

CITY OF CORDOVA



PARKS AND RECREATION COMMISSION

REGULAR MEETING

Tuesday, September 6th

6:00 PM at the City Center

Mayors Conference Room

AGENDA

Commission Chair

Wendy Ranney

Commission Members

Stephen Phillips, Karen Hallquist, Marvin VanDenBroek, Kara Johnson, Dave Zastrow, Miriam Dunbar

Parks and Recreation Director

Susie Herschleb

Administrative Assistant

Heather Brannon

Cordova Parks and Recreation is essential for providing and fostering Parks, Programs and Facilities for all in pursuit of a healthy sustainable community.

- A. CALL TO ORDER
- B. ROLL CALL: Wendy Ranney, Stephen Phillips, Karen Hallquist, Marvin VanDenBroek, Kara Johnson, Dave Zastrow, Miriam Dunbar, Susie Herschleb, and Heather Brannon.
- C. APPROVAL OF AGENDA
- D. VISITOR COMMUNICATIONS
- E. CONSENT CALENDAR
 - 1. 6/21/16
- F. REPORTS
 - 1. Directors Report
- G. UNFINISHED BUSINESS
- H. NEW BUSINESS
 - 1. Priorities in the 2017 Budget Cycle
- I. PENDING AGENDA
- J. COMMISSION COMMENTS
- K. ADJOURNMENT

From the Administrative Office of the City of Cordova Parks and Recreation Department

Sept. 2016 Directors Report

Dear Commission,

As usual, this time of year we struggle to find balance between accomplishing goals and reporting on our accomplishments. This is even harder with the absence of a full time Recreation Operations Leader.

I am expediting my report and using bullet points to do so when I can.

SUMMER CAMP:

We had an outstanding summer with the kids! However, we do have a list of things we would do differently in the future. We continue to challenge ourselves with finding the perfect balance between budgeting, promoting and implementing this program.

Q: What did we do wrong?

A: I think the schedule was too complicated for families to follow. Although we were able to play with the idea of smaller age groups and shorter days to save on staffing; ultimately we would have had better attendance if the schedule were simple and easy to understand. We will continue to examine this.

Options for next year:

- Half day adventures / all summer / 2-7th graders (broad age group) / a few expedition days is an option with an older age group
- Full day adventures / condensed 6 weeks / older age group so we can take more kids / secondary programming for younger age groups – unrelated to camp.
- Combo / full days until summer school starts and move to half days.

Revenue Total: **\$6,075.00**

CHRISTMAS BAZAAR:

The day after our Special meeting we learned that the both the theatre and the gallery in the CDV Center are not available to us for the Christmas Bazaar. This to me, is a major problem. We lose 16 vendor spaces without the gallery and classroom. We would also have an added work load (**minus an event planner**). Coordinating a new outdoor food court and re-mapping the event is time consuming. We would be doing all of this, while reducing the size of the event; which results in lost revenue. We are set up to fail.

We would have done this:

- Swap pictures with Santa and the classroom vendors; placing classroom vendors on the stage.
- Move food court to outdoor tents in parking lot and the pioneer (potentially creating 5 new food court tables; 10 food court tables total)



- Create a new template for table placement. We would spread out dry good vendors inside the CDV Center. This is possible because the atrium would not be filled with food court tables. Potentially we could add 4 more dry good vendors as well. This would be a total of 36 dry good vendors.

We could have offered a grand total of 46 tables (combined food and dry goods) this would increase the tax revenue with 10 additional vendors. Expanding the event would justify spending the time, money and effort to coordinate a whole new outdoor food court.

With this said; I have reserved the gymnasium at Mt. Eccles for the first weekend in December as the venue of the 2016 Bazaar. I sincerely respect the Commission's recommendation to attempt planning the event one more year at the Cordova Center. I believe however, if we hold this event at the Cordova Center minus the theatre and the gallery, that we will **not** meet the expectations of the general public and/or our vendors.

NIRVANA PARK / SPIT:

You will find a slew of attachments regarding this property in your packet. It is my intention to refresh your memory and get you up to speed with the property. I could have written a 10 page report on this topic alone! Instead, I have provided insight on the most current happenings via e-mail threads. These e-mails are in a numbered attachment, placed in the packet after my directors report. I organized the attachment in this way:

- The first 4 pages have to do with conversations the P&R Dept. had in August 2015 with our insurance company and the permitting manager for the State. This is where the story begins. The P&R Dept. was looking into created a swim area using a buoy line in the water.
- Page 5 is a letter from Dianna Riedel, this letter was supposed to be included in our last Commission packet.
- Pages 6-9 of the attachment are between Jennifer Smith representing herself and eventually, the Eyak Lake Burial Site Caucus and Myself.
- Page 10 is an e-mail I sent to all City staff interested or involved directly or indirectly.
- Pages 10.5-17 are emails the P&R Dept. was copied in on.
- Page 18 is an invite for City staff meeting on the topic
- Page 19 is a recap of the City staff meeting on the topic sent to all other entities involved.

Below is a brief reminder of each entity that is involved and why:

- **CTY OF CORDOVA PARKS AND REC. DEPT:** *The P&R Dept. identified the need to manage recreation at on the beach due to increased traffic. The increased traffic includes multiple user groups recreating simultaneously and conflicting with each other. This scenario causes safety concerns. The P&R Dept. received (and continues to receive) a number of phone calls and reports from the public voicing their concern. The Dept. started receiving calls/reports in the Spring of 2015, shortly after a jet ski buoy course was placed in the water by private citizens; in close proximity of the beach.*

The beach is the only open public access beach on Eyak Lake. The Dept. does not intend to squash specific recreational enthusiasts; the goal is to comingle and recreate safety.

The P&R Dept. would like to apply for a LWCF (Land Water Conservation Fund) grant for the Park. The goal would be to construct an ADA bathroom for the Park. This is ranked the highest priority for funding in rural Alaska, according to SCORP (Alaska's Statewide Comprehensive Outdoor Recreation Plan). The current priorities according to SCORP will remain the same until 2021. An ADA accessible bathroom is a grant requirement for the park already. We are maintaining compliance temporarily with a port-a-john.

- **CITY OF CORDOVA HARBOR DEPT:** *There are fees in the City of Cordova fee schedule to charge for mooring aircraft at the Spit; \$348.98 or \$538.98 annually depending on the wingspan. It is unclear at this time whether the planes on the Spit are under a contractual agreement of any kind or are permitted by the State.*
- **CITY OF CORDOVA HISTORICAL SOCIETY:** *Received a 25k Rasmussen Grant for the Park; June 30th 2017 is the deadline for spending. The Historical Society will review the grant requirements at a public meeting in the near future. The meeting date TBA. This will be an opportunity for every user group and interested party to discuss the Park and how the public uses it.*
- **EYAK LAKE BURIAL SITE CAUCUS:** *The caucus was formed in June of 2016. Below is the official letter addressed to COC and the P&R Dept.*

To Parks and Recreation, and the City of Cordova:

In response to the proposed renovations to the Nirvana Park and Eyak Lake spit area by the City of Cordova, the Eyak people have formed a caucus to be representative of Eyak voices and ideas concerning the future of this sacred area. The Eyak Lake Burial Site Caucus wishes to put forth the following requests:

1. We request a detailed plan of proposed updates to the Eyak Lake spit and Nirvana Park by the City of Cordova.
2. We request an Eyak representative and an archaeologist of our choosing to be present at all updates that have been approved by our caucus.
3. We request all motorized traffic to the spit area be halted.
4. We wish to be in partnership and conversation with the City of Cordova moving forward to begin a project with the U.S. Forest Service to use Ground Penetrating Radar technology in further identifying unmarked Eyak graves in the Eyak Lake spit and surrounding Nirvana Park areas.

Signed:

The Eyak Lake Burial Site Caucus

Pamela Smith
Jennifer Smith
William Smith
Ramona Curry

- **CORDOVA AIR SERVICE:** Cordova Air Service uses the waterway (3,000' x 8,000') in Lake Eyak to land sea planes. When the P&R Dept. spoke with Cordova Air regarding the Jet Ski course; they were supportive of moving the course further away from their docks. They told us that the wake slams their sea planes against their docks and they wished it wouldn't happen. They also said that it would be nice to not have to navigate around the buoys when taking off in the area is required due to the wind conditions.

However, when the Dept. spoke with a local Jet Skier, we learned that he spoke to Cordova Air Service about launching and riding in the area. He informed us that he asked about it to be courteous and he was told they were fine with the Jet Ski traffic and launching on the smaller boat launch located nearest the Spit.

- **USER GROUP; JET SKIERS:** This user group is composed of both local and transient traffic. They enjoy using the beach for many reasons. Mostly they seem to enjoy running the buoy course. A private citizen placed the course just off the beach at the Spit. The course is roughly 480' running the entire beachfront and beyond. A portion of the course resides in the State of Alaska waterway used by Cordova Air (local air service).

Currently jet skiers can drive and launch on the beach. There is about 110' feet of unobstructed beach front that can be used to launch. Many jet skiers back their truck up to the water's edge and stay parked there for the length of their visit.

USER GROUP; PICNICING: Those interested in picnicking are allowed to build a fire anywhere on the beach front. There are no fire rings or grills installed to contain or dedicate areas to cook food.

Picnickers take advantage of the ability to drive on the beach as well. Most enjoy the fact that their supplies are easily accessible.

- **USER GROUP; SWIMMERS:** Swimming is allowed the entire length of the beach (approx: 310' of swimmable area.) With the buoy course as close as (approximately) 25' from the beach they must keep aware of the Jet Ski traffic. This user group has been most active in reporting safety issues to the Parks and Recreation Dept.
- **USER GROUP; OVERNIGHT CAMPERS:** Overnight campers are not allowed. However, there is no supporting signage so the P&R maintenance crew enforces this during daily rounds. The P&R Dept. runs across 2-3 overnight campers in the summertime annually. Occasionally, we will have a repeat overnight camper. When this happens we will ask the police to assist us in evicting the individual.

Please make sure and read through the attachment provided at the end of this report to better understand the current issues with this site.

In closing, I have reported a number of accomplishments the Dept. has made since the last regular Parks and Recreation Commission meeting:

ACCOMPLISHMENTS / BUSINESS:

- Quarterly report (attached at the end)
- Preparing the new plaque stands for Fisherman's Memorial.
- Repaired the gazebo walls at the grassy field.
- Made repairs to back wall of Skaters Cabin.
- Received estimates for pool roof project.
- Ran tests on all meters at Camper Park.
- Data reviewed on electrical usage verses bills – on point.
- Built a retaining wall between the road and the beach at Skater's Cabin.
- Worked on final repairs to shooting stations @ Bidarki.
- Scheduled lifeguard training dates TBA – but will happen in the month of Sept.
- Researching training options for Derek Hammer to become a lifeguard trainer.
- Repaired diving platforms @ pool.
- Installed a volleyball net @ pool.
- Started water yoga @ pool – good #'s!
- Creating new and improved office systems; updating revenue data collection.
- Researching linking card swipe system at to work at both Pool and Bidarki.
- All OSHA requirements up to date at Pool and Bidarki.
- Purchased two large event tents for Community and youth programming.
- Minor repairs to weight room equipment.
- Received the pre-fab outhouse structure for the Skaters Cabin restroom.
- All boilers were inspected to create a new maintenance schedule for the City.

From: Brad Thompson [<mailto:bthompson@akpei.com>]
Sent: Monday, August 10, 2015 3:53 PM
To: Susie Herschleb
Cc: Doug Brown; Cindy Appleton
Subject: FW: FW: Lake Eyak Cordova AK

Susie,

Thanks for your time today to address my concerns that the city was contractually obligating itself to assumption of liability for any injury to the public while recreating on state owned waterways. That is a state risk that should be addressed by their division of risk management.

As I mentioned, APEI coverage to the city does not stop at your property line – but I suggest you raise your concerns from the present hazards you observe (slalom buoys course for jet skis adjacent to swimming areas) with other state officials.

Be glad to discuss this further in the future any time.

thanks

Brad Thompson
Executive Director
APEI
www.akpei.com
1-877-586-2734
Direct (907) 523-9440

Susie,

The document from 2009 that you provided refers to certain wake restrictions near shorelines within **State Parks** managed waters. It also has a disclaimer about contacting the managing agencies to confirm.

The fact sheet on Generally Allowed Uses provided yesterday refers to how DNR DMLW manages noncommercial uses on State Land/Waters. We assert access is allowed on navigable water bodies through a variety of watercraft.

To start the permitting process, apply. We do both agency and public review (comment period), then address substantive comments in a decision. It is not a voting process; substantive issues are addressed in the decision and the decision is appealable. If the decision is to issue, a permit is drafted at the same time. The permit can allow all that is requested, some of what is requested, or deny what is requested. The Decision and Permit are sent to all interested parties.

If a permit is issued the applicant is responsible for the liability of what is permitted and indemnifying the State. Using the buoys as an example, if a boat/person gets tangled in the buoys or a float plane hits them, the City (assuming you apply as the City) would be liable and indemnify the State. Make sure your risk management folks understand this. It is quite a bit of work for everyone for you to apply and for us to adjudicate then find the Muni does not like the risk and will not sign the permit. This has happened before on a similar request (rope line for no wake and swimming area) on a lake on the Kenai Peninsula.

The most current indemnification stipulation is:

Indemnification: *Permittee assumes all responsibility, risk and liability for its activities and those of its employees, agents, contractors, subcontractors, licensees, or invitees, directly or indirectly related to this permit, including environmental and hazardous substance risk and liability, whether accruing during or after the term of this permit. Permittee shall defend, indemnify, and hold harmless the State of Alaska, its agents and employees, from and against any and all suits, claims, actions, losses, costs, penalties, and damages of whatever kind or nature, including all attorney's fees and litigation costs, arising out of, in connection with, or incident to any act or omission by Permittee, its employees, agents, contractors, subcontractors, licensees, or invitees, unless the proximate cause of the injury or damage is the sole negligence or willful misconduct of the State or a person acting on the State's behalf. Within 15 days, Permittee shall accept any such cause, action or proceeding upon tender by the State. This indemnification shall survive the termination of the permit.*

Permits can be issued up to a 5 year term. They can be reissued for additional term(s) if requested prior to expiration.

This entire process can take from 60 up to 90 days from the receipt of a complete application to a decision. The current fiscal situation for the State has left DNR positions vacant. We are balancing the workload with less staffing and our process has slowed due to the number of incoming requests.

I hope this helps you understand why the process takes time.

Sincerely,
Cliff Larson
Permitting Manager
907-269-8508
clifford.larson@alaska.gov

**From the Administrative Office of the City of Cordova
Parks and Recreation Department**

P.O. Box 1210
Cordova AK, 99574
(907)424-7282



To: **Division of Parks and Outdoor Recreation**
550 W 7th Ave., Suite 1380
Anchorage, AK 99501-3561
(907) 269-8700
fax: (907) 269-8907
Director: Ben Ellis

Dear Mr. Ellis,

Please forgive me in advance; I am not sure which State official I should talk to about my concerns. If it is not you, it would be greatly appreciated if you could steer me in the right direction.

I am Susan Herschleb, the Director of Parks and Recreation for the City of Cordova. The Spit at Nirvana Park is a City owned park with public access to Eyak Lake. Eyak Lake is currently designated a State Waterway as opposed to a State Park. Over the years the usage of Eyak Lake has changed. It has become a very popular place to recreate for jet skiers in particular. The Spit has always been the public's access to the lake for swimming. Most kayaks, canoes and motorized boats launch at the boat ramp which is located elsewhere.

Jet skis however, have begun to launch primarily from the Spit; coming and going from the beach as they please. I went to the beach to witness how the user groups were interacting. It was a beautifully sunny day; about 72 degrees, and commercial fishing was closed (highest usage). At the time I visited, there were 9 cars on the Spit itself and 4 cars parked in the parking lot. Two trucks had Jet Ski trailers; one of which was launching between sunbathers, swimmers and a live fire on the beach. It was easy to see what we (the City) needed to do from the beach to better manage the site. We will request funding for these improvements in 2016.

In the water; there were 5 jet skis playing on a buoy course that had been placed about 25-30 feet off the beach by a private party (don't forget the 2 jet skis launching from the beach; 7 jet skis total recreating on the course). The buoy course is set in Cordova Air's 3,000 x 8,000 foot designated water way for landing float planes (Cordova Air is a local float & bush plane air service). The float planes have to navigate around the buoy course for takeoff as well!

Although the buoy course is problematic, my biggest concern is that the jet skiers are approaching the beach at a high rate of speed and from every direction. I think a 100 foot no wake rule would help this situation. I was lead to believe that there is no oversight for recreation on Lake Eyak because it is designated a Waterway as opposed to a

State Park. I would be interested to understand how this is determined and if there is any way to modify or change the designation.

I started down the road of applying for permits to place buoys in the water and possibly designate swim area. I sent the current indemnification stipulation that is disseminated in the State's permit application to our insurance company for review. They responded with concerns about the City contractually obligating itself to assumption of liability for any injury to the public while recreating on state owned Waterways. I will not be applying for these permits at this time, per this recommendation.

Most importantly, I want you to be aware of what is happening recreationally on Lake Eyak. The City can and will do more to better manage the beach. I am afraid however, that the City is not going to accept responsibility beyond our property line, and there are present hazards that should be addressed. Please let me know if you have any further questions for me, or if there is anything else I can help you with.

Sincerely,

Susan E. Herschleb

Director of Parks and Recreation for the City of Cordova

P.O. Box 1210

Cordova, AK

99574

(907) 424-7282

Dear Cordova Parks and Recreation Commission,

My name is Diana Riedel, I was born and raised here and now live here year round raising my daughters Kiley 11, and Elora almost 2 years old. I am an Alaskan native of Eyak and Athabascan descent. My family has been here for generations and I absolutely love living here and raising my children.

I am writing this letter in regards to the recent work and grant that was received for improvements at Nirvana Park. I am beyond excited about this as we are frequent users of the area for swimming, kayaking, picnicking, watching the jet skiing, having summer birthday parties, and also ice skating. My children and I love this spot, and we also have a deep respect for the area and cultural significance and history it has. I was very young during the repatriation and the reburial at the spit. I remember the house placed over the grave and would like to see something similar to this or some memorial to mark the graves. Sharing our Eyak history is important and the spit is a great place to do this.

I am coming into this discussion late and I apologize for that. I was reading the minutes from June 21st, 2016. I just became aware of the erosion issues and that the city was having reservations about people driving down there. Is this something the grant money could be used for?

One of the reasons we spend so much time at the spit is convenience. It is easy to get to in town, it's beautiful, it's safe, it has cultural significance, and I can drive down there with all the swimming toys, kayaks, food, kids, blankets or chairs, and cooking supplies. I have never had an issue getting down there and back up with the truck. Sometimes I drive and drop off supplies and then park up top, but it is still very nice to be able to bring a vehicle down there.

I love the gentle slope of the beach down there. The baby can wade in and out without a steep drop off. The older girls can kayak and get in and out unassisted and out of the way of the float planes. I can play with the baby in the water and still watch the older girls from anywhere they are kayaking.

I am worried that if the spit becomes open to foot traffic only it will be harder to access and enjoy. Right now the spit is perfect for this and we love going there. However if the road was closed it would not be as convenient.

I really appreciate all your hard work this commission does for the enjoyment of the community. I would be happy to be involved in more discussions on this issue or to help. Thank you so much, and thank you for your time to read this letter.

Sincerely,

Diana Riedel
dianariedel@hotmail.com
(907) 253-5364

On Thu, Aug 11, 2016 at 12:23 PM, Susie Herschleb <bidarki@cityofcordova.net> wrote:

Hey Jen,

I have a little bit of time this morning during this camp week to check in with you. I was hoping to hear what went on with Heather Hall. Next week my summer programming is over and I will be more available to work on other projects and visit during the normal working day. There is a grant available right now that would be a great fit for the Nirvana and the Spit in addition to the 25k already awarded to the Park – the grant is due by October 31st. Clearly however we need to develop a unified vision and partnerships to move forward.

I would love an update via e-mail or if you would rather meet next week that's cool too.

Thanks again,

Susan E. Herschleb

Director of Parks and Recreation

City of Cordova

P.O. Box 1210

Cordova AK

99574

(907)424-7282

Hi Susie,

Thanks for your email, and my apologies about the delay in getting information to you regarding updates on concerns about the spit. During the Eyak Culture Camp, we created a small caucus that was elected to make decisions on behalf of the larger group and to keep them informed. We have created a document that I have attached that describes our initial thoughts. We are very appreciative of the desire to work together, and we are excited to move forward together.

I'm happy to keep the conversation going on this email thread, or we could talk on the phone if you prefer. I hope summer camp is going well!

All best,

Jen

To Parks and Recreation, and the City of Cordova:

In response to the proposed renovations to the Nirvana Park and Eyak Lake spit area by the City of Cordova, the Eyak people have formed a caucus to be representative of Eyak voices and ideas concerning the future of this sacred area. The Eyak Lake Burial Site Caucus wishes to put forth the following requests:

1. We request a detailed plan of proposed updates to the Eyak Lake spit and Nirvana Park by the City of Cordova.
2. We request an Eyak representative and an archaeologist of our choosing to be present at all updates that have been approved by our caucus.
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4. We wish to be in partnership and conversation with the City of Cordova moving forward to begin a project with the U.S. Forest Service to use Ground Penetrating Radar technology in further identifying unmarked Eyak graves in the Eyak Lake spit and surrounding Nirvana Park areas.

Signed:

The Eyak Lake Burial Site Caucus

Pamela Smith
Jennifer Smith
William Smith
Ramona Curry

Jennifer,

I appreciate your response. I will need to discuss this further with my City manager. I personally think that these are reasonable requests considering everything; however, some of these requests are beyond my scope of authority.

I can see that there may be an issue with restricting pilots who are paying moorage fees to the City via a contract and restricting them motorized access. Especially after a number of years allowing them to do so.

- Who has the authority to consider changing this?
- What is the proper process to initiate this change?
- Who should initiate this change?
- What is their contractual cycle?
- Is motorized access essential to them?

Also I would like to create a bit more clarity when it comes to funding. There is a cost, I would assume, to having an archaeologist present for updates along with a cost related to the use of underground radar equipment.

- Who would pay for this?
- Is there funding for this?

I do feel strongly, that any detailed plan that currently exists is not necessary to present to the Caucus at this time. It is not fiscally responsible to use my limited resources discussing the existing plan any further. I am not in any way forced to execute the plans I/we have developed at this time. My reasoning; we are unaware of the expectations (with a reasonable amount of detail) the Caucus may have upon the discovery of unmarked Eyak graves in the areas of proposed updates. These expectations and the discussion that follows will directly impact any existing plan and may create an entirely different approach all together. I respectfully decline to provide the Caucus with a detailed plan of the updates to the Eyak Lake Spit and Nirvana Park by the City of Cordova at this time.

I hope to hear back from you soon and am interested to hear more. I will spend some time looking into public process and airplane moorage and report my findings,

Thanks,

Susan E. Herschleb

Director of Parks and Recreation
City of Cordova
P.O. Box 1210
Cordova AK
99574
(907)424-7282

Hello all;

I've tried to include everyone who may become involved for various reasons in this e-mail. I am trying my best to be proactive in these discussions. Please read the attached after scrolling down to read the thread. I was originally wondering, under what authority can the caucus request these things from us? I've learned a great deal over the past few days. It would be good to go to the link below if you are not familiar with NAGPRA (Native American Graves Protection and Repatriation Act).

I don't plan on doing all of the leg work. I have simply engaged in identifying the proper public process Jennifer Smith and the Caucus should take to further discuss their requests. I have also postponed any improvements to the area for the time being.

I will say however, that I believe there is a substantial safety risk in the way the spit is being used recreationally in the summertime. It originally was my goal to better manage recreation on the beachfront for the public's safety. Our plans included ground work, heavy equipment and fill. Clearly it is not reasonable to perform this work at this time. The monsoon season is upon us and this risk is greatly reduced for now and through May 2017.

The Spit is the only free public access beach to the lake for this community. Skaters Cabin beach is linked directly to the cabin and must be reserved. Recreational use has blossomed over the past 3-4 years on the Spit. We see swimmers, non-motorized boaters, motorized boaters, jet ski traffic and picnicking.

I certainly was surprised to hear there may be human remains still under the spit and at one time there were close to 90 burial sites stretching the length of the beach. I am compelled to respect this possibility. I am also compelled to be proactive about risk management on the site. I think it will be important to be diligent over the winter to find compromise; to be thoughtful of the caucus, while simultaneously achieving a higher level of safety for those who use the area.

Clay and Cathy, I think it would be helpful for me to review the grant requirements soon. I should say as well, that I believe we have a very good chance of serious consideration for a LWCF grant to place a bathroom facility at this park. ADA accessible bathrooms rank highest in Alaska's State wide Comprehensive Recreational Plan, known as SCORP (2016-2021) and especially in rural communities.

I appreciate your feedback. Please scroll down and read through the emails. If you have any questions don't hesitate to call or e-mail me back. Below is the link I discussed earlier in this e-mail;

<https://www.nps.gov/archeology/tools/laws/nagpra.htm>

Susan E. Herschleb
Director of Parks and Recreation
City of Cordova
P.O. Box 1210
Cordova AK
99574
(907)424-7282

Susie Herschleb

From: JENNIFER SMITH <j.smith@berkeley.edu>
Sent: Saturday, August 27, 2016 2:58 PM
To: sburetta@chugach.com; John Johnson; Brooke Johnson; mckenzie.johnson@alaska.gov; Hall, Heather C -FS; Susie Herschleb; rasmusonfdn@rasmuson.org
Cc: Ramona Curry; Bill And Carrie; Pamela Smith; Angela Butler; dune lankard
Subject: Eyak Lake and Nirvana Park sacred site concern
Attachments: To Whom It May Concern.docx

Hi all,

I am writing as an Eyak individual, a tribal member, and a member of the Eyak Lake Burial Site Caucus. Our small group composed of Eyak individuals Ramona Curry, William Smith, Pamela Smith, and myself wish to bring your attention to an issue regarding the current status of the Eyak Lake spit and Nirvana Park, and its future after the allocation of funds by the Rasmuson foundation to the City of Cordova for a renovating project at the Eyak Lake Spit and Nirvana Park.

The Eyak Lake spit in Cordova, Alaska and its surrounding areas known as "Nirvana Park", is a site of cultural significance to the Eyak people that we wish to protect. I have attached a document pertaining to its history as a burial ground for the Eyak people, and its "transformation" into a recreation swimming site by Henry C. Feldman in the 1930's. To honor this history, we wish to move forward with a plan for this area. We wish to designate this area a Traditional Cultural Property, that has adequate signage to acknowledge the indigenous Eyak history and ongoing presence, and importance of the area to Eyak people. Part of designating this area a TCP would also involve future archaeological projects in conjunction with the USFS to use Ground Penetrating Radar to detect other unmarked graves of our Eyak ancestors that may be on the spit or in the Nirvana Park area. A benefit of a TCP designation would also be to acknowledge the other user groups of this area, while not compromising the significance of the space for Eyak people.

Our caucus seeks support from your respective institutions, as we wish to carry out this project in partnership with the City of Cordova, the Forest Service, the Alaska State Historic Preservation Office, and with our Native corporations and institutional entities (NVE, Chugach Corp, and Eyak Corp). Please do not hesitate to contact us with any questions or concerns, and we look forward to working with you on this important land restoration project

Thank you for your time.

All best,

Jen

--

Jen Smith
Ph.D. Student
Department of Ethnic Studies
University of California, Berkeley

To Whom It May Concern:

I am writing to address the plans made by the City of Cordova to make alterations and developments to the Nirvana Park and Eyak Lake spit area. This area is a special place for many Cordova citizens, as it is home to the annual Easter egg hunt, an easy and safe location for families and groups that wish to swim in the lake, it is a commercial space for airplanes and helicopters, it is a spawning area for salmon, it is a graveyard for Cordova residents, and it has more recently been chosen as a place for children participating in Bidarki day camp to spend a significant portion of their time. The spit is a multipurpose space for community members of many different shapes, sizes, and species. It has many histories that overlap and inform one another, including a history that is commemorated in the title *Nirvana* park—as it was once a location for an artistic exhibition of woodcarvings in the early years of Cordova.

However, there are also histories that prove to be less evident in the landscape of the spit area. While there are plaques in Nirvana Park that acknowledge Marie Smith Jones, and the historical Eyak presence at the lake, the site of repatriation of Eyak remains that were buried on the spit itself goes entirely unrecognized. It is my sincere hope that in the developments and alterations made to the Eyak Lake spit area, that this history is honored and remembered through a commemorative structure that can withstand the weather. Following the repatriation, a beautiful small wooden grave house was erected but taken by the weather. I would like to see a more fully realized and structurally sound design that can endure Cordova's winds, and the flooding that occurs at the lake. Moreover, I would like this to be an educational design that would help to inform the various groups that traffic the spit area. Native history of the lake area is not common knowledge to residents of Cordova, and very few spaces commemorate or acknowledge Eyak history and ongoing Eyak presence in the Cordova area. While we have places or institutions named "Eyak" there are few spaces in town, outside of the Illanka Cultural Center, that educate not only tourists about the Native people of the area, but our own community residents that may be uninformed. The Alaska Native history of the Cordova and Prince William Sound area is not required teaching at Mt. Eccles elementary school or at CHS, so the spaces of learning about the histories of Native people in our area are very limited. Creating an educational structure at the spit would be a great first step to rectifying this unfortunate status quo.

Furthermore, it is of utmost importance to involve Eyak people and Eyak voices in the ongoing changes, alterations, and developments happening at the Nirvana Park area and Eyak Lake spit due to its cultural and historical importance. Not only are these areas gravesites, but also they are important spaces for Eyak futurities and collectivities. While it is monumentally important to protect the remains that rest at these locations, it is also important to honor and acknowledge the ongoing presence of Eyak people. Making sure that the landscape at Nirvana Park and the Eyak Lake spit reflect Eyak history, present, and future, is one way to accomplish this important goal. It is my most genuine hope that you consider these concerns as the projects at these locations continue forward. Please don't hesitate to contact me with any questions.

Thank you,

Jen Smith
j.smith@berkeley.edu

To Whom It May Concern:

We, the Eyak Lake Burial Site Caucus are writing to address the plans made by the City of Cordova to make alterations and developments to the Nirvana Park and Eyak Lake spit area, as funded by The Rasmuson Foundation. This area is a special place for many Cordova citizens, as it is home to the annual Easter egg hunt, an easy and safe location for families and groups that wish to swim in the lake, it is a commercial space for airplanes and helicopters, it is a spawning area for salmon, it is a graveyard for Cordova residents, and it has more recently been chosen as a place for children participating in Bidarki day camp to spend a significant portion of their time. The spit is a multipurpose space for community members of many different shapes, sizes, and species. It has many histories that overlap and inform one another, including a history that is commemorated in the title *Nirvana park*—as it was once a location for an artistic exhibition of woodcarvings in the early years of Cordova.

However, there are also histories that prove to be less evident in the landscape of the spit area. While there are plaques in Nirvana Park that acknowledge Marie Smith Jones, and the historical Eyak presence at Eyak lake more generally, the site of repatriation of Eyak remains that were buried on the spit itself goes entirely unrecognized. Moreover, the history of the Eyak Lake spit as an historical Eyak burial ground also goes unacknowledged.

For a very long time, the spit and “Nirvana Park” were both used as a burial ground by the Eyak people. It was more steadily used as a graveyard as settlers, homesteaders, and workers from various industries encroached into Cordova and pushed Eyak people out of their villages at the mouth of the lake and Alaganik by both force and disease. Eyaks that survived smallpox and other colonial violences moved closer into the town of Cordova, across from their graveyard in the southwestern area of the Lake. As seen in the photographs below, the spit was a resting place for dozens of deceased. The spit could have been a ground for cremated bodies as well.

As noted in Cathy Sherman's narrative in the book *Cordova*, "In 1909, the newspaper noted the difficulty in reaching the [Native] graveyard, since there was no road, and expressed concern about the poor conditions. The transformation of this spot began with the arrival of German immigrant Henry C. Feldman" who constructed Nirvana Park (53). The exact history of “the transformation”, specifically what happened to the graves on the spit, remains inconclusive, but what is absolutely clear is that in order to construct Nirvana Park, the burial remains were either covered with gravel, or removed. A newspaper clipping from the 1935 Cordova Times newspaper states that Eyak man oversaw the removal and reburial of 28 Eyak bodies from the spit to the Pioneer cemetery across the street. The Eyak bodies were removed because erosion to spit was causing the buried graves to be exposed. This erosion of the spit is caused by the man-made weir that was built after settlers arrived at Cordova, and is located at 6 mile where the Eyak Lake and Eyak River meet. A story from Marie Smith Jones recounts that there were more than 70 graves excavated from the spit, and that some were reburied in the Pioneer Cemetery, even though the graveyard was segregated, as the Pioneer Cemetery was meant only for the graves of white people. The one grave holding these many Eyak remains in the Pioneer Cemetery has yet to be located. As Marie Smith Jones recounts, other excavated Eyak bodies were sent and sold to museums, or thrown away at the town dump 17 mile. In any case, the land of the Eyak spit area was and will remain sacred burial grounds.

Prior to the construction of Nirvana Park, William (Doc) Chase stole at least one of the Eyak bodies buried at the spit. Chase, a famous figure in Cordova's history, was the first medical doctor of the town, and was also mayor of Cordova for more than 22 years. In addition, Chase was also a grave robber, and was known to manipulate cultural items out of Eyak people's possession by promising them alcohol or 'medicine'. Chase also thieved the remaining Eyak totem poles at the Alaganik village site and cut them in half so they would fit into his office on Main Street. His office burned in a fire along with all of these items¹. These totem poles were recreated and their copies stand at the Wells Fargo bank in Cordova, Alaska. The Eyak ancestor was stolen from his resting place at the spit and was sold to the Smithsonian museum by Doc Chase. In 1993, his remains were repatriated through the help of John Johnson at the Chugach Alaska Corporation. His remains were laid to rest, appropriately, at the Eyak Lake spit. Following the repatriation, a small wooden grave house was erected atop the grave, but it was subsequently taken by the weather. 1993 is the last time the repatriation site has been formally or officially recognized, and currently the repatriation grave bears no marker. The longer history of the spit as an Eyak burial ground is even less recognized, known, and understood.

It our suggestion that the City of Cordova and Parks and Recreation honor and remember these histories through a thorough process of consultation with the Eyak people before and during the renovation to this sacred area at the Eyak lake spit. It is our hope that the renovations include a more fully realized and structurally sound commemorative structure that can endure Cordova's winds and the flooding that occurs at the lake. Moreover, we wish to see the Eyak Lake Spit and Nirvana Park area designated a Traditional Cultural Property (TCP). We would like this to include a memorial piece that also acts as an educational structure to inform the various groups that traffic the spit area of not only the repatriation site, but of the longer history of the space as an Eyak cemetery. Eyak history of the lake area is not common knowledge to residents of Cordova, and very few spaces commemorate or acknowledge Eyak history and ongoing Eyak presence in the Cordova area. While there are many places or institutions named "Eyak" in Cordova, there are few spaces in town, outside of the Illanka Cultural Center, that educate tourists and community residents about the Native people of the area. The Alaska Native history of the Cordova and Prince William Sound area is not required teaching at Mt. Eccles elementary school or at Cordova Jr./Sr. High School, so the spaces of learning about the histories of Native people in our area are very limited, especially those regarding Eyak people. Creating an educational structure at the spit would be a great step to rectifying this unfortunate status quo.

It is of utmost importance and necessity to involve Eyak people and Eyak voices in the changes, alterations, and developments happening at the Nirvana Park area and Eyak Lake spit due to its cultural and historical importance. Not only are these areas gravesites, but also they are important spaces for Eyak futurities and collectivities. While it is monumentally important to protect the remains that rest at these locations, it is also important to honor and acknowledge the ongoing presence of Eyak people. Making sure that the landscape at Nirvana Park and the Eyak Lake spit reflect Eyak history, present, and future, is one way to accomplish this important goal. It is our most genuine hope that we can create a conversation and partnership to decide the future

¹ This information is available in a 6-minute news story done by KTUU in 1993. The VHS can be found at the Cordova Museum.

of the Eyak lake spit, as this sacred land holds not only the ancestors of the Eyak, but it is part of our future as well.

Thank you,

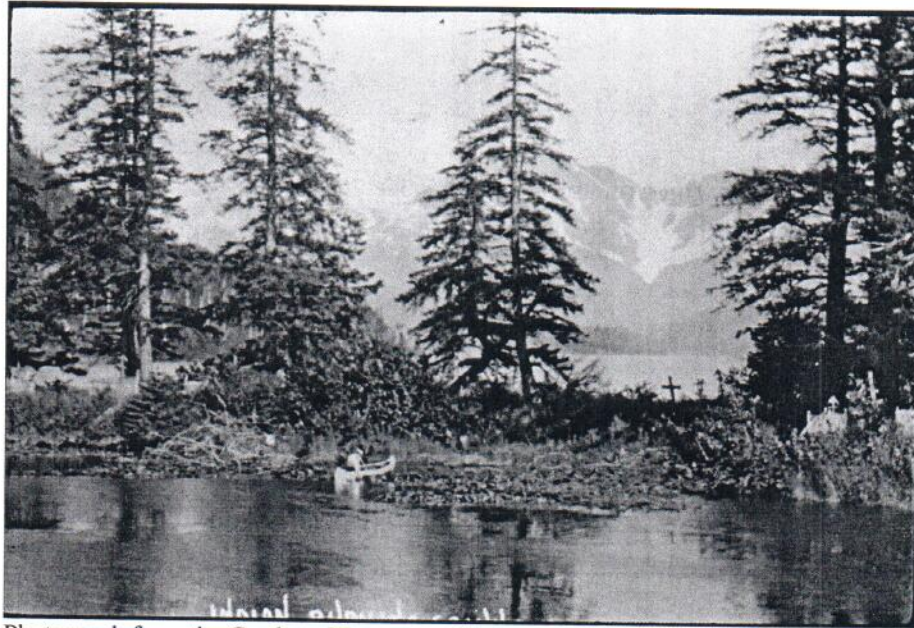
The Eyak Lake Burial Site Caucus:

Pamela Smith, wildakkings@ctcak.net

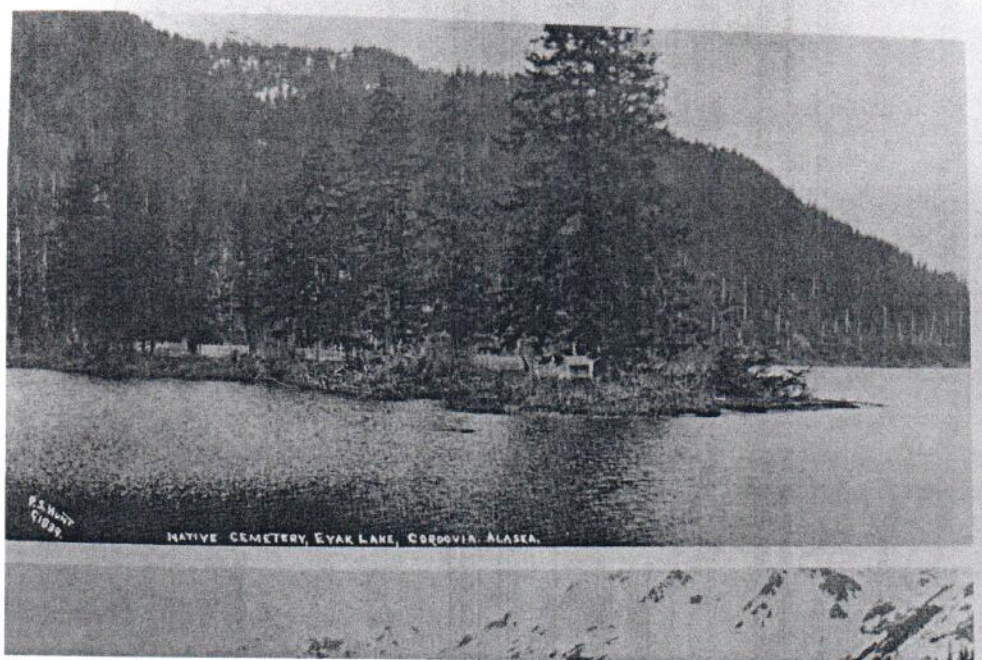
Jennifer Smith, j.smith@berkeley.edu

Ramona Curry, ramonac@abbottloop.org

William Smith, imeyak@valdezak.net



Photograph from the Cordova Museum archives.



Photograph from John Johnson's *Eyak Legends of the Copper River Delta, Alaska*.

On Mon, Aug 29, 2016 at 9:44 AM, John Johnson <jjohnson@chugach.com> wrote:

Greetings all

I agree that efforts need to be made to protect this important burial grounds.

John Johnson

Hi John,

Thanks for your response. It will be a pleasure to have your help and expertise in moving forward with this project.

All best,

Jen

Hello Jen et al.,

Thank you for bringing the Alaska State Historic Preservation Office into this discussion. Any correspondence and supporting documentation that you believe appropriate to share can be directed to Judith Bittner, State Historic Preservation Officer, at the address below or sent via e-mail to oha.revcomp@alaska.gov (if it is not too large of a file size). We also suggest contacting Jo Antonson, State Historian (907-268-8714 or jo.antonson@alaska.gov) in our office for further information on the National Register nomination process. I have Cc'd both so this is brought to their attention, as well as my supervisor Shina duVall. Our office is here to provide technical assistance with the nomination process-- and also assist in compliance with the applicable historic preservation laws if there is a State or Federal licensed/funded/or otherwise authorized project that has the potential to effect potential, eligible, or listed historic properties. Please feel free to call or e-mail with any questions, and keep us informed as this moves forward. Thank you.

Mckenzie S. Johnson
Archaeologist I, Review and Compliance
550 W. 7th Ave, Suite 1310
Anchorage, AK 99501
Phone: 907-269-8726
E-mail mckenzie.johnson@alaska.gov

OHA is updating Alaska's historic preservation plan and wants to know what historic places matter to you. Please share your thoughts by taking a short survey that is available online at:
<http://www.surveymonkey.com/r/AKHPP>

Good Morning,

We've been able to confirm with Susie and Heather. Nirvana Park Meeting
THURSDAY AUGUST 25th at 1:30 pm in the Mayors Conference Room.

Again, the goal of this initial meeting is to make sure as a City entity we are all
on the same page. Please bring what you can to the table.

1. Background
 - a. Learn and discern what the issues of use are.
 - b. Learn the history of the park.
 - c. Learn the ownership and management of the park.
2. Discuss Funding
 - a. Rasmuson Grant and Deadlines
 - b. LWCF Grant and Deadline
 - c. Parks and Rec Budget for Nirvana
3. Next Steps
 - a. NAGPRA Discussion
 - b. Joint Meeting with Eyak Caucus?
 - c. Begin plans for park development that addresses all issues.
 - d. Complete LWCF Grant application
 - e. Complete work to expend Rasmuson funds by June 30, 2017.

Cathy Sherman
Information Services Director
Museum/Library/IT/PIO
City of Cordova

Susie Herschleb

From: Cathy Sherman
Sent: Monday, August 29, 2016 11:46 AM
To: Susie Herschleb; Clay Koplin; Mike Hicks
Cc: Rich Rogers; Sam Greenwood; Leif Stavig; Micah Renfeldt; Heather Brannon; Tony Schinella; : JENNIFER SMITH; sburetta@chugach.com; John Johnson; Brooke Johnson; Hall, Heather C -FS; Cc: Ramona Curry; Bill And Carrie; Pamela Smith; Duvall, Shina A (DNR; Angela Butler; dune lankard; Bittner, Judith E (DNR; Antonson, Joan (DNR
Subject: RE: Eyak Lake and Nirvana Park sacred site concern

Greetings All,

So that we can all be on the same page as we are duplicating our efforts, I am afraid! The City group met last week and I am happy to share a summary of our discussion and plan.

First of all, the Rasmuson Foundation grant was given to the Cordova Historical Society as a non-profit. The Historical Society will be administering the grant. And we are in the process of setting up a separate account for the funds and an accounting system. The grant expires June 30, 2017.

Secondly, We also have already reached out to the Office of History and Archaeology and have been amassing documents and learning about sacred and burial sites. In addition, we are completing a documented history of specifically the Nirvana Park area, but Eyak Lake in general.

Third, We are working on an overall map of Eyak Lake that shows both ownership of adjacent lands, cultural and traditional use of the lake; critical salmon habitat and recreational use of the lake.

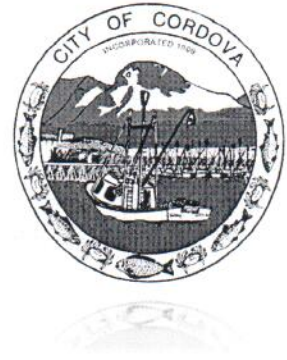
As administrator of the grant, the Cordova Historical Society will be organizing a public meeting later this fall to discuss with all the involved parties from the Eyak Caucus, NVE, Eyak Corporation, USFS, CRWP, the City and more. We look forward to working on this community project and making it a successful project for all of us. Best -

Cathy Sherman
Information Services Director
Museum/Library/IT/PIO
City of Cordova

"I realized that...my heart told me....that every time I eat pie, I'm a lot happier than before." Silas - my very observant grandson.

From: Susie Herschleb
Sent: Monday, August 29, 2016 11:33 AM
To: Cathy Sherman <ACM@cityofcordova.net>; Clay Koplin <mayor@cityofcordova.net>
Cc: Rich Rogers <publicworks@cityofcordova.net>; Sam Greenwood <planning@cityofcordova.net>; Leif Stavig

**From the Administrative Office of the City of Cordova Parks
and Recreation Department**



DATE: 7/27/16
TO: Mayor Koplin & City Council
FROM: Susan E. Herschleb / Director of Parks and Recreation
RE: 2nd Quarter Report

Dear Mayor and Council;

Please accept our apology, we are not able to offer a detailed view of revenue and attendance for the pool. We are in the process of simplifying data collection with our new pool manager. You will not see a spread sheet for the pool in this report. We do however, have the numbers and discuss them below.

For the pool:

2015 revenue total 2 nd quarter = \$5,138.00	attendance = 2,243
2016 revenue total 2 nd quarter = \$5,473.00	attendance = 1,774

Narrative:

The pool revenue is up slightly. Attendance is low, however I would like to point out a few things regarding attendance. In 2015 the attendance is higher because the pool was offering more to the community. It's important for you to understand however, that the pool was offering activities beyond what it was funded for.

Pool temporary employee fund expenditures:

2015 / temp. employee fund expenditures as of June 30 th :	(\$5,823.00)	**over budget
2016 / temp. employee fund expenditures as of June 30 th :	\$7,759.00	**unexpended

For Bidarki:

2015 revenue total 2 nd quarter = \$32,252.00	attendance = 5,236
2016 revenue total 2 nd quarter = \$41,480.9	attendance = 7,534

Narrative:

Pass sales are down. I believe this is due to a slow fishing season. Overall revenue and attendance is up. The revenue increase is primarily due to the fact that Odiak Camper Park revenue has increased by nearly 10k and this is included in our quarterly report. The revenue increase at Odiak Camper Park is due to collecting more for electrical usage from each tenant. I will send forward a detailed summary on this enterprise fund in the near future. We have had a lot of negative feedback from tenants. We feel strongly however, that it is a fair exchange.

Susan E. Herschleb
Director of Parks and Recreation

City of Cordova - Parks and Recreation Dept.

Bidarki Rec. Center 2nd Quarter 2016

2nd Quarter Revenue 2016

Month	Drop in	Passes	Programs	S.Cabin	Odiak	Other	Total
April	403	4172.5		295		1100	5970.5
May	896	6613	558	195	3625		11887
June	1131	3637	1580	345	16870.4	60	23623.4
Total	2430	14422.5	2138	835	20495.4	1160	41480.9

2nd Quarter Attendance 2016

April	2312								
May	2291								
June	2934								
Total	7534	0	0	0	0	0	0	0	0