

EVOS PROPOSAL SUMMARY PAGE

(Trustee Council Use Only)

Project No. _____

Cluster _____

Date Received _____

Project Title: Habitat Protection

Project Period: FY04

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EVOS Funding: \$10,355

Matching Funds: \$0.0

Study Location: Kodiak

Trustee Agency: ADNR

Abstract:

Project 040126 provides negotiation support to the Trustee Council in order to reach closure on habitat protection priorities. This support includes those services such as title reports, appraisals, on site inspections, hazardous materials surveys, surveys, timber cruises and reviews, and other services necessary for the successful completion of habitat protection negotiations. The Trustee Council has directed the Department of Natural Resources to take steps necessary to transfer title to parcels acquired (Knoll, Nakada, Thompson) or may be acquired (McGee) by The Nature Conservancy on behalf of the Trustee Council. This project reflects Trustee Council support for negotiation and acquisition support activities but does not reflect funding for the acquisitions themselves.

I. INTRODUCTION

This project is designed to support habitat protection activities of the Trustee Council and is a continuation of the Comprehensive Habitat Protection Process. These activities include resource evaluations, appraisals, title searches, hazardous materials surveys and other efforts necessary for the Trustee Council to achieve habitat protection objectives. In 1993, the Restoration Team, Habitat Protection Work Group, conducted a survey and assessment of selected large parcels of private land (>1000 acres) within the oil spill zone. The lands were mapped, scored and ranked to determine the restoration value of these areas to injured resources and services and the benefits that could be achieved through habitat protection.

The Council has chosen to support the acquisition of four parcels identified above. DNR will need to pursue a variety of title, appraisal and hazardous materials reviews in support of this acquisition. Support costs associated with these activities are estimates based on previous experience at this point in time.

II. NEED FOR THE PROJECT

A. Statement of Problem

Acquisition of additional small parcels is being pursued by The Nature Conservancy pursuant to a Trustee Council funded grant. In order to ensure that the state and federal governments receive clear title to these lands various support activities need to take place prior to closing.

B. Rationale/Link to Restoration

The objective of habitat protection is to identify and protect essential wildlife and fisheries habitats and associated services and to prevent further environmental damage to resources injured by the *Exxon Valdez* oil spill. Nineteen resources and services injured by the spill are linked to protection of upland and nearshore habitats. Protection of lands containing these habitats prevents additional injury to resources and services and natural support systems while recovery is taking place.

III. PROJECT DESIGN

A. Objectives

1. Review appraisal.
2. Conduct title review.
3. Conduct hazardous materials assessment and site inspection.

4. Review purchase agreement, closing documents and legal descriptions.

B. Procedural Methods

Appraisal Review

A review of the appraisals is required.

Title Review

A comprehensive review of title must be conducted prior to closing in order to verify legal descriptions and confirm defensible chain of title prior to closing.

Hazmat Survey and Site Inspection

A level one hazmat survey with site inspection will be required prior to closing.

Document Review

Review of legal descriptions, purchase agreements, and all closing documents will be required.

C. Statistical Methods

N/A

D. Description of Study Area

The subject parcels are located on the Anchor River on the Kenai Peninsula.

E. Coordination and Collaboration with Other Efforts

This acquisition was pursued The Nature Conservancy at the direction of the Trustee Council in coordination with The Departments of Law, Natural Resources, and Fish and Game.

All habitat protection efforts including this project are dependent upon the results of on-going research and monitoring projects. For example, the Large Parcel Element used information from the anadromous fish stream catalog, colonial seabird catalog, bald eagle nesting maps, and data from Trustee Council funded studies on black oystercatchers, marbled murrelets and pigeon guillemots.

IV. SCHEDULE

A. Project Milestones

It is expected that transfer of parcels will be completed by September 30, 2004.

B. Measurable Project Tasks (Estimated)

FY 04, 1st quarter (October 1, 2002-December 31, 2002)
N/A

FY 04, 2nd quarter (January 1, 2003-March 31, 2003)
N/A

FY 03, 3rd quarter (April 1, 2003-June 30, 2003)
Complete appraisals

FY 03, 4th quarter (July 1, 2003-September 30, 2003)
Complete appraisal reviews
Conclude title review.
Conduct Hazmat assessments and complete review.
Review closing documents.
Final closing.

V. RESPONSIVENESS TO KEY TRUSTEE COUNCIL STRATEGIES

A. Community Involvement and Traditional Ecological Knowledge (TEK)

The public has reviewed and commented favorably on all habitat protection efforts and has been highly supportive of habitat protection as a major restoration strategy into the future. The public has reviewed all reports published as part of the Comprehensive Habitat Protection Process. Input from natural resource and services specialists in the public sector was collected in a workshop conducted by The Nature Conservancy.

Members of local communities have previously had the opportunity to review habitat protection evaluation and ranking results and Trustee Council priorities. The Trustee Council continues to be receptive and responsive to public comment pertinent to habitat protection priorities and acquisitions. The Council's Public Advisory Group is briefed and the public is given the opportunity to comment prior to any Council action.

B. Resource Management Applications

Acquisition of these parcels will provide recreational access to the Anchor River and will enhance sportfishing opportunities on the Kenai Peninsula. ADF&G management of these parcels will ensure that riparian habitat is protected.

VI. PUBLICATIONS AND REPORTS

N/A

VII. PROFESSIONAL CONFERENCES

N/A

VIII. PERSONNEL

A. Principal Investigator (PI)

Carol Fries, in coordination with the Department of Law, will coordinate involvement of DNR staff and contractors as necessary and appropriate.

B. Other Key Personnel

N/A

C. Contracts

Various components of this project will be contracted out to the private sector. Contracting is managed by the agency responsible for acquisition of habitat protection rights and future management. Various agencies handle various realty requirements differently depending upon agency requirements and in house expertise. It is likely that appraisal review, title research, and possibly a hazmat survey will require outside contract support.

IX. PRINCIPAL INVESTIGATOR QUALIFICATIONS

N/A

X. LITERATURE CITED

N/A

040126 Budget Justification

This budget request is for funds sufficient to allow the Department of Natural Resources to perform due diligence required to accept title to lands authorized by the Trustee Council for purchase by The Nature Conservancy for transfer to the State of Alaska. Parcels covered by this budget request include: Knoll, Nakada, Thompson, and potentially McGee, all located on the Kenai Peninsula.

The following actions must take place prior to acquisition of land on behalf of the state under Trustee Council procedures:

Title defense: Each acquisition must have evidence of clear title. Estimates are \$1,500 per parcel assuming that there are no complications, each parcel is one distinct parcel, and the preliminary commitment for title insurance reveals no unacceptable exceptions.

Personal Services: \$6,000

Hazmat Reviews:

Hazmat reports will be reviewed by a DNR Hazmat specialist. Estimated cost per parcel is \$250.00

Personal Services: \$1,000

Appraisal: The acquisition must have a current, reviewed and approved appraisal. Estimated costs for appraisal reviews will vary depending upon whether a private contractor is used or an in house review can be scheduled. It is our understanding that one parcel has an approved appraisal. Estimates for appraisal reviews for the remaining three parcels range from \$1,000 to \$500 per parcel depending upon the complexity of the appraisal.

Personal Services: \$2,500

It should be noted however, that should DNR, due to the delays associated with this effort, be unable to complete the review of these appraisals in house, the cost for each contracted review will be a minimum of \$1,200 and there will be insufficient funds within this budget.

Line Item	Description	Amount
71000	Personal Services	\$9,500
G&A		\$ 855
Total		\$10,355

**EXXON VALDEZ OILSPILL TRUSTEE COUNCIL
PROJECT BUDGET**

Budget Category:	Proposed FY 04																																																						
Personnel	\$9,500.0																																																						
Travel	\$ -																																																						
Contractual	\$ -																																																						
Commodities	\$ -																																																						
Equipment	\$ -																																																						
Subtotal	\$ 9,500.00																																																						
General Administration	\$ 855.00																																																						
Project Total	\$ 10,355.00																																																						
Other Funds																																																							
Comments: This budget represents an estimate of costs associated with the transfer of parcels, acquired by The Nature Conservancy through the Habitat Grant, to the State of Alaska. Thompson, Nakada, Knoll, McGee																																																							

FY04

Prepared: 8/2/02

Project Number: 040126
Project Title: Habitat Protection
Agency: Alaska Department of Natural Resources

FORM 3A
Project
SUMMARY

**EXXON VALDEZ OILSPILL TRUSTEE COUNCIL
PROJECT BUDGET**

Personnel Costs:		GS/Range/ Step	Months Budgeted	Monthly Costs	Overtime	Personnel Sum
Name	Description					
						0.0
TBD, Sandy Singer	Title Examiner	18	1.20	5.0		6.0
TBD, Judy Robinson	State Review Appriaser	20	0.35	7.2		2.5
TBD, SC Region	Natural Resource Manager	18	0.17	6.0		1.0
						0.0
						0.0
						0.0
						0.0
						0.0
						0.0
						0.0
Subtotal			1.7	18.2	0.0	
Personnel Total						\$9.5

Travel Costs:		Ticket Price	Round Trips	Total Days	Daily Per Diem	Travel Sum
Description						
						0.0
						0.0
						0.0
						0.0
						0.0
						0.0
						0.0
						0.0
						0.0
						0.0
						0.0
Travel Total						\$0.0

FY04

Project Number: 040126
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FORM 3B
Personnel
& Travel
DETAIL

Prepared:

**EXXON VALDEZ OILSPILL TRUSTEE COUNCIL
PROJECT BUDGET**

Contractual Costs:		Contract Sum
Description		
When a non-Trustee organization is used, the 4A and 4B forms are required.		Contractual Total
		\$0.0
Commodities Costs:		Commodity Sum
Description		
		Commodities Total
		\$0.0

FY04

Prepared:

Project Number: 040126
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FORM 3B
 Contractual &
 Commodities
 DETAIL

**EXXON VALDEZ OILSPILL TRUSTEE COUNCIL
PROJECT BUDGET**

New Equipment Purchases:		Number of Units	Unit Price	Equipment Sum
Description				
				0.0
				0.0
				0.0
				0.0
				0.0
				0.0
				0.0
				0.0
				0.0
				0.0
				0.0
Indicate replacement equipment purchases with an R.			New Equipment Total	\$0.0
Existing Equipment Usage:		Number of Units	Inventory Agency	
Description				

FY04

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**FORM 3B
Equipment
DETAIL**

Prepared: