

EVOS PROPOSAL SUMMARY PAGE

(Trustee Council Use Only)

Project No. 030126

Cluster _____

Date Received 8/23/02

Project Title: Habitat Protection

Project Period: FY 03

Proposer: Carol Fries
Alaska Department of Natural Resources
550 W. 7th. Ave. Suite 1400
Anchorage, AK 99501
Phone: 907-269-8425
Fax: 907-269-8918
Email: Carol.Fries@dnr.state.ak.us

EVOS Funding: \$37.7

Matching Funds: \$0.0

Study Location: Kodiak

Trustee Agency: ADNR

Abstract:

Project 030126 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 expressed support for ongoing private sector efforts to secure protection for additional parcels on Northern Afognak Island that were previously evaluated but not secured by the Trustee Council, including Little Waterfall Creek, Delphin Point, EVOS evaluation parcel 3B, and the remaining interests in the previously acquired timber conservation easement lands.. This project reflects Trustee Council support for negotiation and acquisition support activities but does not reflect any funding commitment by the Trustee Council for the acquisition itself.

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 remaining AJV lands located on Northern Afognak Island. 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 remaining Afognak Joint Venture lands located on Northern Afognak Island is being pursued by a group of non-profit organizations including the Kodiak Brown Bear Trust, American Lands Conservancy, Rocky Mountain Elk Foundation and others. In order to ensure that the state and federal governments receive clear title to these lands should the non-profit organizations and AJV successfully conclude negotiations, 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 and timber harvest data.
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 timber component of the appraisal will be required.

A review of the land component of the appraisal and the final appraisal will be required.

Title Review

A comprehensive review of title will need to be conducted prior to closing. In the past, the majority of this work has been provided via contract acceptable to both the US and the State. Further in-house review is required in order to verify legals and confirm 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, closing documents will be required.

C. Statistical Methods

N/A

D. Description of Study Area

The area under consideration is located on the northern shore of Afognak Island, Alaska located roughly between Little Waterfall Creek, including Delphin Point to Paul's and Laura lakes. The lands under consideration include all or portions of EVOS previously evaluated parcels AJV01, AJV 02, and AJV 03b.

E. Coordination and Collaboration with Other Efforts

This acquisition is being pursued by a group of non-profit organizations including the Kodiak Brown Bear Trust, American Lands Conservancy, Rocky Mountain Elk Foundation and others. The Alaska Department of Law will be coordinating negotiation efforts on behalf of the state and further coordination with the USFWS and Alaska Department of Fish and Game is anticipated.

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

Because the appraisal work for this acquisition is being done by the Kodiak Brown Bear Trust, American Lands Conservancy, Rocky Mountain Elk Foundation and others it is impossible to predict precisely when the previously listed activities will be conducted. It is in everyone's interest to proceed in a timely fashion; however, delivery of the appraisal determines scheduling of all other activities associated with this project.

B. Measurable Project Tasks (Estimated)

FY 03, 1st quarter (October 1, 2002-December 31, 2002)

- Appraisal and Timber Review
- Preliminary Title Review
- Review of Legal Descriptions
- Review of Purchase Agreement

FY 03, 2nd quarter (January 1, 2003-March 31, 2003)

- Ongoing title review

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

- Conduct Hazmat Review and Site Inspection

FY 03, 4th quarter (July 1, 2003-September 30, 2003)

- Conclude title review.
- Review closing documents.

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 a consistent management scheme for Northern Afognak Island. Public access and recreational use of this area will be ensured and users will enjoy consistency in terms of permitting, regulations, and opportunities for recreational hunting, fishing, camping, and subsistence use.

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

**EXXON VALDEZ OILSPILL TRUSTEE COUNCIL
PROJECT BUDGET**

Budget Category:	Proposed FY 03					
Personnel	\$13.6					
Travel	\$1.1					
Contractual	\$19.9					
Commodities	\$0.0					
Equipment	\$0.0					
Subtotal	\$34.6					
General Administration	\$3.1					
Project Total	\$37.7					
Other Funds						
<p>Comments: This budget represents an estimate of costs associated with the acquisition of additional lands along the northern tier of Afognak Island including Little Waterfall Creek, Delphin Point, EVOS evaluation parcel, 3B, and the remaining interests in the previously acquired timber conservation easement lands.</p>						

FY03

Prepared: 8/2/02

Project Number: 030126
 Project Title: Habitat Protection
 Agency: Alaska Department of Natural Resources

**EXXON VALDEZ OILSPILL TRUSTEE COUNCIL
PROJECT BUDGET**

Personnel Costs:		GS/Range/ Step	Months Budgeted	Monthly Costs	Overtin
Name	Description				
Natural Resource Manager	Title Examiner	18	0.85	7.0	
Natural Resource Manager	Hazmat Certification	18	0.6	6.0	
Park Ranger		16	0.3	5.8	
Natural Resource Manager	Project Coordinator	20	0.3	7.6	
		Subtotal		2.1	26.4
					Personnel Total
Travel Costs:		Ticket Price	Round Trips	Total Days	Da Per Die
Description					
Travel to Afognak Island for hazmat survey, site inspection		0.4	2	6	0.1
					Travel Total

FY03

Prepared:

Project Number: 030126
 Project Title: Habitat Protection
 Agency: Alaska Department of Natural
 Resources

**EXXON VALDEZ OILSPILL TRUSTEE COUNCIL
PROJECT BUDGET**

Contractual Costs:	
Description	
Transportation to and on Afognak Title review services by Title Examiner approved by State and US Appraisal Review	
When a non-Trustee organization is used, the 4A and 4B forms are required.	
Contractual Tot	
Commodities Costs:	
Description	
Commodities Tot	

FY03

Prepared:

Project Number: 030126
Project Title: Habitat Protection
Agency: Alaska Department of Natural
Resources

**EXXON VALDEZ OILSPILL TRUSTEE COUNCIL
PROJECT BUDGET**

New Equipment Purchases:		Number of Units	Unit Price
Description			
Indicate replacement equipment purchases with an R.		New Equipment Total	
Existing Equipment Usage:		Number of Units	
Description			

FY03

Project Number: 030126
 Project Title: Habitat Protection
 Agency: Alaska Department of Natural
 Resources

Prepared: