would continue to be available. Thank you Mr. Chairman.



CORDOVA DISTRICT FISHERMEN UNITED

P.O. Box 939

Cordova, Alaska 99574

Phone (907) 424-3447 Fax (907) 424-3430

Position Paper

HB 411

Cordova District Fishermen United supports the intent of HB 411. CDFU also urges the legislature to give primary consideration to using the criminal settlement monies for preserving critical habitat areas such as the Cape Suckling tract and easements along anadromous fish streams as opposed to funding blanket timber buy-backs. We also support the proposal to purchase timber development rights for the areas around Eyak Lake and Nelson, Sheep and Simpson Bays in Prince William Sound. This proposal would establish a three-year moratorium on timber harvesting activities in these areas which would allow time to identify, evaluate and prioritize critical habitat areas for later timber buy-backs.

Resource restoration and enhancement issues should be more fully addressed in HB 411. CDFU supports the funding of specific restoration and enhancement projects such as rehabilitating the Coghill Lake sockeye run, continuing existing pink salmon tagging programs or completing the cleanup of garbage on Prince William Sound beaches left over from the Exxon Valdez oil spill.

KENAI RIVER HABITAT RESTORATION AND PROTECTION

March 4, 1992

Kenai River Habitat

A review of the technical literature indicates, even prior to the Exxon Valdez spill, that loss of riparian vegetation and wetlands and an increased potential for erosion and flood damage through development within the floodplain threaten the productivity of the Kenai River ecosystem. With its unusually abundant runs of early and late chinook, coho and sockeye salmon, the Kenai River is of primary importance to recreational fishing interests. The Kenai River enjoys the same status among commercial fishing interests because most of the ex-vessel value of the Upper Cook Inlet commercial salmon fishery is provided by harvest of late-run sockeye salmon returning to the Kenai River.

Oil spilled from the Exxon Valdez required fishery managers to close the drift gill net commercial fishery which operates in the offshore waters of Upper Cook Inlet. Closure of the drift gill net fishery resulted in substantial over-escapement of sockeye salmon in the Kenai River. Negative impacts associated with the over-escapement include:

- * devegetation of river banks due to trampling by recreational fishermen attracted to the massive numbers of sockeye passing upstream;
- * long-term damage to productivity of sockeye salmon nursery lakes due to over-population by emergent fry.

CIAA Proposal

Cook Inlet Aquaculture Association (CIAA) proposes to utilize \$2,250,000 of oil spill restoration funds to create and endow a long-term program to restore and protect aquatic, wetland and riparian (near water) habitats throughout the Kenai River watershed.

The program would involve both restoration of stream bank habitats damaged or further damaged as a result of the oil spill and acquisition of development rights for stream bank and wetland habitats equivalent in value to those damaged as a result of the oil spill.

The primary habitat protection effort, designed to encourage participation of private landowners, would be modelled after The Nature Conservancy's highly successful "registry" and "conservation easement" program. Emphasis would be on the education of and personal contact with landowners which leads to permanent and legally binding acquisition of development rights ("conservation easements") via donation. Purchase of easements for especially sensitive properties would also be considered.

Kenai River Habitat Restoration and Protection

March 4, 1992

Page 2

Conservation easements would stipulate wetland or riparian habitats on a particular piece of property be maintained in their natural state. Conservation easements would be sought to protect habitats utilized by salmon throughout the watershed; e.g. sockeye and coho salmon spawning areas in small streams tributary to Kenai Lake, sockeye salmon spawning areas in the mainstem between Kenai and Skilak Lakes, and chinook salmon spawning and rearing areas between Skilak Lake and Cook Inlet.

Restoration efforts would focus on revegetation, rather than armoring, of river banks. Restoration efforts would target primarily public lands. The City of Soldotna is currently seeking funding for a revegetation demonstration project at one of its parks. There are multitudes of sites scattered along the entire length of the Kenai River which, if revegetated, would increase spawning and rearing habitat value for all species of salmon.

CIAA is a private nonprofit corporation "which exists to: (1) protect self-perpetuating salmon stocks and the habitats upon which they depend; (2) rehabilitate self-perpetuating salmon stocks; (3) rehabilitate salmon habitat; (4) maximize the value of the Cook Inlet (Area H) common property resource by applying science and enhancement technology to supplement the value attained from protection and rehabilitation of self-perpetuating stocks" (CIAA Mission Statement).


CIAA would maintain any funds received for the Kenai River Habitat Protection Project in a dedicated and regularly audited account totally separate from other CIAA accounts.

To: House Resources Committee and District 5 Legislators:

As a commercial fisherman I strongly support House Bill 411 and its proposed provisions for timber buyback in Kachemak Bay, Cape Suckling, Prince William Sound and Kodiak. A majority of the money in this bill should be allocated to these timber purchases (including 11 million dollars for Kachemak Bay) It is the most even handed way to spread the advantages of this money around the fleet and around the region.

I also support the inclusion of 6 million dollars for research on affected species that have "fallen through the cracks" of the Trustees funding. Primary among these is the killer whale monitoring in Prince William Sound which has determined damages to these whales. This is a long term project begun in 1983 that relies on identification of each individual whale and must be continued each year to be most effective. The State has supported this work in the past when other funding was absent.

Sincerely, -


Craig O. Matkin
Box 15244
Homer, Alaska 99603

KODIAK REGIONAL AQUACULTURE ASSOCIATION

BOX 3407 KODIAK, ALASKA 99615

(907) 488-6555



March 5, 1992

Representative Cliff Davidson
Alaska State Legislature, House Dist. 27
Box v
Juneau, AK 99811

Dear Cliff:

In reference to the legislation you have introduced this session which deals with appropriations for restoration projects relating to the Exxon Valdez Oil Spill, namely HB 411, the Kodiak Regional Aquaculture Association (KRAA) strongly supports the provisions of that bill.

Our association has often expressed support of habitat protection efforts, especially for those where both natural and artificial salmon populations are critically associated with that habitat. Of special appeal to KRAA is that portion of HB 411 which would provide an appropriation for the acquisition of portions of Afognak Island from 'willing sellers of land surrounding the Paul's Lake and Malina Lake systems.' Since the mission of our association is to help stabilize salmon production in the Kodiak area for the benefit of all user groups, we are very cognizant of how extremely important the retention of pristine habitat is for successful and sustainable fish production. The provisions of HB 411 which would provide for such habitat preservation through acquisition represent a tangible legacy which will benefit all users of Kodiak salmon resources. These provisions also represent a very positive initiative towards ameliorating the adverse impacts to salmon habitat associated with the 1989 Exxon Valdez oil spill.

Our association has recognized that the Paul's and Malina Lake systems are major salmon producers on Afognak Island. Each system supports significant sockeye and coho populations and Malina has a very productive pink salmon population. Each system experiences heavy use by all of our area's fisheries groups, namely subsistence, commercial, recreational sport and commercial sportfish operators. This level of use is further magnified by the heavy use of hunters, photographers, kayakers, etc.

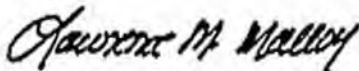
Recently, concern has been developing regarding the currently diminished stock status of sockeye salmon populations in each of these systems. Consequently, KRAA, in conjunction with the Department of Fish and Game, has targeted sockeye rehabilitation efforts on these two systems whereby 1992 represents the fourth year of at least a nine year rebuilding program for these two sockeye stocks. KRAA's funding of these efforts reflects the recognition and importance that Kodiak's commercial salmon fishermen attach to these two systems. HB 411 compliments that recognition by identifying habitat which we feel is necessary for achieving maximum salmon production from these systems. Again, KRAA strongly supports the proposed appropriations for habitat acquisition identified in this bill.

Rep. Cliff Davidson

Page 2

Another portion of HB 411 which appeals to KRAA, and hopefully to all fisheries resource users who appreciate the importance and significance of environmental and resource monitoring in developing base line data, is Section 5 of the bill which would appropriate funding to the Department of Fish and Game for such activities. Our recommendations center on ADF&G's proposed acquisition in the Kodiak area of relatively small parcels of land associated with existing fish weir and research sites and the hatchery site on Afognak Island. All of these facilities represent the key to preserving the health of our areas heavily sought after salmon resources. These facilities function perfectly and critically as environmental monitoring and research sites. Currently many of these sites have annual leasing arrangement from private land owners. As state budgets trend downward and annual leasing fees increase, several of these sites will be in jeopardy. This would be a quantum leap backward in caretaking these heavily used resources. Since the Kodiak area appears to not have fared that well with the Trustee Council appropriations to proposed restoration and mitigation projects, we would recommend that a significant portion of the funding associated with Section 5 of HB 411 be considered for ADF&G's small parcel land acquisition proposal.

Sincerely,



Lawrence M. Malloy
Executive Director

cc: Senator Fred Zharoff



Alaska State Legislature

Please enter into the record my testimony to the House Resources & DS
 committee name
 committee on HB 411, dated March 5, 1992
 bill/subject

As a commercial fisherperson and user of Prince William Sound and Kachemak Bay, I urge you to pass house Bill 411, providing funds for ~~land~~ habitat acquisition and research on affected species by the Exxon Valdez Oil Spill. In particular I would like to see 11 million dollars go to the buyback of native land ^{with} in Kachemak Bay State Park. I would also like a portion of the research money go toward killer whale monitoring in Prince William Sound. For these longlived animals it is important to continue longterm

Signed: _____
 Testifier OLGA VON ZIEGESAR

Representing (Optional)
PO Box 15244, HOMER, ALASKA
 Address
235 6590

Phone No. _____

research
 Thank you

Clare Pavia
Box 22799
Juneau, AK 99802

March 5, 1992

I support HB411 and the appropriation of approximately 80% of these funds to the acquisition of land + timber rights. Acquisition will help to prevent further damage to the resources that the people + wildlife depend on.

One area of particular interest to me is Cape Suckling. This area is biologically significant with abundant fish and wildlife. People from Alaska use this area to support their livelihood as well as for recreation. The acquisition of Cape Suckling timber rights should be included in HB411.

Clare Pavia



Alaska State Legislature

Please enter into the record my testimony to the House Resources
committee name

committee on HB 411, dated 3-5-92
bill/subject

I would like to go on record as ^{Kodiak} supporting HB 411. As an "onlooker" during the '89 oil spill, and as a family which depends on commercial fishing - I feel that an imperative part of the ecosystem's healing process, is the acquisition of critical habitat which might otherwise be developed. (i.e. Afognak Island). I urge the passing of this bill immediately. Its passing will also serve to mitigate the human concern ^{of our} over-all ~~losses~~ losses in 1989. Furthermore, I feel it is equally important, for people in oil-spill affected regions to decide how money will be spent, regionally.

Thank you -

Signed: Lacey Burns Lacey Burns
Testifier

myself and Kodiak Environmental Network
Representing (Optional)

Box 26 Kodiak
Address

486-5091
Phone No.



Alaska State Legislature

Please enter into the record my testimony to the House Resources
committee name
committee on HB 411, dated March 5, 1992
bill/subject

I wish to record my support of House bill 411. In particular I would like the State of Alaska to buy lands on Afognak Is. offered by the Afognak Joint Venture. These lands have high resource, recreation and scenic values. Fisheries values will likely increase in the future due to activities of the Kodiak Regional Aquaculture Assoc. ^{APES} if the integrity of the watersheds can be maintained. While the Afognak Corporation has been a responsible land manager logging cannot be conducted without some negative effects on fish & game resources. I have fished in the Afognak area for many years and cleaned up oil there in 1989. Ownership of these lands by the state would pay dividends to state residents forever.

Signed:

OLIVER N. HOLM

Testifier

Representing (Optional)

PO Box 3865 Kodiak, AK 99615

Address

907-486-6957

Phone No.



Alaska State Legislature

Please enter into the record my testimony to the House Reserves
committee name
 committee on HB 411 / SB 379, dated 3/5
bill/subject

IN regards to HB 411/SB 379:

I'm a science teacher at Kodiak High School and have been teaching here for twelve years.

I support the acquisition of conservation lands and think this is the best use of the majority of the settlement money because everyone will benefit for the present and future.

I'd also like to see a substantial amount go toward an environmental education endowment to be managed by an organization such as the Alaska Conservation Foundation. This money could be used to develop a first rate marine education curriculum with materials such as video tapes and film strips that would be available to teachers in Alaska for free. This is an opportunity to educate the

Signed: Stacy Studenbaker Stacy Studenbaker
 Testifier

Representing (Optional)
P.O. BOX 970 / Kodiak
 Address
486-16498
 Phone No

entire state about Alaska's marine resources and the impacts of oil spills and other potentially harmful industry on the marine environment and commercial fisheries.

I've talked with other science teachers here in Kodiak, as well as in other areas affected by the oil spill, and there seems to be a consensus that such environmental education is very important and the support materials very much needed.

I have more specific ideas about these materials and would happily serve on an advisory board to develop them, should the money and opportunity arise

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE DAVIDSON

NAME: CALVIN SWEENEY
TITLE:
ADDRESS: P.O. BOX 2499
CITY: KODIAK ZIP: 99615
PHONE: 406-3014

BILL NO:
SUBJECT: HB 411 & SB 379
MESSAGE: THE OIL SPILL RESTORATION MONIES SHOULD NOT BE USED FOR FUTURE SPILL PREVENTION, RESPONSE OR RESEARCH. IT SHOULD BE SPENT FOR PROTECTION OF FISH AND WILDLIFE HABITAT BY PURCHASING LAND DEVELOPMENT RIGHTS FROM PARTIES. SPECIFICALLY LAND SLATED FOR LOGGING ON AFOGHAK ISLAND. THANK YOU FOR YOUR SUPPORT REPRESENTATIVE DAVIDSON / SENATOR ZHAROFF.

POHID: 09161209
DATE: 92/03/05
TIME: 16:12:09
LIONAME: KODIAK LIO

COPIES: REPRESENTATIVES SENATOR

CARNEY
FINKELSTEIN
HUDSON
IVAN
LEMAN
LINCOLN
MOYER
ZAWACKI

ZHAROFF

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE DAVIDSON

NAME: MARK BLAKESLEE/ P.E.
TITLE: CONSULTING ENGINEER
ADDRESS: P.O. BOX 3696
CITY: KODIAK ZIP: 99615
PHONE: 406-8313

BILL NO:
SUBJECT: HB 411 & SB 379
MESSAGE: I SUPPORT THE USE OF SETTLEMENT MONEY TO PURCHASE COASTAL LAND. PRIVATE OWNERS MUST BE COMPENSATED, BUT THE PUBLIC WILL BE BETTER SERVED BY THE PROTECTION OF CERTAIN COASTAL FORESTS.

POHID: 09132318
DATE: 92/03/04
TIME: 13:23:10
LIONAME: KODIAK LIO

COPIES: REPRESENTATIVE SENATORS

NAVARRE
ZHAROFF
JONES

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE DAVIDSON

NAME: CATHY S. GODFREY
 TITLE: HOMER CITY COUNCIL WOMAN
 ADDRESS: 491 E. PIONEER AVE.
 CITY: HOMER ZIP: 99603
 PHONE: 235-5909

BILL NO: HB 411
 SUBJECT: APPROP: EXXON VALDEZ RESTORATION PROJECTS
 MESSAGE: AS A FELLOW ELECTED OFFICIAL I URGE YOU TO SUPPORT THIS BILL. MY
 CONSTITUENCY HAS INDICATED HIGH SUPPORT IN FAVOR OF THIS PROPOSAL. THANKS FOR
 YOUR HARD WORK AND EFFORTS.

POHID: 18090234
 DATE: 92/03/05
 TIME: 09:02:34
 LIONAME: HOMER INFORMATION OFFICE

COPIES: REPRESENTATIVES SENATOR

NAVARRE	FISCHER
G. PHILLIPS	
CARNEY	
FINKELSTEIN	
HUDSON	
IVAN	
LEMAN	
LINCOLN	
MOYER	
ZAWACKI	

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE DAVIDSON

NAME: SUE BETZINA
 TITLE:
 ADDRESS: BOX 69
 CITY: POINT BAKER ZIP: 99927
 PHONE: N/R-

BILL NO:
 SUBJECT: HB 411 & SB 374
 MESSAGE: PLEASE SUPPORT HB 411 AND SB 374. THE \$50 MILLION EXXON VALDEZ
 CRIMINAL PENALTY MONEY WILL, IN A SMALL WAY, HELP RIGHT THE WRONG THAT WAS
 BY THE EXXON COMPANY. THE DNR ILLEGALLY TRANSFERRED TIMBER RIGHTS TO THE
 UNIVERSITY IN 1987 -- ANOTHER WRONG. LET'S USE THIS GUILT MONEY TO BENEFIT
 EVERYONE. SAVE CAPE SUCKLING.

POHID: 12092552
 DATE: 92/03/05
 TIME: 09:25:52
 LIONAME: SITKA LIO

COPIES: REPRESENTATIVES REPRESENTATIVES SENATORS

DAKER	BARNES	ADAMS
BOYER	BROWN	COLLINS
BRUCKMAN	CARNEY	COTTEN
CHOQUETTE	B. DAVIS	CRAFT
C. DAVIS	DONLEY	DUNCAN
ELLIS	FINKELSTEIN	ELIASON
FOSTER	GONZALES	FISCHER
GRUENDERG	GRUSSENDORF	FRANK
HANLEY	HUDSON	HALFORD
IVAN	JACKO	HOFFMAN
KOPONEN	KUBINA	JONES
LARSON	LEMAN	KERTTULA
LINCOLN	MACKIE	MENARD
MACLEAN	MARTIN	PEARCE
H.A. MILLER	H.W. MILLER	POURCHOT
MOYER	NAVARRE	RODEY
PARNELL	G. PHILLIPS	SHULTZ
R. PHILLIPS	SHARP	STURGULEWSKI
TAYLOR	ULMER	UEHLING
ZAWACKI		ZHAROFF

March 5, 1992

Narda Wilson
P.O. Box 3206
Soldotna, AK 99669
(907)262-2687

Representative Cliff Davidson
House Resources Committee
Alaska State Legislature
P.O. Box V
Juneau, AK 99811

Attn: Jay Nelson

Re: HB 411 and the Kachemak Bay State Park Buyback

Dear Representative Davidson and Honorable Committeemembers:

Please included the attached testimony which was given yesterday at the hearing on HB 411 on behalf of the Kachemak Bay Citizens Coalition into your record.

Thank you,
Narda Wilson
Narda Wilson

Post-It™ brand fax transmittal memo 7671 # of pages > 3

To <i>Jay Nelson</i>	From <i>Narda Wilson</i>
Co. <i>House Resources</i>	Co. <i>Kachemak Bay Citizens Co.</i>
Dept.	Phone # <i>262-9659</i>
Fax # <i>465-3444</i>	Fax # <i>262-6090</i>

House Resources Committee Hearing March 5, 1992 - HB 411

Chairman Davidson and Committeemembers:

My name is Narda Wilson, I live in the Soldotna area, and I am here this afternoon to speak on behalf of myself and the Kachemak Bay Citizens Coalition in the Kenai/Soldotna area. I am here to express our support for the passage of HB 411 and particularly the provision it makes for the purchase of lands we are seeking to be brought back into the Kachemak Bay State Park that are owned by the Seldovia Native Association and slated for logging. The Kachemak Bay State Park buyback and its funding were previously addressed last legislative session in HB 83 which is now awaiting hearing before the Senate Resources Committee. HB 411 could help us to gather the momentum we need to pass HB 83.

We believe the acquisition of the Kachemak Bay lands and the other lands outlined in HB 411 is an appropriate expenditure of the Exxon Valdez criminal fine money since the restoration of oil damaged areas may not be entirely feasible. Also the purpose of these funds is to replace and enhance damaged areas as well as to ensure the long term health of resources in the spill affected areas which would include acquisition of land and habitat.

We realize that there are many worthwhile projects competing for scarce funding in these hard economic times, but we also believe that the purchase of these lands, timber rights, and inholdings is an investment in the long-term economic well being of the Kachemak Bay community and in Alaska tourism as well as the health of Alaska's commercial and sport fishing industry. The short-term

profits which could be realized by logging this area fall far short of long term benefits which can be realized by protecting it. This area is one of the most visited areas in southcentral Alaska by Alaskans as well as visitors from the Lower 48 and a vibrant commercial and sport fishing area. Kachemak Bay also provides an enriching educational experience through the Center for Alaska Coastal Studies, the Pratt Museum as well as through many of the local schools. We believe that the rich and diverse ecosystem of Kachemak Bay should be protected from the inevitable disturbance and destruction of habitat and the resulting overall degradation of the area if the proposed logging were allowed to proceed.

We are asking the Committee to make favorable recommendation for the passage of HB 411, and most specifically the lands to be brought back into Kachemak Bay State Park as well as lands in Prince William Sound and Kodiak.

We would like to thank Representative Davidson of Kodiak who sponsored this bill and our local Representative Mike Navarre who not only cosponsored this bill and who has pursued the buyback with a determined spirit. We would also like to thank the committee members for hearing our testimony and for considering this bill.

To: Jay Nelson From: John French (789-4441)

SEC.2/ In order to achieve the purposes of the remedial and compensatory payments, the sum of \$100,000 is appropriated from the remedial and compensatory payments to the University of Alaska to develop a conceptual plan and design for expanded multi-agency fishery technology and research facilities on Near Island, Kodiak, Alaska. The next phase of this facility is to include a gravity fed seawater system, wet and dry marine laboratories and associated systems.

During the *Exxon Valdez* oil spill many fisheries were closed due to the presence of oil in the water and on the beaches. Although major lethal effects on fish were not documented, chronic and sub-lethal effects are difficult to measure. The planning and design funds for the next phase of the multi-agency fishery technology and research would enable the user agencies to (1) initiate research projects on the efficacy of restoration practices, (2) the enhancement of fishery resources in the effected areas, such as king crab, sea urchins, and molluscan shellfish, (3) the enhanced utilization of equivalent fishery resources to those in spill area, such as arrowtooth flounder, and (4) to initiate long term research programs to better understand and ameliorate the effects of oil spills on the fisheries of the western Gulf of Alaska. Seven federal and two State agencies, the University of Alaska, School of Fisheries and Ocean Sciences, Kodiak Island Borough, and the City of Kodiak have all participated in the planning for the multi-agency facility.

The seawater system and associated facilities will be designed to enhance research on fish behavior, physiology and perception, marine biology, and aquatic toxicology of normal and stressed fisheries. Stressed conditions could include other human activities, including fish harvesting, in addition to spilled crude oil. In addition the completed multi-agency fishery technology and research facility will provide a variety of analytical testing and monitoring capabilities within Kodiak Island Borough. These capabilities were severely lacking during the oil spill when all samples had to be sent off-island for analysis.

The first Phase of the University of Alaska, School of Fisheries and Ocean Sciences, Fishery Industrial Technology Center (FITC) has been completed. It is the first building of the proposed multi-agency fishery technology and research facilities. The FITC Owen Building is being used by the University of Alaska and National Marine fisheries Service Utilization Research Division personnel. Co-location of these two groups has resulted in efficient use of facilities and encouraged pooling of expertise to pursue efficient use fishery resources to produce diverse, high quality products, and eliminate waste.

Currently the other agencies interested in co-locating are isolated from each other, the public and the fishing community, and occupy out dated and inadequate facilities. The importance of the fisheries in the western Gulf of Alaska to the State and nation are expanding, and the oil spill emphasized the need for more specific information on these fisheries. Many of the fisheries activities in Kodiak are expanding to meet these needs. The multi-agency fishery technology and research facilities will be necessary to meet the agencies needs and the public's need for better access to information and training in a timely manner.

The City of Kodiak has donated the land for fisheries research facilities on Near Island. The City of Kodiak has committed to using its revenue bonding power to fund construction of portions of these facilities to the extent that lease monies are committed by user groups and agencies, if other funding sources are not available. As one of the users of the expanded facilities the National Marine Fisheries Service has been authorized by congress to lease space on Near Island at an annual lease not to exceed \$1,000,000 per year. Use of remedial and compensatory payments to assure planning and design of the oil spill restoration-related portions of the multi-agency facilities will assure that these critical activities and research needs are accounted for in the next phase and will help assure that construction funds will be secured from other sources.

CITY OF CORDOVA



March 5, 1992

Representative Cliff Davidson
Alaska State Legislature
P.O. Box V (MS 3100)
Juneau, AK 99801

Dear Representative Davidson:

The Cordova City Council has recently voiced its support, in concept, of House Bill 411.

On March 4th, in response to a request, the Council voted to include the City's name as a sponsor of the reception on HB 411 scheduled for March 23rd.

I called your office today and informed your staff of Council's action. The City would appreciate being kept informed of the Bill's status as it moves along.

Thank you in advance for your assistance.

Sincerely,

Lynda Plant
City Clerk

cc: Rick Urion



UCIDA

UNITED COOK INLET DRIFT ASSOCIATION

P.O. Box 389 • Kenai, Alaska 99611 - 0389

(907) 283-3600 • FAX (907) 283-3306

March 6, 1992

Sent by telefax-hard copy to follow

Rep. Cliff Davidson
Chair, House Resources Committee
State Capitol
Juneau, AK 99801-1182

Subject: HB 411

Dear Rep. Davidson,

United Cook Inlet Drift Association (UCIDA) represents the 585 salmon drift permit holders in Upper Cook Inlet. Some 350 permit holders are current members of our association. UCIDA is also active at the state and federal levels as a member of the Executive Committee of United Fishermen of Alaska (UFA).

I would like to outline UCIDA's concerns and recommendations regarding the state "criminal" dollars available for restoration relating to the damages caused by the Exxon Valdez oil spill. I would be happy to discuss these issues in more detail with you or your staff at anytime.

1) We agree with the concept that the funds should be spent in the three oil impacted areas - Prince William Sound, Kodiak, and Cook Inlet.

2) "Cook Inlet" must be defined to include both Upper and Lower Cook Inlet.

3) The Kenai sockeye run could arguably be the fishery resource most impacted by the Exxon Valdez oil spill due to the large overescapement which resulted from the total closure of the drift fishery.

- ADF&G has just recently released test results which would indicated minimal returns to the Kenai in 1994. The parent year for the 1994 return is 1989 - the year of the Exxon Valdez oil spill.

- The Kenai sockeye run is the "backbone" of Upper Cook Inlet commercial fishery upon which fishermen, processors, cannery workers, transporters and local businesses are very dependent.

4) Land acquisitions of "statewide interest" should not be counted, so

For fiscal year 1992 the federal trustees have approved three projects which will help Upper Cook Inlet - FS 27, R53, and R59 - for approximately \$1.5 million. These projects will be needed for 3 years.

11) To accomplish the final goal of the infield application of these new management tools we have identified four needed projects. UCIDA requests \$495,000/year for the 1993 and 1994 salmon seasons to be funded by HB 411. Given the difficulty we experienced with the federal trustees and the need for two more years of federal expenditures at the level of \$1.5 million per year, it is extremely unlikely that any additional federal funds can be realistically expected in the future.

UCIDA is sensitive to concerns that state departments might attempt to "pad" their budgets with "Exxon dollars". The four projects we have identified are not currently in place and have no realistic chance of being added as supplements with state general fund dollars given the current "budget" crisis. The goals of these projects will be to identify the run size and composition as soon as possible and to permit as much harvest as possible consistent with the goal of not over-harvesting Kenai sockeye.

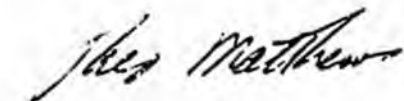
These projects and their annual fiscal notes as currently estimated are:

- Quadrupal test boats on southern boundary of the Central District, \$280,000.
- Apply genetic stock I.D. at southern boundry, \$50,000.
- Analysis of previous year's 4 yr. old component, \$15,000.
- Apply genetic stock I.D. on restricted Eastside fishery, \$150,000.

12) UCIDA proposes that the remaining funds dedicated to Upper Cook Inlet be used to acquire conservation easements, habitat etc. along Kenai river - all users of river will benefit. In order to maximize the benefit to the affected sockeye resource, we would suggest starting at the lake and working "down". Local F&G staff has also identified Quartz and Ptarmigan Creeks has possible sites for the use of these funds.

UCIDA appreciates your efforts on behalf of the oil spill affected areas and damaged resources.

Sincerely,



Theo Matthews
Administrative Assistant

RECEIVED MAR 10 1992

Representative Cliff Davidson
House Resources Committee
Alaska State Legislature
State Capitol
Juneau, Alaska 99801

March 9, 1992

Mr. Chair,

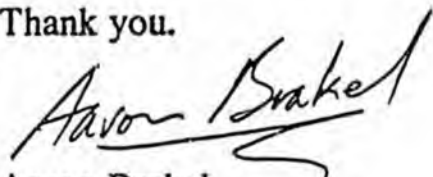
I am writing in support of using HB 411 monies to protect the Suckling Hills and Cape Suckling from deforestation.

Although I have not yet made it to Cape Suckling, I have walked the coast east of there from Icy Cape to the Duktoth River near Yakataga. Most of the area we covered has been deforested. Words are inadequate to express my grief over this loss.

Between the glaciated peaks of the Fairweather Range and the storm swept Gulf of Alaska is a delicate strip of coastal forest stretching from Cape Spencer to Cape Suckling. Spiritually and biologically this forest links two of Alaska's great archipelagos; the inland waterways of Southeast, and Prince William Sound. The lifeline of interchange, this beautiful and wild outside coastal forest, has already been heavily impacted by deforestation practices. From Icy Cape west, past the silty waters of the White River, the forest habitat has been removed. A large barrier of clearcut stands where a vibrant forest once was. Biological interchange between Southeast and Southcentral is threatened by further removal of coastal forest at Cape Suckling.

Please see to it that this invaluable coastal forest is protected.

Thank you.



Aaron Brakel
440 East First Street
Juneau, Alaska 99801
(907) 586-6561

RECEIVED MAR 10 1992



NORTH GULF OCEANIC SOCIETY

P.O. BOX 15244
HOMER, ALASKA 99603
(907) 235-8590

Hon. Rep. Cliff Davidson
Alaska Legislature
Juneau, Alaska 99811

Atten: Jay Nelson

Date: March 5, 1992

Re: Proposal to Continue Long Term Killer Whale Research
in Prince William Sound, Alaska via SB 379

Background:

Since 1983 systematic photoidentification studies have been conducted in the Sound by our group. We have been able to determine changes that have occurred in the highly stable resident killer whale pods, first as a result of interactions with the longline fishery and then as a result of the Exxon Valdez Oil Spill. Support from the State of Alaska via the Alaska Legislature and then Senator Mike Symanskis office was instrumental in providing pre-spill data to assess changes in killer whale pods after the spill. Over the past 3 years the Federal Government has supported this critical work, but funding has now ended (as result of Trustees decision) despite the demonstration of damages. These are whales that are viewed by the tour boats and attract visitors from all areas. The Federal Government does not have the long term view of this work that the State has demonstrated in the past. We are asking that the State provide research monies once again to insure the continuity of the project through 1992. Bringing the project back under the State will improve communication and dissemination information as we have been extremely limited in this regard under the Federal program.

Research

The project involves the yearly photographic identification of each animal in the killer whale pods that use Prince William Sound. It is possible to keep track of births, deaths, and other changes within the killer whale population if the process is completed each year. Graduate projects at the University of Alaska and University of British Columbia have been fostered by this study and examine other aspects of killer whale biology. Recently NGOS has produced catalogues of individual whales (for both humpback and killer whales) that soon will be available to the individuals and the tour boat industry for use in identifying whales.

Budget

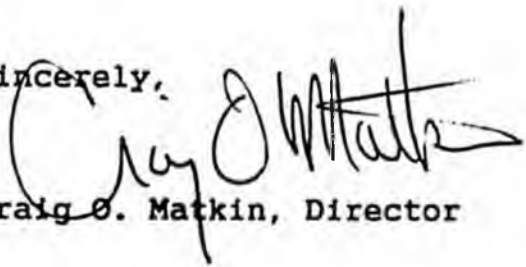
Because of in kind donations, and other support developed by our non-profit research group, the cost to the State for maintaining this project is substantially less than actual cost. Each season NGOS operates a fieldcamp and at least two research vessels and have 6 individuals working part time on the project. The total requested to continue operations in 1992 is \$60,000.

This includes the preparation and completion of the field program, data analysis, and annual report. As was our policy before the oil spill and federal funding, all data files remain open for use by other workers. At this time other users are primarily graduate students.

Breakdown:

Salaries	24,000
Vessel Operations (includes food, fuel, logistic support, etc.)	27,000
Photographic Processing	5,200
Communications, Computer	3,100
Travel	700
	<hr/>
	60,000

Sincerely,


Craig O. Matkin, Director



Alaska Center for the Environment

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

TESTIMONY BEFORE THE HOUSE RESOURCES COMMITTEE REGARDING HB 411

Presented by
Alan Phipps
State Lands Specialist

March 5, 1992

The Alaska Center for the Environment (ACE) wholeheartedly supports HB 411. The involvement of the Alaska legislature in the restoration process through the passage of this legislation is essential to a successful restoration effort under the Exxon Valdez oil spill settlement. The appropriate use of the \$50 million criminal restitution money which this bill addresses is very important to the overall restoration process and therefore to the future of Alaska.

It is unlikely that additional direct human intervention will be able to improve significantly on the natural recovery of the injured populations, species, and habitats of the spill impacted region. Most biologists realistically acknowledge that direct restoration efforts will be virtually impossible, and worse, could even cause further harm if not approached with considerable caution.

Given the limited potential of direct restoration efforts, the most helpful thing that can be done to facilitate recovery of the injured environment is to protect it from further damage.

Therefore, the best way we can invest the settlement money is to acquire threatened coastal forest areas. The most immediate and significant threat to this forest is the present and future clearcutting on several hundred thousand acres of privately owned lands. Several ANCSA corporations, recognizing the value to themselves and their local community of selling land or conservation easements instead of logging, have already come forward and expressed an interest in pursuing a habitat acquisition process.

Acquisition of valuable fish and wildlife habitat and recreation sites on a willing seller basis is very important economically as well. Ecosystems within the spill-impacted region continue to support the economies of local communities. Commercial fishing, sport fishing and hunting, tourism, recreation, and subsistence activities, all rely on intact and pristine coastal forest, freshwater, and marine ecosystems, and have for a long time. These activities can continue to provide the primary economic base for the communities within the region. Acquisition of

coastal forest habitat will protect the biological systems which support these activities now and far into the future, thereby securing a strong and diversified jobs base for the region. .

Moreover, it is important to note that the money initially invested in habitat acquisition will be invested and reinvested in local communities, since the major recipient of the funds spent on habitat acquisition will be the shareholders of local ANCSA corporations. Money spent on scientific studies or building construction, on the other hand, would largely go outside the region, if not outside the state entirely.

This bill wisely invests the criminal restitution money in a variety of acquisition projects throughout the spill impacted region, providing protection for areas immediately threatened and setting the stage for a more comprehensive, long term program of acquisition which the Trustee Council is currently establishing in relation to the larger pool of civil settlement monies.

The Alaska Center for the Environment is very supportive of the regional consensus behind habitat acquisition, and therefore supports HB 411. Thank you for the opportunity to comment on this bill.

RECEIVED MAR 9 1992

March 2, 1992

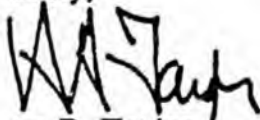
Honorable Cliff Davidson
House of Representatives
State of Alaska
Room 108, Capitol
P.O. Box V
Juneau, Alaska 99811

Dear Congressman Davidson:

As a citizen of Alaska, I strongly oppose your HB411 that proposes to use money from the Exxon Valdez oil spill criminal settlement to purchase lands and timber rights in Prince William Sound.

With the decline in oil revenues, the State of Alaska cannot afford to be buying private property or limiting timber harvest. I am totally amazed at your fiscal irresponsibility in proposing this legislation to appease a select few who want to limit development in Alaska. For the benefit of the majority of Alaskans, why don't you dedicate your efforts to solving the economic problems faced by the State of Alaska. Using the settlement funds to develop infrastructure in the Prince William Sound area would be much more appropriate.

Sincerely,



Steven D. Taylor
10970 Mountain Lake Drive
Anchorage, Alaska 99516

cc: **Senator Eliason**
Senator Jones



Prince William Sound Conservation Alliance

P.O. Box 1697
 Valdez, Alaska 99686
 (907) 835-2799
 Fax (907) 835-5395

— FAX —

Board Members

March 10, 1992

Vince Kelly
 President

Representative Cliff Davidson
 Senator Curt Menard
 Alaska State Legislature
 P.O. Box V (MS 3100)
 Juneau, Alaska 99811

Nancy R. Lethcoe
 Vice-President

RE: LANDS IN PRINCE WILLIAM SOUND FOR CONSIDERATION FOR INCLUSION FOR ACQUISITIONS THROUGH HB411/SB379 FROM PRINCE WILLIAM SOUND CONSERVATION ALLIANCE.

JoAnn Lundfelt
 Secretary/Treasurer

Greetings,

Kim McCarty

Prince William Sound Conservation Alliance wishes to thank you for introducing HB411/SB379. These bills give us the chance to put a positive note to the Exxon Valdez incident and help a wide ranging constituency.

Stan Stephens

In relation to land/habitat acquisitions many worthwhile proposals have been made. Prince William Sound Conservation Alliance supports efforts being made through HB411/SB379 to protect the Eyak Corporation Lands in the areas around Cordova and Eastern Prince William Sound, Chugach Corporation Lands on Montague Island in Prince William Sound, Kachemak Bay State Park, Suckling Hills and Afognak Island from the short sighted resource exploitation of clearcutting. The money from HB411/SB379 can go a long way if we use them as a starting point and continue protection into the future with the Exxon Valdez Civil Settlement money. Areas which are immediately threatened need help now.

Executive Director

David P. Janka

At this time clearcutting has been and is continuing to take place in the Port Fidalgo area of Prince William Sound. Most of the activity is in Two Moon Bay. This land is owned by Tatitlek Corporation, the timber rights are owned by Citifor who has contracted with Browning Logging to do the cutting. The Native ownership in the Port Fidalgo area is mostly Tatitlek Corporation but Chugach Corporation is also a land owner.

Administrative Assistant

Nancy Phelps

The Native Corporation owned land in the Port Fidalgo area, for the most part, completely encompasses Port Fidalgo, the many bays and coves within it and extends west through Tatitlek Narrows, and includes the Is-

lands of Bligh, Busby, and Reef. Land in Valdez Arm, Galena Bay and even across the Arm at Point Freemantle and Heather Bay in the Columbia Glacier area are under the same Corporation ownership which is clearcutting the land in Two Moon Bay. The values for which these forests are treasured are being compromised by Corporate greed. The Native Culture which has relied on an intact ecological system for thousands of years to sustain itself is threatened as are subsistence uses, commercial and sport fisheries, commercial and personal recreation, scenic values, fish and wildlife habitat, aquaculture, mariculture, recovery from the Exxon Valdez oil spill, tourism and water quality. The economic value alone of any one of these interests overshadows the short term, minimum monetary gains and long term impacts from clearcutting.

In 1778 Captain James Cook anchored the *Resolution* in Snug Corner Cove in Port Fidalgo. It is the main area in Prince William Sound for herring spawning. This area comes alive in the spring with a Bait, Roe, and Roe on Kelp Commercial Fishery, along with the eagles, whales, sea lions and other bird and animals returning to the area for the first big feed of the year. This area is rich in wild salmon streams and is being utilized by the Valdez Fisheries Development Association for a remote release site for salmon. Because of these remote releases this area will see an increase in commercial fishing activities. Brown bear and mountain goat have one of their more extensive populations for Prince William Sound in this area. The native village of Tatitlek and the abandoned mining town, now land development of Ellamar are located here.

A person can view the Two Moon Bay clear cut and the now infamous Bligh Reef in a single glance. Some beaches in this area have known oil. The impacts of clearcutting on the sustainable health and diversity of this biologically, economically and culturally rich region are incalculable.


Prince William Sound Conservation Alliance urges you to give this area high standing when considering help through HB411/SB379. Land acquisitions, purchase of development rights, conservation easements and timber rights are actions that would protect these old growth forests.

It has not been clear to us who was to make the contacts or how the contacts were to be made to the Corporations. It is difficult to compete with corporations and large organizations which have access to the money and expertise needed. We hope the facts about the Port Fidalgo area help you with bringing this area on line with the process for protection.

Again we wish to strongly support those areas spoken of earlier and hope the Port Fidalgo area will also be included for consideration.

Thank you and please feel free to contact us if you have any questions or if we can be of any assistance.

Sincerely,


David P. Janka
Executive Director

cc Representative Gene Kubina



Prince William Sound Conservation Alliance

P.O. Box 1697
 Valdez, Alaska 99686
 (907) 835-2799
 Fax (907) 835-5395

----- FAX -----

Board Members

Representative Cliff Davidson
 Senator Curt Menard
 Alaska State Legislature
 P.O. Box V (MS3100)
 Juneau, Alaska 99811

March 9, 1992

Vince Kelly
 President

Nancy R. Lethcoe
 Vice-President

RE: Follow up Information on the Prince William Sound Nature Center and Request for Startup Funding from HB411/SB379

JoAnn Lundfelt
 Secretary/Treasurer

Greetings,

Kim McCarty

Stan Stephens

Executive Director

David P. Janka

Administrative Assistant

Nancy Phelps

The Prince William Sound Conservation Alliance has been coordinating with non-profit, for profit, local, state and federal organizations in order to establish an environmental education center in Valdez. We have been working on this project one way or another for a couple of years now. We have had limited success when it has come to obtaining financial support. At this time there are no facilities to promote environmental awareness or to introduce the visitor to the diversity of natural attractions in Valdez and the surrounding areas of Prince William Sound.

The purpose of the center is to introduce visitors and locals to the natural world of Prince William Sound and demonstrate the connections between our lifestyle and our impact on the environment through the use of educational displays, interaction with a staff naturalist, guided interpretative walks, lectures, and multi-media viewing. Displays will cover topics such as local flora and fauna, marine and wetland ecology, geology, wildlife viewing (the dos and don'ts), recycling, human impacts on the environment such as oil in the marine environment, waste reduction, energy conservation, household wastes, alternative energy sources and marine pollution. A small sales area would have books, maps and relevant items available. Space would also be available for organizations and activities pertinent to the

Prince William Sound region such as the Exxon Valdez Restoration, US Forest Service, Valdez Fisheries Development Association (Local Hatchery) and the Prince William Sound Science Center (Cordova).

The Prince William Sound Community College and the Valdez Fisheries Development Association have granted permission to use the site of an abandoned fish hatchery building located on the Richardson Highway, one mile north of downtown Valdez, at the edge of the Valdez Duck Flats. Liability insurance must be covered by the Conservation Alliance before activities can begin.

The Valdez Duck Flats is a wetland which is host to 95 species of birds which utilize the area for nesting, perching, feeding, migratory stopovers, and winter habitat. A salmon stream runs behind the building. There is also a highway pullout/parking lot, a salmon spawning viewing platform, and a bike and walking path in place at this time. Somewhere in the neighborhood of 50,000 people stop here each year to view the salmon. The bike path would provide alternative access to the center as well as a great place to start natural history walks along the edge of the Duck Flats. The site has potential for setting up hydro, solar, and wind power displays.

Prince William Sound Conservation Alliance requests startup money for this facility from the Exxon Valdez Criminal Settlement Money through HB411/SB379, Section 6, which deals with money for educational purposes.

At this time a two to three year startup budget of \$150,000 would enable us to put together and open a dynamite facility. It would be possible to open this spring with limited displays. This funding would include such things as building repairs and upgrades, administrative costs (not to exceed 15%), liability insurance, salaries for naturalist/volunteer coordinator, display design and setup and equipment purchases. Once the facility was up and running we feel that donations, sales, grants, trained volunteers and possibly some funding from the Exxon Valdez Civil Settlement would enable the Prince William Sound Nature Center to continue on.

Thank you for considering this proposal and especially for introducing these bills. Please feel free to contact us if you have any questions.

Sincerely,



David P. Janka

Executive Director

cc Representative Gene Kubina

VALDEZ FISHERIES DEVELOPMENT ASSOCIATION, INC.

P.O. BOX 125
VALDEZ, ALASKA 99686



Main. 835-4874
AK 835-4831
Secretary 835-5947
AK 835-5951

March 16, 1992

Representative Cliff Davidson
Box V
Juneau, Ak. 99811

Dear Representative Davidson;

Upon reviewing the working draft of House Bill # 411 I have noticed a very severe shortage of attention to the fisheries resources in Prince William Sound. While I have not seen most of the data from the assessment work, I am sure that many serious actual impacts have been documented that would warrant a great deal more attention in this bill. I know this process can not avoid being highly politicized but it seems odd that the most valuable resource in Prince William Sound is being grossly underrated.

Prince William Sound fisheries, particularly salmon, are suffering from many problems many of which are spill related. I would strongly suggest that this imbalance be addressed in this bill to restore the appropriate level of priority to this valuable resource. The fisheries problems with marketing and supply and demand are short term. In a way they are facilitating the necessary steps to the long term health of the industry which is mainly product diversification. Funding a higher level of fisheries projects in Prince William Sound is in my opinion the best use of the criminal settlement funds.

I would urge that you change the amount specified in Section 13 of the working draft of HB 411 to \$10,000,000. instead of \$1,400,000.. These funds would facilitate the following projects:

Early Marine Studies of Salmon with the Cooperative Fisheries and Ocean Studies consortium being the coordinating group.


Post spill fisheries management expansion. The department is grossly under funded in its' task of managing the PWS fishery.

Assessment Summary Project specifically to assemble much of the important spill assessment data collected for presentation to the public which simply requires a signed waiver that none of the information will be used in litigation.

Wild stock enhancement program to rebuild the dwindling wild stocks in PWS.

Please let me know if you need any additional detail on these projects. I have been talking to the fishing groups, ADF&G, and the University of Alaska on these issues and know that there are a lot of us thinking along these lines. Please help us with this very critical situation.

Sincerely,



Paul McCollum
Executive Director

cc: Rep. Navarre
Rep. Gruenberg
Rep. Finkelstein
Rep. Ellis
Rep. Kubina
Dr. Robert T. Cooney
Prince William Sound Salmon Harvest Task Force Members
Mark Willete, A.D.F.&G.
Commissioner Carl Rosier, ADF&G
George Coval, PWS F&G Advisory Committee

RECEIVED MAR 13 1992

APPLIED MARINE SCIENCES, INC.

2155 Las Positas Court, Suite V
Livermore, CA 94550
Telephone No. (510) 373-7142
Facsimile No. (510) 373-7834

March 11, 1992

Representative Plis Davidson
Alaska State Legislature
Juneau, Alaska 99811

Dear Representative Davidson,

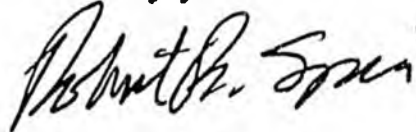
I am writing on behalf of Craig Matkin of the North Gulf Oceanic Society who wishes to have some of the monies from the criminal settlement of the *Exxon Valdez* oil spill for study of killer whales in Prince William Sound in 1992. There were abnormally high mortalities from one particular pod of killer whales (AB pod) between September of 1988 and June 1990--a total of 13 individuals are missing from this pod, many times the rate of expected natural mortality. Some of the missing animals are females, who left calves behind. The social structure of the pod has been disrupted. It may take this pod as long as 10 years to return to its prespill population level. There is some question of the cause(s) of death in this pod, as we do not know of a mechanism that would cause such acute mortality from oil. Also, this pod is the only one with a history of harassing commercial fishing operations and bullet wounds have been documented in some members of the pod. So, heavy damage occurred at the time of the spill, but there are significant uncertainties as to the cause of death of these whales.

The Trustee Council has supported assessment of damage to killer whales for the last three years and will be providing funds to NOAA to finish the damage assessment work in 1992. However, there is no funding allocated for new field work this season. Craig Matkin and his crew have done a wonderful job of tracking and identifying killer whales that frequent Prince William Sound. They now have a continuous data base on this and other pods that goes back into the early 1980s. They can carry out their work this summer for about \$60,000.

If the Alaska State Legislature were to provide funds to the North Gulf Oceanic Society for monitoring killer whales you can assume that work will be well done and performed for a very reasonable cost. As you are doubtlessly aware, killer whales are a very important and visible in

alaskan state waters and these studies will provide valuable information on this species in Prince William Sound.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Robert B. Spies". The signature is written in a cursive style with a large initial "R".

Robert B. Spies
Chief Scientist, *Exxon Valdez*
Spill Studies

Please deliver A.S.A.P.

CHENEGA CORPORATION

POST OFFICE BOX 8060
CHENEGA BAY, ALASKA 99574-9999
TELEPHONE (907) 573-5118 TELECOPIER (907) 573-5135

Thank you

FACSIMILE COVER PAGE

TO: REP. Cliff Davidson DATE: 3-17-92
House Resource Committee TIME: 1:45
telecopier 465-2864
FROM: Charles W. TOTEMOFF
RE: TESTIMONY

We are transmitting (4) pages (including this cover page) with a SHARP FO-033, if you do not receive all pages, please contact _____ at (907) 573-5118 immediately.

--Originals will follow this transmission via Reg. Mail
--Originals will not follow this transmission unless requested.

***** MESSAGE *****

Gail E.

CHENEGA CORPORATION

Post Office Box 8060
Chenega Bay, Alaska 99574-8060
(907) 573-5118

March 13, 1992

Representative Cliff Davidson
House Resource Committee
P.O. Box V, Room 108
Juneau, Alaska 99811

RE: House Bill 411

Dear Representative Davidson:

I am attaching another copy of my testimony given on March 6, 1992 to the House Resource Committee members pertaining to House Bill 411.

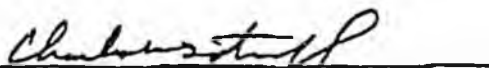
I am also attaching proposed language changes to House Bill 411.

I would like to further discuss this matter with you.

Thank you for the opportunity to give testimony.

Very truly yours,

CHENEGA CORPORATION

By: 
Charles W. Totemoff
President

CWT:cbs (A:bill411.doc)
Attachment:

cc: Representative Eugene Kubina w/encl.
Alaska State House of Representatives
Senator Curt Menard w/encl.
Alaska State Senate
Senator Jay Kerttula w/encl.
Alaska State Senate
Ernest Piper
Alaska Dept. of Environmental of Conservation

CHENEGA CORPORATION

Post Office Box 8060
Chenega Bay, Alaska 99574-8060
(907) 573-5118

M E M O R A N D U M

TO: State of Alaska, House Resource Committee Members

FROM: Charles W. Totemoff

DATE: March 6, 1992

RE: House Bill 411

Thank you Mr. Chairman, my name is Chuck Totemoff, the President and C.E.O. of the Chenega Corporation, which is the local ANCSA Corporation for the Village of Chenega Bay. Chenega Corporation believes that a portion of the criminal fine money from Exxon should be used for restoration of subsistence services. Subsistence activities are diminished at oiled sites. Chenega Corporation's lands continue to be oiled. Chenega residents' subsistence activities continue to be reduced. Representative Davidson's bill should include an appropriation for restoration of subsistence activities at sites used by residents of Chenega Bay.

Such restoration activities would include removal of oil from the sites selected, and removal of oily waste to toxic waste sites or other storage areas. It is our estimate that such restoration of subsistence resources would amount to approximately \$ 1.5 million.

The criminal fine should also be used, in part, for cultural site stewardship, including protection of the sites from pot hunters.

Other proposed uses of the criminal fine money have included the purchase of private timber rights. Chenega is extremely wary of such proposals, which could involve the purchase of private fee simple lands. We have waited a long time for title to our lands and resources. Our policy is no sale of land.

We believe that the restoration of resources injured by the spill and the protection of such sites also harmed by the spill are meaningful ways to utilize the criminal fine money. Although we are not interested in selling our land we are not foreclosed to the idea of nondevelopment easements in certain areas. If we get subsistence resources restored we also want to make sure our resources would continue to be available. Thank you Mr. Chairman.

ATTACHMENT 2

PROPOSED AMENDMENTS HOUSE BILL 411

1. At Section 4 by changing the word "and" at Section 4, line 13, to "or"; and
2. By adding a new section 4(a) to the Bill to read as follows:

In order to restore, replace, and enhance subsistence resource services in southwestern Prince William Sound, particularly areas in and about Chenega Bay Alaska, including but not limited to Eshamy Bay, Granite Bay, Chenega Island, Evans Island, Elington Island, Bainbridge Island, Latouche Island and Knight Island effected the Exxon Valdez oil spill upon which the people of Chenega Bay are dependant, to acquire resources and services equivalent to those affected and/or lost by the Exxon Valdez oil spill, and to conduct long term restoration of such services, the sum of \$3 million is appropriated to the Chenega IRA Council and the Chenega Bay Local Response Program from the remedial and compensatory payments received by the State under the plea agreement in the United States of America v. Exxon Corporation and Exxon Shipping Company, United States District Court, District of Alaska, Case No. A90-015 Cr., for restoration of subsistence services, including but not limited to removal of oiled sediment, oil, oil debris, stunted stock, ravagatation of destroyed rye grass, and amelioration of the Exxon Valdez oil spill, and for cultural stewardship, including monitoring assessment and inventory of cultural sites within and along the islands and shorelines aforesaid.

3. At Section 19, line 27, by correcting the name of our village by adding the word "Bay" after "Chenega".
4. At Section 20, line 31, strike the period and add:

Subject, however, to the requirements of federal and state laws, statutes and regulations, including but not limited to the Archaeological Resources Protection Act of 1979, 16 U.S.C. 470aa, et seq., The State Historical Preservation Act, A.S. 41.35 010 et seq. and the terms and conditions continued within the Consent Decree entered by US Federal Court. Judge Holland in Native Village of Chenega Bay v. United States and State of Alaska, A91-454 Civ. on January 16, 1992.

Alaska SeaLife Center
1991 - 1994 Budget

Budget

1991

Promotional Booklet, Poster, Graphic Identity Package, Design Printing	\$	60,000
Travel		2,000
Postage, Facsimile, Mail		3,000
Executive Assistant/Fund Raiser		5,000
Total	\$	70,000

1992

Completion Phase I Fees	\$	21,000
Economic Feasibility Study & Master Plan Development		94,000
Design Consultant Travel & Misc. Expenses		15,000
Promotional Video Design & Development		20,000
Executive Assistant/Fund Raiser Salary		60,000
Travel (Fund Raising, Promotional & Aquarium Visit)		15,000
Advertising, Public Relations		30,000
Telephone, Facsimile		15,000
Postage (Poster Mailing & Correspondence)		12,000
Office Supplies		8,000
Retainer Next Design Phase		15,000
Accounting Expenses		5,000
Miscellaneous Expenses		20,000
Total	\$	330,000

1993

Programming and Schematic Design	\$	600,000
Executive Assistant/Fund Raiser Salary		60,000
Office Clerk Salary		32,000
Postage		18,000
Travel		25,000
Advertising & Public Relations		20,000
Telephone, Facsimile		15,000
Office Supplies		6,500
Loan Repayment City of Seward		50,000
Accounting Expenses		10,000
Miscellaneous Expenses		20,000
Construction Costs		1,000,000

TOTAL	\$	1,856,500
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Budget (continued)

1994

Executive Assistant/Fund Raiser Salary	\$	60,000
Office Clerk Salary		32,000
Facilities Manager Salary		65,000
Postage		12,000
Travel		20,000
Advertising, Public Relations		25,000
Telephone, Facsimile		24,000
Office Supplies		12,000
Accounting Expenses		8,000
Miscellaneous Expenses		20,000
Construction Costs		35,000,000
Gift Shop Initial Inventory		650,000
TOTAL	\$	35,928,000
TOTAL FOUR YEAR BUDGET	\$	38,184,500

ALASKA SEA LIFE CENTER

The State of Alaska claims 38 percent of all coastline in the United States and its waters host one of the largest concentrations of marine mammals and seabirds in the world. Because of population decline several of these species including the Stellar sea lion, bowhead whale, humpback whale, arctic peregrine, Aleutian Canadian goose and the sei whale are now classified as threatened species. The health of the State of Alaska's sea life and its tourist and fishing industry are interdependent. Should some of these species become endangered a serious economic impact will result. The urgent need to study the reason for the population decline would be addressed at the Center. Despite its heavy reliance on its marine populations, amazingly, the State has no facility to care for injured animals, study them in a controlled setting or observe them in their undersea environment.

To address this vital need, the Seward Association for the Advancement of Marine Science (SAAMS), a non-profit organization, has dedicated its efforts to establishing the Alaska Sea Life Center in Seward, Alaska. The \$40 million project has a four-year schedule for completion.

The general public has repeatedly demonstrated its collective concern for the plight of animals and has pressed for trained personnel to aid them, particularly when animals are seen as victims of human carelessness. One such example occurred after the Alaska oil spill of 1988, when veterinarians and specialists in husbandry from Sea World, and Monterey and Vancouver Aquariums provided assistance to marine mammal casualties.

The Alaska Sea Life Center would play a critical role in such crises. It would normally operate as a rehabilitation center for injured or stranded sea mammals and birds with the ability to expand its rehabilitation effort in the event of a rehabilitation crisis such as an oil spill.

The Center would be dedicated to research, rehabilitation and public education pertaining to marine mammals and sea birds, and their environment. Facilities that encompass all three of these aspects are very few and there are no research facilities for holding live sea mammals north of Santa Cruz, California.

The purpose of the research portion of the Center would be to lead to a greater understanding of Alaskan marine ecology. Researchers would be encouraged to undertake studies that would advance medical treatment and emergency care for marine mammals, and support rehabilitation efforts at the Center. Additionally, the cause of population declines would be studied to allow timely corrective action to implement a mission that would ensure a healthy mammal population.

The rehabilitation mission of the Alaska Sea Life Center would become a rescue facility for the care of a variety of sea mammals and birds that are put in jeopardy by natural or human related risk. They will be treated with the ultimate goal of returning them to the wild. However, those that do not recover well enough to be released may become permanent residents in the educational exhibits at the Center.

The goal of the educational mission of the Center will be to stress the need for continued care and concern for animals and the fragile ecosystem they rely on. Live exhibits, both above and below the water, will allow Alaskans and visitors to appreciate sea life they otherwise would merely glimpse far offshore or never see at all. The Center, which would provide public access to its research and rehabilitation facilities whenever possible, would be a focus for tourists and the community, emphasizing the importance of the marine ecosystem to all who visit.

Seward, located between Prince William Sound and Cook Inlet on the Kenai Peninsula at the

north end of Resurrection Bay, provides an ideal location for this facility. Near the geographic center of many North Pacific mammals' natural ranges, its clean, nutrient rich water can support both Arctic and sub-Arctic marine species, a truly rare capability.

Year round access by sea, air, road and rail allow easy travel from Anchorage, the State's transportation and population center. In addition, the University of Alaska Fairbanks' internationally known Institute of Marine Science, dedicated to fish, invertebrates and medical related research, maintains a marine research center in Seward. This facility already attracts top researchers, and would provide scientists and students for additional studies at the Center.

The visually spectacular and biologically rich atmosphere at Seward is the ideal setting for a marine center committed to promoting a healthy environment. Indeed, the City of Seward has already donated a prime tract of oceanfront property for the Center. The plot is valued at slightly more than \$2 million.

The Center will also play a key role in urban planning for the city. The present growth in Seward is to the north, related to a new marina and cruise ship port. The Alaska Sea Life Center would reverse the northward growth, drawing visitors back to the city center and a pedestrian park on Seward's eastern shore. The Center would create a new destination attraction that would bring large numbers of tourists and Alaskans to Seward each year. The Center will act as a gateway to Alaska's ocean world, providing a natural focus for tourists and the community. As such it will revitalize the downtown city area while diversifying an economy traditionally based on a six month fishing industry.

The first phase of the project is complete. Cambridge Seven Associates, an internationally recognized aquarium design firm, has been contracted as the project designers. The completed preliminary architectural design, conceptual study and graphic identity package describe the specific layout of the Center. Funding is still being sought to develop a master plan and final design, to outline the Center's annual operating costs and to start a construction fundraising campaign.

The Seward City Council and the community have endorsed this proposal at several public meetings. To date, \$105,000 in cash has been donated by Seward businesses, city administration and private citizens. But despite widespread local support and the backing of an active nonprofit group, clearly a project of this magnitude cannot be funded completely with local dollars.

Your funding is essential to ensure that the Alaska Sea Life Center can become a showcase for the marine ecosystem, demonstrating how public knowledge, combined with practical research and rehabilitation efforts, can yield better management of a healthier ocean environment.

A M E N D M E N T

OFFERED IN THE HOUSE

BY REPRESENTATIVE LEMAN

CS
TO: HB 411

Page ³ ~~7~~, line ²⁸ ~~28~~:

Delete "\$34,000,000"

Insert "\$20,600,000"

\$9,000,000
\$5,600,000

Page 4, after line 4:

Insert a new bill section to read:

"* Sec. ¹⁸ ~~7~~. In order to restore, replace, and enhance resources affected by the Exxon Valdez oil spill, the sum of ^{9,000,000} \$3,400,000 is appropriated from the remedial and compensatory payments received by the state under the plea agreement in United States of America v. Exxon Corporation and Exxon Shipping Company, United States District Court, District of Alaska, case No. A90-015 CR., to the Department of Fish and Game, division of fisheries rehabilitation, enhancement, and development for construction of a heated water pipeline ^{to} the Fort Richardson Hatchery."

Renumber the following bill sections accordingly.

**STATEMENT OF
HOWARD VALLEY
GENERAL MANAGER, AFOGNAK JOINT VENTURE
KODIAK, ALASKA**

HOUSE RESOURCES COMMITTEE

MARCH 5, 1992

Mr. Chairman, members of the Committee, I am Howard Valley, Chairman of the Afognak Joint Venture (AJV) in Kodiak. I am accompanied today by Jim Carmichael, the General Manager of the Afognak Native Corporation and of AJV, and Peter Olsen, the chief forester for the Afognak Native Corporation. AJV is a partnership, created in 1980 by Sec. 1427 of the Alaska Lands Act (ANILCA). It owns approximately 180,000 acres of land on Afognak Island. The two major partners in AJV are the Afognak Native Corporation, and Koniag, Inc. There are also several minor partners.

The Afognak Joint Venture supports HB 411, introduced by Representative Davidson. We currently own land surrounding Pauls Lake and Lower Malina Lake which are referred to in Sec. 3 of the bill. Those areas are part of two large AJV holdings, totalling 125,000 acres, stretching across the north and west sides of Afognak Island, on either side of the 50,000 acre Red Peaks unit of Kodiak National Wildlife Refuge, and nearby to State holdings at Shuyak State Park and west Raspberry Island DNR holdings important for fish and game resources.

This land ownership pattern is a result of recent events.

Afognak Island was originally set aside by the federal government as a Forest and Fish Culture Reserve in 1892. Until 1980, it was, like the lands in Prince William Sound, part of the Chugach National Forest. Extensive selections by village corporations on the southern portion of the island followed passage of the Alaska Native Claims Settlement Act (ANCSA). ANILCA transferred extensive Native selections from the Alaska Peninsula to most of the remaining portions of the island through the creation of the Afognak Joint Venture. Only the remnant Red Peaks unit, transferred from the Forest Service to the Fish and Wildlife Service, and a small state selection remain in public ownership.

Since that time, much of the southern portion of the island has been roaded and logged. Afognak Native Corporation, an AJV partner, maintains a logging camp on the island, and plans to continue timber harvest operations. But AJV's holdings east and southwest of the federal land remain undeveloped.

These holdings contain outstanding fish and wildlife resources including large elk herds, Kodiak bears, and many of the species "injured" in the Exxon Valdez oil spill. Afognak was within the spill zone and some its shores were "oiled." It had been AJV's intention to extend logging operations into the AJV holdings and to explore other income producing options for some of the islands non-timbered areas, such as cabins or lodges along the shore or at the high lakes. As a corporation, we owe it to our partners and their shareholders to return dividends.

However, for the past two years we have explored ideas which would lead to the sale of some or most of our holdings to federal and state land managing agencies. If successful, such an arrangement could enable our corporation to create a permanent fund and diversify our business operations. Of course, we would continue developing those lands which are not sold.

In that effort, we advocated passage by Congress of a special study of Afognak Inholdings which became law in November, 1991. We are currently cooperating with the Fish and Wildlife Service as it studies our lands. And in February, we testified before the Trustees of the Oil Spill Fund regarding our plans.

The lands identified in HB 411 are among the highest on the island for wildlife and recreational value.

Malina Lakes are the home of a significant elk herd and is a favorite hunting destination. The state fish and game is fertilizing the lakes to increase productivity. This area lies immediately across Raspberry Strait from state lands managed by Fish and Game and also noted for high interest to hunters.

Pauls Lake, an area of rich timber resources, is likely to be considered a particularly important area of "equivalent habitat" by the scientists reviewing the island. The salmon-bear-eagle ecosystem of the Pauls Lake-Laura Lake watershed is one of the three best on the island. The others have either been developed or are not being considered for public ownership. Neighboring Shuyak Island State Park is managed for kayaking and other primitive recreation values. Pauls Lake and the shoreline of the island may offer even better opportunities.

A one time purchase of these lands as envisioned by HB 411 would give AJV some working capital so that other deserving lands could be considered by the Trustees before they are developed. But this rather small acquisition, by itself, would not be sufficient for us to reach our corporate goals of diversification and a permanent trust fund.

Rather, it is our hope that your efforts and the federal study will lead to a staged acquisition process, coordinated with both the state and federal governments to acquire a substantial portion of the AJV's assets; up to the entire 125,000 acre block. We would continue timber operations on those portions of the island now under development. But we would build our other financial options through sale of those lands identified by state and federal officials as deserving to remain undeveloped.

We are confident that Afognak's natural resource values will fare well in comparison to other areas within the spill zone. We are also hopeful that the presence of sizable tracts, contiguous to the large federal holding, and a cooperative seller will be attractive to the Trustees. If we have a disadvantage on Afognak, it is that our resources are not as well known as some other areas. We hope an objective investigation of the resources will overcome that disadvantage.

You may ask, why should the legislature authorize a purchase now, when ultimately, we will be dependent on the trustees and the results of the federal study?

There are two answers. First, the study results and subsequent action by the trustees may take some time. It costs our corporation money to refrain from development while the lands are considered for acquisition. The immediate purchase of these small but important tracts serves to reduce that liability.

Second, we believe that the areas which the state is most likely to be interested in are the areas listed in HB 411. Each is productive. Each is near state holdings and could be acquired without management difficulties. Both are located away from the federal area and those lands likely to be of highest priority for the federal government.

Having laid out what AJV offers, let me outline some conditions necessary for us to meet our obligations to our partners and shareholders.

First, we are interested in sale of lands, not development rights. If we are unable to sell most of the lands, we want to see sales of relatively compact parcels so we are not left with discontinuous tracts, lands encumbered by easements or holdings otherwise made difficult to develop.

Second, we are interested in selling a mix of timbered and non-timbered lands. To give up ownership of land, we must demonstrate to our partners that we are receiving a fair price and that the sale of the lands is an attractive alternative to timber development. We will not engage in a series of sales which leaves us holding lands with no revenue potential and no hope of further sales.

Third, we have already voluntarily withheld logging on many of our holdings while we have explored land sales. We have engaged substantial expenses in our efforts to work with Congress and the Trustees. We would not wish to be penalized for our cooperative efforts either by receiving bids lower than those offered to hostile sellers or to seeing sales of our lands delayed while uncooperative sellers are treated expeditiously. We have been open and cooperative and we expect fair play in return.

To those ends we suggest a modification in the language contained in HB 411 as introduced. Our suggestion, which we have submitted to the Committee with this statement, would direct the state to spend one half of the \$7 million dollars on each tract. For the state, that would lead to a larger overall purchase of land for the money. For AJV, it means a better mix of timber and non-timbered area would be sold, resulting in less financial risk should the trustees not be willing consider additional acquisition.

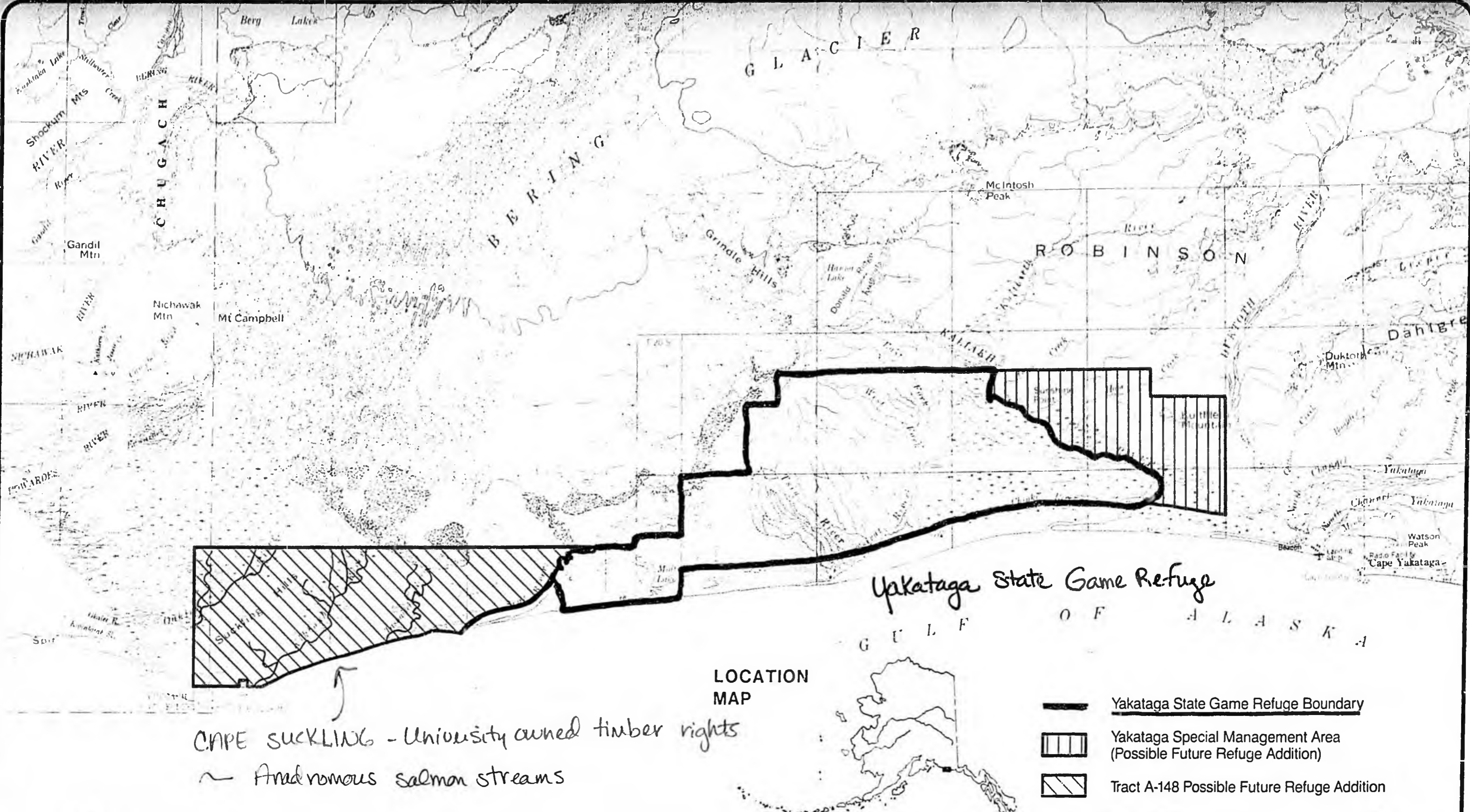
We have worked in cooperation with fishermen and public officials in the Kodiak Borough and we have appreciated their support for this proposal.

In conclusion, we believe that land acquisition is an important use of the settlement funds. We believe that land sales can help our shareholders and those of other corporations in the

Testimony by Afognak Joint Venture
March 5, 1992
Page 4

state. Unlike some other suggestions for the settlement money, investments and dividends flowing from the corporations should have long term economic benefits for our region and for the state. If we are successful in our efforts to establish a permanent fund, it will place our corporations and communities on more solid financial footing for the future.

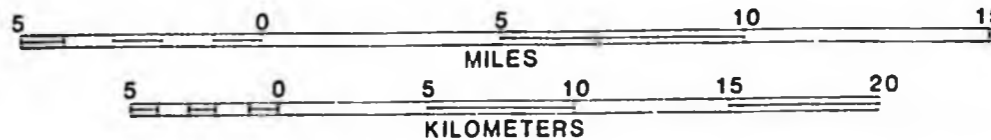
We also believe that maintaining the best hunting, fishing and recreational resources is good for the region's economy. Having submitted our suggestions for improving HB 411, we look forward to working cooperatively with you to achieve those ends. Thank you.



HABITAT DIVISION
JULY 1990

YAKATAGA
 State Game Refuge

SCALE 1:250,000



PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE DAVIDSON

NAME: DUANE CHRISTENSEN
 TITLE:
 ADDRESS: BOX 4123
 CITY: HOMER ZIP: 99603
 PHONE: 235-5915

BILL NO:
 SUBJECT: KACHEMAK BAY BUYBACK
 MESSAGE: I'M AGAINST THE BUYBACK BECAUSE OF DEFICIT SPENDING, WE NEED THE RESOURCE, THE TINDER IS OLD GROWTH TINDER WHICH IS HIGHLY SUSCEPTIBLE TO SPRUCE BEETLES. THE IMPACT WILL BE VERY SLIGHT WHEN CONSIDERING THE WHOLE BAY, AND THE MONEY WOULD BE BETTER SPENT ELSEWHERE, LIKE ON ROADS OR HOSPITALS.

POMID: 18105023
 DATE: 92/03/11
 TIME: 10:50:23
 LIONAME: HOMER INFORMATION OFFICE

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BAKER	DARNES	ADAMS
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CHOQUETTE	D.DAVIS	CRAFT
C.DAVIS	DONLEY	DUNCAN
ELLIS	FINKELSTEIN	ELIASON
FOSTER	GONZALES	FRANK
GRUENBERG	GRUSSENDORF	HALFORD
HANLEY	HUDSON	HOFFMAN
IVAN	JACKO	JONES
KOPONEN	KUDINA	KERTTULA
LARSON	LEMAN	MEHARD
LINCOLN	HACKIE	PEARCE
MACLEAN	MARTIN	POURCHOT
H.A.MILLER	H.W.MILLER	RODEY
HOYER	PARNELL	SHULTZ
R.PHILLIPS	SHARP	STURGULEWSKI
TAYLOR	ZAWACKI	UEHLING
		ZHAROFF

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE DAVIDSON

NAME: DIANE MAHAFFEY
 TITLE:
 ADDRESS: 9601 MIDDEN WAY
 CITY: ANCHORAGE ZIP: 99507
 PHONE: 333-9632

BILL NO: HB 411
 SUBJECT: APPROP: EXXON VALDEZ RESTORATION PROJECTS
 MESSAGE: PLEASE SUPPORT HB 411, THE ACT MAKING APPROPRIATIONS FOR RESTORATION PROJECYS RELATING TO THE EXXON OIL SPILL. /CMR

POMID: 03091456
 DATE: 92/03/09
 TIME: 09:14:56
 LIONAME: ANCHORAGE LIO

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B.DAVIS
 BARNES
 CARNEY
 FINKELSTEIN
 HUDSON
 IVAN
 LEMAN
 LINCOLN
 HOYER
 ZAWACKI

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE DAVIDSON

NAME: CALVIN SWEENEY

TITLE:

ADDRESS: P.O. BOX 2499

CITY: KODIAK

PHONE: 406-3014

ZIP: 99615

BILL NO:

SUBJECT: HB 411 & SB 379

MESSAGE: THE OIL SPILL RESTORATION MONIES SHOULD NOT BE USED FOR FUTURE SPILL PREVENTION, RESPONSE OR RESEARCH. IT SHOULD BE SPENT FOR PROTECTION OF FISH AND WILDLIFE HABITAT BY PURCHASING LAND DEVELOPMENT RIGHTS FROM PARTIES. SPECIFICALLY LAND SLATED FOR LOGGING ON AFOGNAK ISLAND. THANK YOU FOR YOUR SUPPORT REPRESENTATIVE DAVIDSON / SENATOR ZHAROFF.

POMID: 09161209

DATE: 92/03/05

TIME: 16:12:09

LIONAME: KODIAK LIO

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FINKELSTEIN
HUDSON
IVAN
LEMAN
LINCOLN
MOYER
ZAWACKI

ZHAROFF

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE DAVIDSON

NAME: MARK BLAKESLEE/ P.E.

TITLE: CONSULTING ENGINEER

ADDRESS: P.O. BOX 3696

CITY: KODIAK

PHONE: 406-0313

ZIP: 99615

BILL NO:

SUBJECT: HB 411 & SB 379

MESSAGE: I SUPPORT THE USE OF SETTLEMENT MONEY TO PURCHASE COASTAL LAND. PRIVATE OWNERS MUST BE COMPENSATED, BUT THE PUBLIC WILL BE BETTER SERVED BY THE PROTECTION OF CERTAIN COASTAL FORESTS.

POMID: 09132318

DATE: 92/03/04

TIME: 13:23:18

LIONAME: KODIAK LIO

COPIES: REPRESENTATIVE SENATORS

NAVARRE

ZHAROFF
JONES

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE DAVIDSON

NAME: CECELIA LASITTER
TITLE:
ADDRESS: 1345 WOODSIDE DRIVE
CITY: KETCHIKAN ZIP: 99901
PHONE: 225-2359
BILL NO: HB 411
SUBJECT: APPROP: EXXON VALDEZ RESTORATION PROJECTS
MESSAGE: I SUPPORT REPRESENTATIVE LEMAN'S PROPOSED AMENDMENT TO HB411.

POMID: 08102936
DATE: 92/03/16
TIME: 10:29:36
LIONAME: KETCHIKAN LIO

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FINDELSTEIN
HUDSON
IVAN
LEMAN
LINCOLN
MOYER
ZAWACKI

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE DAVIDSON

NAME: GARY WALL
TITLE:
ADDRESS: 219 E. INTERNATIONAL AIRPORT RD
CITY: ANCHORAGE ZIP: 99518
PHONE: 563-1997
BILL NO: HB 411
SUBJECT: APPROP: EXXON VALDEZ RESTORATION PROJECTS
MESSAGE: I UNDERSTAND REP. LEMAN WILL OFFER AN AMENDMENT TO HB411 FOR HATCHER
WATER SUPPLY IMPROVEMENTS. PLEASE SUPPORT THIS AMENDMENT./RD

POMID: 03085032
DATE: 92/03/16
TIME: 08:50:32
LIONAME: ANCHORAGE LIO

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CARNEY
FINDELSTEIN
HUDSON
IVAN
LEMAN
LINCOLN
MOYER
ZAWACKI

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE DAVIDSON

NAME: JUDY GRIFFIN
TITLE:
ADDRESS: 4600 SHELDURNE PLACE
CITY: ANCHORAGE ZIP: 99516
PHONE: 276-4373
BILL NO: HB 411
SUBJECT: APPROP: EXXON VALDEZ RESTORATION PROJECTS
MESSAGE: I WOULD LIKE THE COMMITTEE TO SUPPORT REP. LEMAN'S AMENDMENTS TO HB 411. I ALSO SUPPORT THE BUILDING OF A PIPELINE FOR THE FISH AND GAME HATCHERY WHICH WOULD ENHANCE PRODUCTION. /JSM

POHID: 03115245
DATE: 92/03/16
TIME: 11:52:45
LIONAME: ANCHORAGE LIO

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CARNEY
FINKELSTEIN
HUDSON
IVAN
LEMAN
LINCOLN
HOYER
ZAWACKI

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE DAVIDSON

NAME: DAVE JONES
TITLE:
ADDRESS: 2435 SPRUCEWOOD STREET
CITY: ANCHORAGE ZIP: 99508
PHONE: 278-3876
BILL NO: HB 411
SUBJECT: APPROP: EXXON VALDEZ RESTORATION PROJECTS
MESSAGE: I STRONGLY SUPPORT REP. LEMAN'S AMENDMENT TO HB 411. /CHR

POHID: 03111235
DATE: 92/03/16
TIME: 11:12:35
LIONAME: ANCHORAGE LIO

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FINKELSTEIN
HUDSON
IVAN
LEMAN
LINCOLN
HOYER
ZAWACKI

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE DAVIDSON

NAME: KATHY SWART
TITLE:
ADDRESS: 4930 SPORTSMAN DRIVE
CITY: ANCHORAGE ZIP: 99502
PHONE: 248-2101
BILL NO: HD 411
SUBJECT: APPROP: EXXON VALDEZ RESTORATION PROJECTS
MESSAGE: I WOULD LIKE YOU TO SUPPORT REP. LEMAN'S AMENDMENTS TO HB 411./CMR

POMID: 03140612
DATE: 92/03/16
TIME: 14:06:12
LIONAME: ANCHORAGE LIO

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HUDSON
IVAN
LEMAN
LINCOLN
MOYER
ZAWACKI

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE JAVIDSON

NAME: LIZA DOCHE
TITLE:
ADDRESS: 3721 RESURRECTION DRIVE
CITY: ANCHORAGE ZIP: 99504
PHONE: 337-0526
BILL NO: HB 411
SUBJECT: APPROP: EXXON VALDEZ RESTORATION PROJECTS
MESSAGE: I WANT TO VOTE MY SUPPORT FOR REP. LEMAN'S AMENDMENT TO HB 411. YOU CAN FEEL FREE TO CONTACT ME IF YOU WANT MORE INFORMATION AS TO WHY I SUPPORT THE AMENDMENT TO THE BILL./CMR

POMID: 03153352
DATE: 92/03/16
TIME: 15:33:52
LIONAME: ANCHORAGE LIO

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CARNEY
FINKELSTEIN
HUDSON
IVAN
LEMAN
LINCOLN
MOYER
ZAWACKI

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE DAVIDSON

NAME: MIALMA JOHNSON
TITLE:
ADDRESS: 15321 HUSKY STREET
CITY: EAGLE RIVER
PHONE: 696-3530
ZIP: 99577
BILL NO: HB 411
SUBJECT: APPROP: EXXON VALDEZ RESTORATION PROJECTS
MESSAGE: PLEASE SUPPORT REP. LEMAN'S AMENDMENT TO HB 411. THIS PROJECT MAKES ECONOMIC GOOD SENSE AND WILL ALLOW THE FORT RICHARDSON HATCHERY TO BE UTILIZED AT 100% RATHER THAN IT'S CURRENT RATE OF 50%. IT WILL HELP MITIGATE LOW SALMON RUNS IN THE KENI RIVER AND SERVE THE ENTIRE RAILBELT. /CMR

POHID: 03165003
DATE: 92/03/16
TIME: 16:50:03
LIONAME: ANCHORAGE LIO

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CARNEY
FINKELSTEIN
HUDSON
IVAN
LEMAN
LINCOLN
MOYER
ZAWACKI

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE DAVIDSON

NAME: MIKE KRAMER
TITLE: MIDNIGHT SUN FLYCASTERS
ADDRESS: 423 VALLEY VIEW DR.
CITY: FAIRBANKS
PHONE: 457-4447
ZIP: 99709
BILL NO: HB 411
SUBJECT: APPROP: EXXON VALDEZ RESTORATION PROJECTS
MESSAGE: THE MIDNIGHT SUN FLYCASTERS, LOCATED IN FAIRBANKS, SUPPORT REP. LEMAN'S AMENDMENT TO HB 411. THE WATER PIPELINE TO FT. RICHARDSON HATCHERY MEANS DOUBLING OF THE CURRENT PRODUCTION CAPACITY WHICH WILL GREATLY BENEFIT INTERIOR SPORT ANGLERS.
EOM-FZ

POHID: 07160607
DATE: 92/03/16
TIME: 16:06:07
LIONAME: FAIRBANKS LIO

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CARNEY
FINKELSTEIN
HUDSON
IVAN
LEMAN
LINCOLN
MOYER
ZAWACKI

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE DAVIDSON

NAME: LARRY KAJDAN
TITLE:
ADDRESS: P.O. BOX 243
CITY: GAKONA, AK. ZIP: 99586
PHONE: 822-3655
BILL NO: HB 411
SUBJECT: APPROP: EXXON VALDEZ RESTORATION PROJECTS
MESSAGE: I SUPPORT REPRESENTATIVE LEMAN'S AMENDMENT TO HB411 REGARDING MONEY FOR FISH HATCHERY.

POMID: 01161500
DATE: 92/03/16
TIME: 16:15:00
LIONAME: GLENNALLEN LIO

COPIES: REPRESENTATIVES

LEMAN
CARNEY
FINKELSTEIN
HUDSON
IVAN
LINCOLN
MOYER
ZAWACKI

PUBLIC OPINION MESSAGE

DEAR: REPRESENTATIVE DAVIDSON

NAME: MIKE FALLON
TITLE:
ADDRESS: 9820 SAAYA CIRCLE
CITY: EAGLE RIVER ZIP: 99577
PHONE: 694-6174
BILL NO: HB 411
SUBJECT: APPROP: EXXON VALDEZ RESTORATION PROJECTS
MESSAGE: I UNDERSTAND REP. LEMAN WILL PRESENT AN AMENDMENT TO HB 411. PLEASE SUPPORT THIS AMENDMENT. /JSM

POMID: 03162043
DATE: 92/03/16
TIME: 16:20:43
LIONAME: ANCHORAGE LIO

COPIES: REPRESENTATIVES

LEMAN
CARNEY
FINKELSTEIN
HUDSON
IVAN
LINCOLN
MOYER
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PUBLIC OPINION MESSAGE

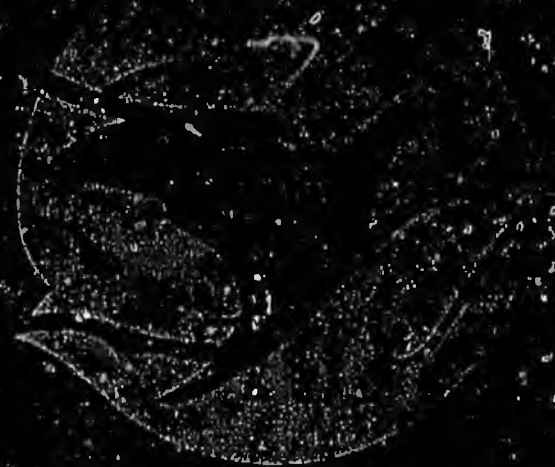
DEAR: REPRESENTATIVE DAVIDSON

NAME: JIM WOOLINGTON
TITLE:
ADDRESS: P.O. BOX 576
CITY: GLENNALLEN, AK. ZIP: 99508
PHONE: 822-3649
BILL NO: HB 411
SUBJECT: APPROP: EXXON VALDEZ RESTORATION PROJECTS
MESSAGE: I AM IN FAVOR OF REPRESENTATIVE LEMAN'S AMENDMENT TO HB411.

POMID: 01160924
DATE: 92/03/16
TIME: 16:09:24
LIONAME: GLENNALLEN LIO

COPIES: REPRESENTATIVES

LEMAN
CARNEY
FINKELSTEIN
HUDSON
IVAN
LINCOLN
HOYER
ZAWACKI



Alaska
SeaLife Center



Alaska SeaLife Center

Alaska's oceans host one of the greatest concentrations of marine animals in the world—33 species of marine mammals and 66 kinds of seabirds. Yet Alaska has no place to care for sick marine animals, study them under controlled conditions, or view them in their undersea environment.

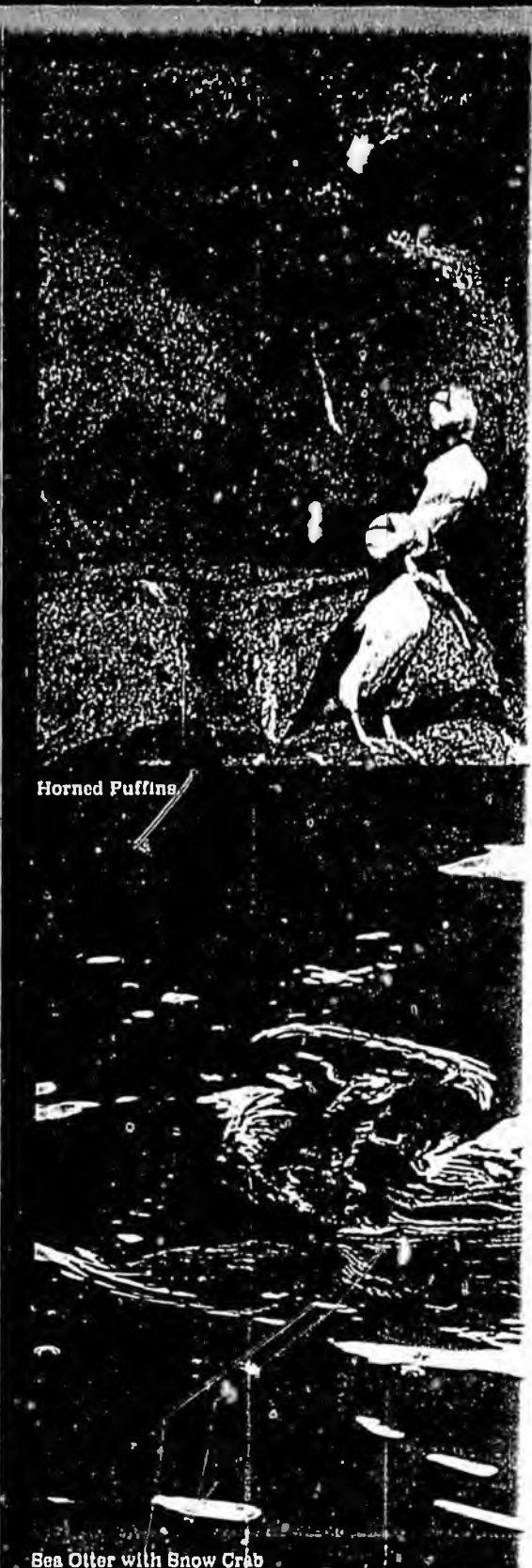
With your support, the Alaska SeaLife Center will fill all three gaps with a unified triad of programs—marine research, rehabilitation of stranded marine animals, and educational exhibits of live marine animals—all working in equal partnership to promote the health of Alaska's oceans.

The Alaska SeaLife Center is a collaboration of the Institute of Marine Sciences (IMS) of the University of Alaska and the City of Seward. The IMS facility in Seward brings its international reputation as a unique sub-arctic research institution devoted to fish, invertebrates, and medical research, and the City donates adjacent land for the SeaLife Center. Orchestrating this venture and asking for your support is a non-profit organization, the Seward Association for the Advancement of Marine Science (SAAMS).



Parakeet Auklet

Alaska Native



Horned Puffins

Sea Otter with Snow Crab