

INLETKEEPER®

... PROTECTING THE COOK INLET WATERSHED & THE LIFE IT SUSTAINS

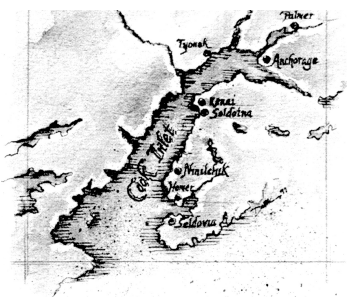
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COOK • INLETKEEPER

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Port of Anchorage Ignores Experts With Expansion Plans *Plan Would Fill 135 Acres of Salmon, Beluga Habitat Near Ship Creek*

On August 10, the Army Corps of Engineers issued a permit under the federal Clean water Act that will allow the Port of Anchorage to fill 135 acres of important salmon and beluga whale habitat near Ship Creek as part of a major expansion project at the port. The Port of Anchorage plays an important role in statewide commerce, and Inletkeeper supports responsible Port development. However, this project has been heavily politicized and comments on the project from Inletkeeper and expert federal agencies have been wholly ignored. As a result, Inletkeeper is working closely with counsel at Trustees for Alaska to ensure the project protects fish and whales while meeting the port's commercial and defense needs.

In 2005, Inletkeeper submitted comments on the proposed Port expansion to the Maritime Administration (MARAD), the federal agency within the Department of Transportation responsible for nationwide port development. Despite the enormous expansion proposed – and despite the presence of critical salmon and beluga whale habitat in the vicinity of the proposed expansion – MARAD refused to conduct a thorough Environmental Impact Statement, and made a "Finding of No Significant Impacts" while opting instead for the more cursory Environmental Assessment.

At the most basic level, the Port has failed to demonstrate the need for this massive project,



Proposed Fill Area for expanded Port of Anchorage

which proponents claim will cost \$376 million but which will likely run to over \$500 million once rising construction costs are factored in. While national defense readiness is a favorite rationale to support "quick strike" deployment capabilities from nearby military installations, the massive tides and ice in Cook Inlet make rapid response to war regions on the other side of the world unlikely. Furthermore, operating costs at the Port continue to escalate, with dredging costs – possibly aggravated by increased sedimentation rates caused by warming temperatures – rising several hundred percent over the past decade (for example, in 2004, dredging costs were over \$12 million).

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EPA Ignores Public Comment on Toxic Oil & Gas Dumping Permit *Inletkeeper, Tribes, Fishermen Forced to Sue to Protect Fish & Water Quality*

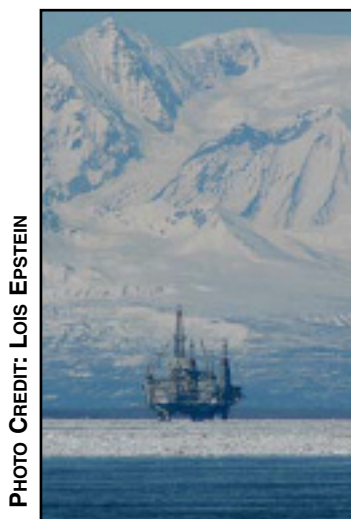


PHOTO CREDIT: LOIS EPSTEIN

Cook Inlet is the only coastal waterbody in the nation where oil and gas operators may legally dump toxic drilling and production wastes directly into important subsistence, commercial and sport fisheries. When Congress passed the Clean Water Act

in 1972, it envisioned pollution discharge permits that would be issued on a five-year basis, and with each permit renewal, standards would be ratcheted down to account for new and better pollution controls. A central goal of the Clean Water Act was – and remains – to eliminate water pollution discharges. But when the draft permit for oil and gas discharges in Cook Inlet came up for review in 2005, the Environmental Protection Agency (EPA) proposed massive rollbacks, significantly increasing the amount of toxics industry could dump into Cook Inlet. As oil fields age, the amount of "produced water" from the reservoirs increases in relation to the amount of oil produced, so there's more oily waste water to dispose after the oil is separated from the water for processing. So, for the Cook Inlet permit, industry simply calculated the increased volume of toxic waste it would

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A Note From Your Cook Inletkeeper

Dear Friends of Cook Inlet —

Since statehood in 1959, Alaskans have carved-out a vibrant and colorful history. But today, Alaska stands at a crossroads unlike any before. As energy prices remain at historic highs — and as local natural gas supplies remain tight — local utilities and Outside investors are increasingly looking to coal to fuel Alaska's energy future. Alaska possesses roughly half the nation's coal reserves, but unlike the Lower 48 (where coal powers anywhere from 45-60% of electricity needs), coal provides only about 10% of our power needs from Fairbanks to Homer. But power supply agreements for some local utilities are set to expire in 2014, and our energy cooperatives are lining up to lock us into a coal-dependent energy future. Additionally, large corporations are looking to make Alaska a coal export colony for burgeoning Asian markets, with two gigantic coal mines already proposed (see map later in this issue for the various coal projects proposed across the state). Yet coal is the dirtiest fossil fuel, and from strip-mined watersheds and mercury in our fish, to aggravated climate change and asthma in our kids, coal is the worst choice for our energy future. One commenter has referred to coal as the "crack cocaine of the developing world." But Alaska possesses world class renewable energy supplies, and right here in Cook Inlet, we have incredible tidal, wind and geothermal resources. So we now stand at a decisive fork in the road: do we go backwards to coal - and the boom-bust economies and pollution that accompany it — or do we move forward toward clean, long term energy supplies and lasting jobs? With all we know about the ravages



of coal, and with Alaska experiencing the disproportionate effects of climate change, the most important question seems to be: what will we tell our kids? I'd like to say we took all the information we had, and made smart decisions to benefit current and future generations alike. But at this stage, the jury's still out. That's why we need you to tell your local utility cooperative, and your elected officials, that coal is a 19th century solution to our 21st century energy problems. So, get involved. Learn more about coal by visiting our web site (see <http://www.inletkeeper.org/energy/coal.htm>) and help ensure clean energy and long term jobs for Alaska's future.

Yours for Cook Inlet,

Bob Shavelson
Executive Director



EPA Ignores Public Comment on Toxic Oil & Gas Dumping Permit

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need to discharge over the life of the new permit, and EPA and the Alaska Department of Environmental Conservation bent the rules to fit around industry's request.

If anyone says Alaska has a world-class permitting system, you need look no further than the Cook Inlet oil and gas permit to see that's patently false. In response to the permissive draft permit, Inletkeeper prompted hundreds of citizen comments to EPA, requesting tighter controls on toxic discharges in Cook Inlet. Furthermore, in 2006, Inletkeeper published a landmark study showing how "zero discharge" of industry wastes could be employed in Cook Inlet (see www.inletkeeper.org/energy/production.htm). As Inletkeeper's study shows, toxic waste re-injection is a common disposal method used in oil fields around the world, and has been successfully employed at some Cook Inlet facilities. Yet in July

2007, the EPA issued a final permit that nearly triples the amount of toxic wastes industry can "legally" dump into Cook Inlet. At a time of record high oil and gas prices, industry can afford the basic technologies needed to stop treating Cook Inlet like a private dumping ground. In response to the weak permit, Inletkeeper has worked closely with its counsel at Trustees for Alaska, and partnered with Tribal and fishing groups to sue EPA in the Ninth Circuit Court of Appeals for violations of the Clean Water Act. Inletkeeper regrets the need to spend time and resources on this matter, but in the face of such glaring recalcitrance from our state and federal agencies, there is no other choice but to enforce the law to protect our fisheries. For more information, contact Bob at 907.235.4068 x22 or bob@inletkeeper.org



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Port of Anchorage Ignores Experts With Expansion Plans

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Federal Agencies say salmon runs in Ship Creek will be threatened by the proposed Port Expansion Project.

Finally, according to Port statistics, the total tonnage for commodities crossing the Port of Anchorage dock dropped from 4,834,801 in 2005, to 2,926,156 in 2006—almost 40 %

(<http://www.muni.org/iceimages/port/2006TenYearTonnage.pdf>).

Agency experts with the Environmental Protection Agency, the U.S. Fish & Wildlife Service and the National Marine Fisheries Service all raised strenuous objections to the proposed Port design, arguing that a partially pile-supported structure – instead of a sheet pile fill design – would allow greater water movement and less habitat impact.

“In summary, NMFS opposes issuance of a permit for the applicant’s proposed alternative of a sheet pile dock with 135 acres of fill because the information we have reviewed does not demonstrate that this is the least damaging practicable alternative. The project as proposed will have substantial and unacceptable impacts to aquatic resources of national importance...”

But the Army Corps and MARAD chose to ignore the federal agencies, and the agencies lacked the political will to force the issue. So, once again, it falls to citizens to protect our public water and habitat resources from short-sighted development, and Inletkeeper is looking closely now at the final Corps permit and MARAD’s decisionmaking process. For more information on the Port of Anchorage Expansion Project, see www.muni.org/port/ and <http://portofanchorage.org/> or contact keeper@inletkeeper.org



Alaska Announces First-Ever Limits on Fish Consumption

Mercury Contamination from Far-Off Sources Implicated

On October 15, 2007, the State of Alaska announced the first-ever restrictions on fish consumption due to mercury contamination. Mercury is a potent

neurotoxin that persists in the environment, bioaccumulates in the food chain, and “biomagnifies” in predators higher-up in the food chain (i.e. people). While fish consumption advisories for mercury are common in the Lower 48, Alaska’s remote location and its general lack of mercury sources have shielded it until now. Although mercury can occur naturally in the environment, it rarely presents a health hazard. The EPA cites coal-fired power plants as the single-largest sources of man-made mercury, and communities living down-wind from coal plants regularly show signs of elevated mercury pollution. In Alaska, coal-fired power plants in Asia have been implicated as a prime source for mercury in Alaska fisheries, with oceanic drift and atmospheric deposition carrying mercury for thousands of miles. According to Lori Verbrugge, a toxicologist with the Alaska Department of Health and Social Services, “a lot of the mercury we get in our ocean fish here in Alaska comes from other places. It comes from coal burning in China and other Asia countries. It comes in the currents and comes here to Alaska from other places.”

So, the obvious question becomes: Why would Alaska develop coal strip mines that will destroy local fish habitat, just so Asian markets can burn it and send us back more mercury in our fish? The proposed Chuitna coal strip mine in Cook Inlet would destroy up to 30 square miles of pristine fish, bear and moose habitat in order to send a billion tons of coal to Asian power plants. In Northwest Alaska – which contains the nation’s largest coal reserves – plans are under way for a similar strip mine that will export coal to Asia. Alaska still maintains some of the healthiest fish in the world, and Inletkeeper encourages people to eat fish as part of a healthy diet. But if we want to be able to continue to market our fish as healthy and wholesome – and if we want to be able to eat Alaska fish without worries over mercury contamination - sound public policy dictates that we refuse permits to mine and export coal until the projects can show they will not harm our remarkable fisheries. For more information on the State of Alaska’s fish consumption guidelines, see <http://www.hss.state.ak.us/press/2007/pr101507fish-consumption.htm>



Guide to Eating Fish for Alaska Women and Children

Mix and match your fish meals* for up to:

24 POINTS PER WEEK

* A meal size is 6 ounces (uncooked weight) for adults and 3 ounces for children age 12 years and under.

6 Points
AK halibut 20–39 pounds
All store-bought AK halibut
AK rougheye rockfish
AK lingcod 30–39 inches
AK black cod (sablefish)

8 Points
AK halibut 40–49 pounds
Canned albacore tuna

12 Points
AK halibut 50–89 pounds
AK lingcod 40–44 inches
AK yelloweye rockfish

24 Points
AK halibut 90 pounds or more
AK lingcod 45 inches or more
AK salmon shark
AK spiny dogfish

Alaska fish is good for you. State health officials recommend that everyone eats fish at least twice a week. All fish contain some level of mercury, a toxic metal that can harm the developing nervous systems in unborn babies and young children.

Women who are or can become pregnant, nursing mothers and children 12 and under should follow these guidelines to limit their mercury intake. Everyone else can eat as much seafood as they like.

0 Points
Unlimited amounts
All species of wild AK salmon
AK halibut 20 pounds or less
AK lingcod 30 inches or less
AK Pacific cod
AK black rockfish
AK walleye pollock
Canned chunk light tuna
AK Pacific ocean perch

Eat a variety of fish and other seafood as part of a balanced diet.



For more information:
www.epi.hss.state.ak.us/
(907) 269-8000



Alaska now has a new “calculator” to determine how much fish is safe to eat

Inletkeeper Leading Charge with Alaska Coal Working Group

Groups Coming Together to Fight Threat of Coal-Dependent Energy Future



As energy prices remain high, Alaska's enormous coal reserves are receiving increased attention.

As Alaska experiences the disproportionate effects of rapid climate change, Inletkeeper's work on salmon, water quality and energy issues has taken on a sharper focus. Inletkeeper's salmon stream monitoring work has shown alarming warming trends in our precious salmon streams, with summer temperatures routinely violating state-established temperature standards designed to protect spawning and passing fish. Because temperature-related stress makes salmon more vulnerable to pollution, predation and disease, and because salmon are such a vital thread in the social, cultural and economic fabric that connects us as Alaskans, Inletkeeper is focused now on saying "no" to high carbon fuel sources (such as coal) that aggravate climate change, and "yes" to renewable energy supplies, such as wind, tidal and geothermal energy. The overarching goal of this work is to mitigate the effects of rapid climate change on our salmon-bearing watersheds, and to promote the biological resilience needed to ensure our fisheries remain healthy as anticipated temperature increases ensue.

To leverage the work of other groups working on climate and energy issues, Inletkeeper is spearheading the efforts of more than two dozen groups under the auspices of the Alaska Coal Working Group. This group is working closely within a larger coordinated campaign that contains groups focused on energy, climate and renewable power work, with a goal to ensure everyone is on the same page when it comes to strategy, communications and coordination. On November 28-29, Inletkeeper convened 25 groups to discuss and strategize on coal issues in Alaska. James Abernathy – founder of the Environmental Service Center – facilitated the two-day event, and helped the groups refine their thinking on discrete action steps needed to stop Alaska's 21st century coal rush. Some of the front-burner issues for the coal group include:

"Blue Sky" Project Would Add Coal-Fired Power Plant on Kenai

Since its construction in the late 1960's, the ammonia and fertilizer plant in Nikiski has played a substantial role in the Kenai Peninsula economy. In 2000, Unocal sold the facility to the Canadian corporation Agrium. Soon after, Agrium faced rising prices and tight supplies for natural gas, which the plant uses to produce urea and ammonia. It subsequently reduced production, announced lay-offs, and this past winter, it formally shut down the facility. In an effort to resurrect the facility, Agrium has turned to a coal gasification project using the Fischer-Tropsch process to provide the feedstock to make its products. Homer Electric Association has partnered with Agrium to build a 200 megawatt coal-fired power plant at the facility, and coal would tentatively be shipped down from the Usibelli coal mine in Healy on the Alaska Railroad (unless the Chukotka coal mine comes on line, then supplies could change). Because the project cannot attract traditional financing on its own right, the Alaska Legislature passed HB 229, which grants the Alaska Railroad Corporation the authority to issue \$2.9 billion in tax-free bonds to build and operate the facility, which would include a rail spur to Port MacKenzie across from Anchorage to ship the coal. The four Phase project is now in Phase 2 (Front End Engineering & Design – "Packaging & Permitting"), with start-up scheduled for 2011. For a good overview of Agrium's coal gasification plans, go to: http://www.gasification.org/Docs/2006_Papers/22JOHN-Paper.pdf

MEA Backs Down From Coal-Fired Power Plant!

As local utilities struggle to find energy sources in the face of high natural gas prices, coal is gaining increasing attention. In the Mat Su Valley, the Matanuska Electric Association sparked a widespread backlash with its recent plans to build a 100-megawatt coal power plant near Palmer. But local citizens – including members of Utility Watch, Sierra Club, Alaska Center for the Environment, Friends of the Mat Su and the newly formed MEA Ratepayers Alliance – refused to relent to MEA's push toward coal. Among other things, these local citizens helped pass an important ordinance in August 2007 before the Mat Su Borough Assembly that put broad new limits on coal-fired power plants. This effort was similar to work achieved during the push to develop coalbed methane in the region several years ago, and Inletkeeper has played a coordinating role in both the CBM and coal efforts. After much discussion and strong public debate, MEA announced in early November that it would shelve its plans for a coal-fired power plant for at least the next 5 years. MEA's decision – forced by a vocal and informed group of citizens concerned about the future of the Mat Su Valley – is setting a critical precedent as Alaska ponders a coal-based energy future. For more information, see <http://www.mearatepayers.com/>

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Inletkeeper Leading Charge with Alaska Coal Working Group

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Homer Electric Association Still Eyeing Coal Development

The Homer Electric Association has proposed two new coal-fired power plant options: one at the defunct 50 megawatt Healy “clean coal” plant near Denali, and another 200 megawatt facility adjacent to the Agrium’s proposed coal gasification plant in Nikiski (see above). Both HEA and MEA buy their power from Chugach Electric, but those power supply contracts expire in 2014. So decisions made now will lock us into our energy sources for at least the next 50 years. Aside from the direct impacts of coal mining to local ecosystems and communities, coal combustion will add mercury to our local environment, aggravate climate change through the generation of greenhouse gases, and preclude investments in cleaner, smarter renewable energy options. In October 2007, HEA hosted a forum on wind power, and Inletkeeper applauds HEA’s interest in cost-effective, clean alternative power sources. Yet the fact remains that if one or both of the coal-fired plants above goes into service, HEA will have no real need for other generating capacity. If you want your energy coming from sources other than coal, let HEA know. Contact HEA at 800.478. 8551 <http://www.homerelectric.com/Contact-Us.htm>

Mental Health Trust Pursues Chickaloon Coal Mine

The Alaska Mental Health Trust Authority put up nearly a quarter of the Matanuska Valley Moose Range for lease in 2006. Soon after, Vancouver-based Full Metal Minerals leased over 22,000 acres of prime moose habitat surrounding the quiet community of Chickaloon for coal exploration and development. But when the Department of Natural Resources (DNR) sought comments on a proposed coal exploration permit, they got an earful: local citizens with the Castle Mountain Coalition united to educate members of the community and key decisionmakers about the project, and organized a series of meetings that has galvanized opposition to the proposed mine. Their efforts were so effective that Full Metal Minerals turned away from the project in May. But the Alaska Mental Health Land Trust has not relinquished its plans, and citizen-led efforts remain underway to stop a massive coal mine from straddling the Matanuska River. For more information, contact the Castle Mountain Coalition at 907.745.7714 or go to: www.castlemountaincoalition.org/coal.htm



Enormous Western Arctic Coal Project

Alaska possesses enormous coal reserves – upwards of half the coal in the entire U.S. – and roughly 80% of Alaska’s coal rests under the fertile wetlands of the Western Arctic. Geography makes this coal especially attractive: it sits at tidewater, with access to the shipping lanes (made increasingly available due to melting sea ice) needed to feed voracious Asian energy markets (fact: Asia’s coal consumption has DOUBLED in just the past decade, and projections suggest similar continued growth). Now, the multinational corporation BHP Billiton has partnered with the Arctic Slope Regional Corporation in a 5 year coal exploration project. In a region suffering the disproportionate effects of climate change – from eroding coastlines and melting permafrost and sea ice – it’s slightly ironic that coal exploration is moving quickly forward. The project is currently in year 2 of exploration. For more information, see <http://www.bhpbilliton.com/bb/ourBusinesses/energyCoal/westernArcticCoalProject.jsp>

For more information on coal issues in Alaska, contact Dennis



Gann, Alaska Coal Working Group, at 907.929.9371 or ddgann@hotmail.com.



“Big Coal” Author Jeff Goodell Tells Alaskans the Truth About Coal



Jeff Goodell Tells Palmer Crowd the Truth About Coal

writes regularly for Rolling Stone and the New York Times Magazine, spoke in the communities facing threats from coal mining and coal-fired power plants, including Homer, Anchorage,

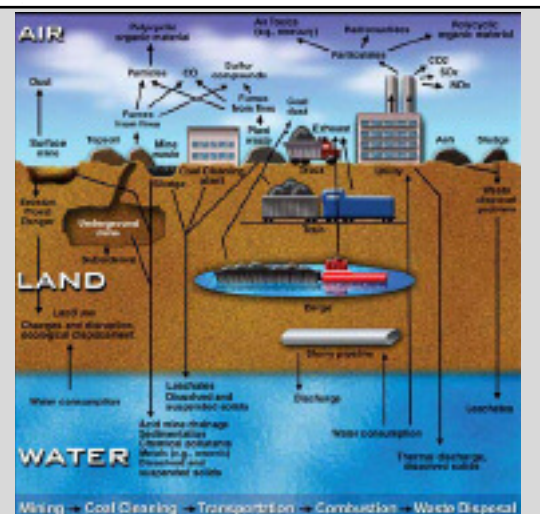
In late July/early August, Inletkeeper hosted respected author Jeff Goodell for a book tour around Southcentral Alaska to discuss the findings in his book “Big Coal: The Dirty Secret About America’s Energy Future.” Goodell, who

Palmer and Beluga (on the west side of Cook Inlet, near the proposed Chuitna coal strip mine). The events were well-received, with over 250 Alaskans attending (including 25 people crammed into Judy & Lawrence Heilman’s garage – the Beluga communities unofficial “town hall”!). Goodell discussed how coal has plagued every community it’s touched, from devastating health and safety problems, to long term fisheries impacts and habitat destruction. Among other things, Goodell noted how Alaska coal issues are just emerging, as burgeoning Asian markets are clamoring for more coal, and with local utilities looking to replace tight natural gas supplies. To purchase a copy of Big Coal, check out your locally-owned bookstore and if they don’t have it, go to: www.amazon.com/Big-Coal-Secret-Behind-Americas/dp/0618319409



The Truth About “Clean Coal”

As oil and gas prices skyrocket, we're hearing more and more spin from the coal barons about “clean coal.” But coal is the dirtiest fossil fuel, and from the devastation wrought by coal strip mining, the pollution caused by coal processing and transportation, and the greenhouse gases and mercury from coal combustion, there's absolutely nothing clean about coal. As Alaska witnesses the sweeping effects of rapid climate change, coal produces the most greenhouse gases of any traditional fuel. Furthermore, it remains highly unlikely the CO₂ from coal combustion can be successfully sequestered (i.e. captured and stored) without aggravating climate change in the long term. Ask someone who lives next to a coal mine if coal is clean. Ask someone who lives downwind from a coal-fired power plant if coal is clean. Alaska doesn't need to repeat the mistakes of the Lower 48. See Waterkeeper Alliance's special magazine edition on “The Coal Truth:” <http://www.waterkeeper.org/mainarticledetails.aspx?articleid=210>



Something We Can ALL Support: Clean Energy & Long Term Jobs!

As local utilities and Outside corporations turn their attention to a coal-based energy future for the Last Frontier, incredible opportunities for long term jobs and clean power supplies lie right under our nose. In Cook Inlet alone, we have the world's highest tides, we sit in the Pacific “Ring of Fire” with at least seven active volcanoes, we have world-class hydroelectric potential, and we have some of the strongest winds in the United States. Some people have even begun to talk about the “Beluga Triangle” to describe the area on the west side of Cook Inlet that boasts incredible wind, tidal, hydro and geothermal potentials. As Alaska grapples with high energy prices and the disproportionate effects of climate change, and as the United States seeks to end its support for terrorist regimes supplying us with ever-increasing oil, green is the new red, white and blue. What could be more patriotic than creating Alaskan jobs and weaning ourselves from our destructive addiction to fossil fuels than by pursuing an “Apollo Project” for clean, renewable energy? (see www.apolloalliance.org). Instead of legislation authorizing \$2.9 billion in tax-exempt bonds for coal development (see “Blue Sky” project, page 4), what if we focused a similar effort on Cook Inlet's tidal, geothermal or wind potentials? What if every utility in the state had to produce a high degree of its power from cost-effective renewables? What if Alaska became a world-wide beacon – similar to Iceland – for clean energy and sustainable jobs? We have the resources and the tools; now we just need the political will and the capital to make it happen. Here are but a few examples in Cook Inlet:

Chackachamna Hydroelectric Facility: TDX Power, a subsidiary of the St. Paul Island-based Tanadgusix Native Corporation, is moving ahead with preliminary plans to build and operate a 300 megawatt hydroelectric facility at Chackachamna Lake about 50 miles southwest of Anchorage. While plans for the project have been on the books since the 1980's, TDX recently received preliminary approval from the Federal Energy Regulatory Commission to move forward with studies and other plans. The project would entail a dam structure in the high mountain lake, with vertical shaft turbines supplying power in an out-of-basin water transfer. Inletkeeper is working with TDX on fish and water quality habitat issues. For more information, see www.tdxpower.com

Mount Spurr Geothermal Project: Mount Spurr is an active volcano southwest of Anchorage that lies in the seismically active

Pacific Basin “Ring of Fire.” Geologic studies conducted in the 1980's suggested the presence of geothermal springs and sources that could be tapped for large scale energy production (Iceland, for example, has made incredible use of its geothermal resources – see <http://geothermal.marin.org/index.html>). Importantly, the Mt. Spurr site lies within 30-40 miles of the existing electrical grid that feeds power from Chugach's gas turbine at Beluga to Anchorage and the Mat Su Valley. This close proximity can help lower transmission costs and make the project more viable. In August 2007, the state and other entities held a Mt. Spurr geothermal workshop, and in April 2007, the Alaska Department of Natural Resources offered tracts on Mt Spurr for geothermal leasing. Applications are now under review. For more information, contact www.alaskarenewableenergy.org/

Knik Arm Tidal Power Project: Cook Inlet boasts the highest tidal range in the United States, second only to the Bay of Fundy in North America. Boston-based Ocean Renewable Power Company is moving forward with a prototype tidal current project (envision old-style lawnmower blades) for Knik Arm at the Port MacKenzie dock. ORPC is deploying its first prototype in Maine in late 2007, and hopes to install the Cook Inlet demonstration in September 2008. Each 60-foot power generating unit would generate 250 kilowatts if current speeds are 6 miles per hour, and an array of four units would generate 1 megawatt. ORPC estimates that a 10 MW project is needed to meet transmission and other costs, and that power costs could be as low as 4 cents per kWh. For more information, see www.oceanrenewablepower.com/news_alaskajournal-commerce.htm

Fire Island Wind Project: Fire Island sits just off the coast of Anchorage, Alaska's most populated city, and possesses strong wind potential. Studies have been ongoing for several years, and in May 2007, Cook Inlet Regional Incorporated (CIRI) announced a 50-50 partnership with wind company enXco (<http://forasenergy.com>) through the formation of Wind Energy Alaska LLC to build and operate a wind farm on Fire Island. Project planning is ongoing, and media accounts suggest a facility that could provide 30-50 megawatts – with the potential to provide 100 megawatts – of clean, renewable power with little or no pollution or fuel costs. For more information, see http://www.alaskajournal.com/stories/052007/hom_20070520021.shtml



Environmental Permitting in Alaska: How Corporate “Rights” and “Permit Streamlining” Have Eroded Public Rights

By Bob Shavelson

In September 2007, I attended a three day workshop called “Democracy School” (see www.celdf.org), to learn more about the history of our democratic process, and how it’s changed since the original Founders penned our Constitution. I entered the workshop thinking our system of government was simply broken, and if we organized more people, wrote more letters, and made better arguments, the truth would emerge and things would be ok. I left the session thinking the system is not broken at all, and that it’s working perfectly as designed. Specifically, our regulatory, legislative and judicial systems are inherently designed to favor corporations over people, to favor private rights over public rights, and to favor economic values over everything else. There are numerous examples in Alaska, and one of the most prominent involves the proposed Pebble gold-copper-molybdenum mine slated for the headwaters of the Bristol Bay watershed. There, Canadian mining corporation

Northern Dynasty has embraced a “wait and see” approach, arguing it has a constitutional “due process” right to submit its permit applications and go through the permitting process. But anyone who’s watched the permit process knows that once a large project gets to the permitting stage, there’s already so much investment and momentum that permits are virtually assured. In fact, despite numerous requests to state agencies, Inletkeeper can identify no large projects (e.g., oil, gas or mining) where state permit denials prevented project development. Additionally, corporations such as Northern Dynasty can argue they have constitutional due process rights because the U.S. Supreme Court long ago deemed corporations “persons” pursuant to the 14th Amendment (note: the 14th Amendment was driven by abolitionists seeking to secure rights for freed slaves). Thus, corporate “persons” enjoy all the same constitutional rights as natural persons, including all the rights conferred by the Bill of Rights

(i.e. the first ten amendments that secure due process, free speech, etc.). So, the deck is stacked, and corporations wield much more power than individual Alaskans to shape our political process and influence agency decisions. Add to this mix the fact that the Murkowski Administration succeeded in stripping away some of the most important habitat and water quality protections in the state, and, considering that agency budgets leave many crucial permitting and oversight posts unfilled and, well, you get the picture. But there’s hope. In the midst of Alaska’s recent political corruption scandal, and at a time of record high corporate profits, the stage is set for Alaskans to take back their political process. So get involved. Contact your legislator. Run for office. Serve on a local committee. Write one letter every month to the newspaper. Because our government works for us, we the people, and now’s the time to make sure they know it.



WATERSHED WATCH

State Presses Forward With Spawning Area Pollution Proposal

Shortly after entering the Governor’s mansion, Frank Murkowski and his Chief of Staff Jim Clark set out to dismantle Alaska’s coastal habitat protections. Under the phony rubric of “permit streamlining,” Murkowski and Clark rammed through numerous changes to state law that remain highly problematic (for an excellent overview, see former state biologist Lance Trasky’s powerful testimony at <http://www.renewableresourcescoalition.org/TraskyForWeb.pdf> . One of the most short-sighted proposals, however, included a move to amend Alaska’s Water Quality Standards under the Clean Water Act to allow “mixing zones” in salmon and resident fish spawning areas. Mixing zones embrace the long-discounted notion that dilution is the solution to pollution, and with little or no state oversight, they result in large scale dumping in Alaska’s prized spawning areas. Under the law, however, the federal EPA must approve the State’s proposed changes. Take 5 minutes now to tell EPA to deny Alaska’s request to use our salmon spawning areas as dumping zones – see <http://www.inletkeeper.org/watershedWatch/Mixing.htm#act>



Alaska’s fish marketing efforts hinge on clean, healthy wild salmon.



WATERSHED WATCH

Inletkeeper Helps Drive Massive Support for Beluga Whale & its Habitat

On April 20, 2007, the National Marine Fisheries Service (NMFS) formally proposed the Cook Inlet beluga for listing under the federal Endangered Species Act. The listing proposal came in response to a petition filed by Trustees for Alaska on behalf of Inletkeeper and other conservation groups. Cook Inletkeeper has never before utilized the Endangered Species Act, preferring instead to focus on water quality and habitat protection under other laws. But the plight of the beluga is so dire, Inletkeeper had no choice, and in response, Inletkeeper worked with its partners to prompt over 800,000 comments to the NMFS calling for an immediate beluga whale listing under federal law. Inletkeeper also spearheaded public attendance at public meetings in Anchorage, Kenai, Homer and Washington, DC, where the overwhelming majority of commenters supported additional protections for the Cook Inlet beluga.

Marine mammal specialists say the Cook Inlet beluga is literally teetering on the edge of extinction. From a population once numbering more than 1300 whales, today experts estimate around 300 belugas remain. Just last year, the World Conservation Union (IUCN) put the Cook Inlet beluga whale on its "Red List" for critically endangered animals. One massive stranding event or oil spill and the whimsical, white whales of Cook Inlet may never recover. Yet corporate interests and local governments have fought the belu-

ga listing, arguing it will stifle economic development. In fact, the local governments of the Kenai & Mat Su Boroughs, along with the Municipality of Anchorage, have directed \$75,000 in taxpayer money to fight additional beluga protections, and the Knik Arm Bridge & Toll Authority has kicked in up to \$50,000 more. Inletkeeper rejects these emotional arguments, and believes the beluga's recovery should be guided by facts and science, not rhetoric. For example, according to a paper published by the Project on Environmental Politics and Policy at MIT, the Endangered Species Act has not had a negative economic impact on states, despite the claims of its detractors. Nonetheless, the Mat Su and Kenai Peninsula Boroughs, the Municipality of Anchorage, and the Knik Arm Bridge and Transit Authority have spent taxpayer dollars to hire lawyers to fight the beluga listing, and to persuade politicians to intervene in the proceedings. Listing opponents have resorted to scare tactics, saying a beluga listing will hamper commercial and recreational fishing in Cook Inlet, but Inletkeeper knows fishing and belugas have co-existed successfully for generations. NMFS now has until April 2008 to make a decision. For more information, see www.inletkeeper.org/watershedwatch/beluga.htm. Or see NMFS web site at: www.fakr.noaa.gov/protectedresources/whales/beluga.htm



Watershed Watch Spotlight: Citizen Call Results in Environmental Fine

Sandblasting Incident in Critical Habitat Area Prompts Strong Response

On Memorial Day 2005, Inletkeeper Bob Shavelson received a call to Inletkeeper's pollution response hotline (1-888-MY INLET). A concerned citizen reported a large landing craft run dry on the mudflats toward the back of Kachemak Bay – a state-designated Critical Habitat Area – with crew engaged in sandblasting and painting activities. The caller recognized the potential toxicity of sandblasted boat paint, and raised concerns about potential impacts to nearby shellfish beds. Shavelson contacted state and federal authorities – including the U.S. Coast Guard (U.S.C.G.) and the Alaska Department of Environmental Conservation – and a prompt and aggressive response ensued. Among other things, the USCG met the vessel at the dock in Homer, confirming the sandblasting activity, and the ADEC collected samples showing toxic metals – including lead, copper and cadmium – in the area. In light of the

willful nature of the violations, the State brought criminal charges, and in August 2007, the state entered a civil settlement with the vessel owner that included \$10,000 to Inletkeeper for clean boating signage, with additional sums to the State for response costs and environmental education. Criminal charges against the vessel operator remain pending. Special thanks to the USCG and ADEC (especially special prosecutor Daniel Cheyette) – and our hats are off to the concerned citizen who brought this incident to our attention. Inletkeeper's toll-free pollution hotline (1-888-MY INLET) is part of Inletkeeper's Watershed Watch Project – an "eyes and ears" network of concerned citizens who recognize we all have a right to clean water, and we all have an obligation to make sure it stays that way. If you see pollution or habitat destruction, contact keeper@inletkeeper.org or call 1-888-MY INLET.



Inletkeeper Member Spotlight: Carl and Tammy Jones - Beluga Heros!

A lot of people love Cook Inlet's unique stock of beluga whales. But few take it to heart like Tammy and Carl Jones. These Inletkeeper members have lived in harmony with Cook Inlet's white, whimsical whales for decades, running a water taxi and rental cottage business out of Halibut Cove. But when the recent decline of the Cook Inlet beluga caught their attention, they didn't just lament the change – they took action! First thing they did was print up hundreds of "Save the Belugas" bumper stickers. Then they created an

entire web site (www.savethebelugas.com) devoted to the so-called "canary of the sea." Their site was so successful that in conjunction with other efforts, the National Marine Fisheries Service received over 800,000 comments favoring an Endangered Species Act listing this past summer. Inletkeeper applauds Carl and Tammy for their selfless dedication to the Cook Inlet beluga, and we truly appreciate knowing they are part of our community here in Cook Inlet.



RESEARCH AND MONITORING

Salmon Stream Monitoring Program

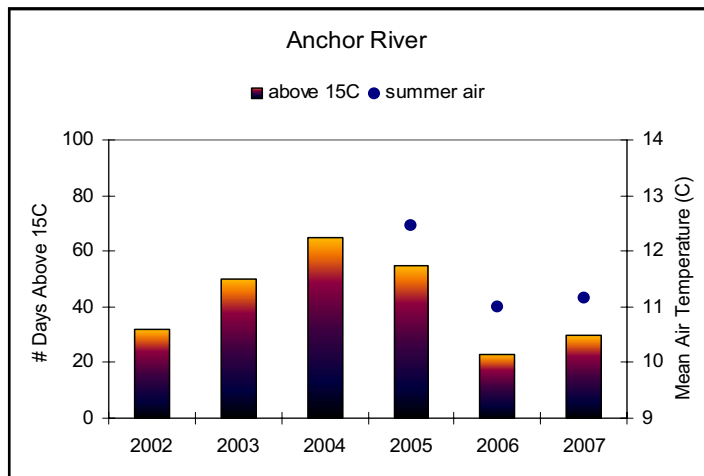
Cook Inletkeeper continued to monitor stream temperatures on lower Kenai Peninsula's salmon streams in 2007. And summer water temperatures continue to be above the levels set by the State to protect the health of salmon runs. For example on the Anchor River, water temperatures exceeded the state water quality standard for fish migration routes (15°C) on 30 days. And temperatures topped 20.1°C in August.

Summer water temperatures vary each year due to a number of factors. Two of the most significant factors are average summer air temperature and stream volume. Cook Inletkeeper is now monitoring both air temperature and water volume to help better understand the annual variation in stream temperatures.

Air temperature is easy to measure. We use the same type of data logger – StowAway TidbiT by Onset Corporation – to measure air temperature as we use to measure water temperature. We place the data logger inside a solar shield to reduce direct solar radiation and place it in a tree close to the location of the water data logger. This allows us to compare the local average summer air temperatures with the water temperatures collected in stream.

Water volume is harder to measure. Water volume can vary greatly in a short amount of time particularly during rain events. We are now using continuous data loggers to measure water volume also. These data loggers actually measure the pressure of the water above the sensor. The pressure (or water level) is measured every 15 minutes through out the summer. Cook Inletkeeper monitoring staff then measures discharge at various times and develops the relationship between discharge and stream level. This gives us a continuous record of stream volume for the summer. Since a small amount of water heats up faster than a larger

amount of water, knowing how much water is in a river during the hottest days of the summer is important.



Cook Inletkeeper will continue to monitor water temperatures in our valuable salmon streams and will collect air temperature and stream volume information as well. The sooner we understand the potential threats of climate change to our salmon resources, the sooner we can begin to adapt our management to account for this change.



Update: Cook Inlet Network to Monitor Stream Temperatures

Temperature is a critical factor when it comes to the overall health of our salmon streams, and as climate change continues, Cook Inletkeeper has been working with partners around the watershed to develop standardized, transferable protocols for continuous temperature data-logging to foster local, community-level participation in stream temperature monitoring. Partners met in June to bring together existing protocols for comparison and review. Cook Inletkeeper is now finalizing a standardized method and will produce a detailed description of methods,

equipment needed, how to deploy data loggers in the field, how to program and download data, and how to perform maintenance and quality assurance measures. Having this information written for a general audience will make it easier for other Cook Inlet partners and other community-level groups throughout Alaska to implement temperature monitoring. Please contact sue@inletkeeper.org if you are interested in receiving a copy of the methods once they are complete!



Stariski Creek Bridge Construction

You may have noticed some significant road work going on at Stariski Creek the last time you traveled the Sterling Highway. In April, the Alaska Department of Transportation and Public Facilities (ADOTPF), with contractor Twin Peaks Construction, began the process of removing two, 10 foot diameter culverts. The new highway bridge was completed in October and a hand-capped accessible walkway now takes you right down to the creek.



So why bother replacing two culverts with a bridge? In general, bridges are better than culverts for salmon. Culverts can act as a barrier to fish passage. On Stariski Creek, the north culvert particularly was

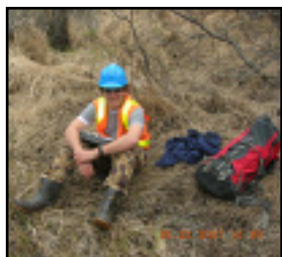
perched above the natural stream level creating a cascade of fast moving water which was a concern for upstream migration of Chinook, coho, and pink salmon and steelhead trout.

ADOTPF contracted Cook Inletkeeper to measure turbidity and stream discharge weekly above and below the project site. Increased stream sediment can harm fish gills and smother incubating eggs so minimizing instream construction impacts is a top priority. Monitoring staff is pleased to report that the on-site personnel have been very conscientious about the sensitive nature of working on a salmon stream and are employing all relevant erosion control measures.

This project is another great example that water quality monitoring and protection can be woven into road construction projects in a cost-effective manner. Cook Inletkeeper applauds the Alaska Department of Transportation and Public Facilities and Twin Peaks Construction for working with local partners to ensure the health of our salmon streams.



Outstanding Interns



Matt DeCaro

Pitterle drove up from Santa Barbara, California to offer their help and great energy. Bryn works for Patagonia Clothing Inc. and was able to offer her time through their Employee Internship Program. Bryn worked

Summer field work is one of the most important and most fun parts of our jobs at Cook Inletkeeper. And summer interns make it all possible. In 2007, Cook Inletkeeper had the great pleasure of working with three outstanding interns. In May, Matt DeCaro joined Inletkeeper's monitoring staff for three months with generous support from the Alaska Conservation Foundation's Conservation Intern Program. In September, Bryn and Ben



Ben and Bryn Pitterle

Thank you Matt, Bryn and Ben for your help. We wish you all the best on your next adventure! And thank you ACF, Patagonia and Santa Barbara Channelkeeper for your support!

on the Watershed Watch Manual and the 2008 Tidebook, when she wasn't out in the field with our CEMP volunteers collecting aquatic insects or trying to sell raffle tickets. Ben works for the Santa Barbara Channelkeeper as Director of Watershed Programs. Ben's water quality knowledge and field experience were great assets for helping develop methods for assessing small scale water temperature patterns on salmon streams.

Volunteers Honored at Splash Bash

On Thursday, August 23rd, the rain clouds parted for a few hours allowing Cook Inletkeeper to hold its 10th annual volunteer appreciation party at Bishop's Beach. Those in attendance are sure to remember the respite from the rain, the Sandhill Cranes flying low over the pavilion, and music from Work in Progress playing in the background. It was the perfect evening for thanking all the water quality monitors and other volunteers who have made the Inletkeeper program so effective.

All of the 35 volunteers that have donated valuable hours were honored. Special kudos were given to Brooks Guetschow (Volunteer of the Year), Laura Brooks and Karen West (Volunteer Team of the Year), and Anne Wieland (over 200 hours volunteered).



Brooks Guetschow, Volunteer of the Year, models this year's new Safety Goggles

Volunteers recognized for the most hours and data sheets turned in were: Jonas Akers, Heather Beggs, Tom Collopy, Mary Frische, Brooks Guetschow, Todd Gustafson, Duane Howe, Jim Levine, Scott Miller, Craig Phillips, Lani Raymond, Derek Reynolds, Anna Sansome, Frank Vondersaar, Neil Wagner, Kyra Wagner, and Anne Wieland. Also honored were: Ole Anderson, Edan Badajos, Ori Badajos, Dale Banks, Marina

Critchett, Anita Critchett, Laurie Daniel, Liz Diamant, Mike Gracz, Kelly Hill, Joseph Lapp, Jessica Marx, Bree Murphy, Elisa Russ, and Byron Sansome. It's the community spirit, and willingness to roll up their sleeves and get their hands wet, that makes Cook Inlet such a great place to live.

The "Splash Bash" success is based on several gracious contributions by local businesses. A big "Thank You" goes to: Latitude 59, Homer

Brewery, Fat Olive's Pizza, Two Sisters, The Grog Shop, the Homer Bookstore, Sourdough Express, the Homer Movie Theater, The Gear Shed, Safeway, Don Jose's, Tom Evans, World Wildlife Fund, Ulmer's, Save-u-more, and Homer's Jeans for their above-and-beyond endless support to non-profits in the Homer Community. The donations supplied made it possible to honor our volunteers in style. Thanks to Work in Progress for their talent and tunes, and to all the volunteers and supporters who took the time to come by and share in the fun.



Volunteers Liz Diamant, Scott Miller, Anne Weiland and Todd Gustafson celebrate their past year's hard work together.



Volunteers enjoy food and drinks while the band "Work in Progress" warms up to play.

Volunteer Spotlight



Frank Vondersaar poses with the cake donated by Sourdough Express.

It has been a mere two years since Frank Vondersaar began volunteering for Cook Inletkeeper, testing Bidarka Creek west of town. In this short amount of time Frank has made himself an indispensable part of the CEMP program, and it is hard to imagine the program without him. Like clockwork, Frank is the first to take his sample every monitoring Sunday, and more than once (or twice...) has beat staff to the office before 10am. In his two plus years with Inletkeeper, Frank has volunteered over 50 hours and sampled his stream over 28 times. The only sampling events he has missed to date were caused by the frozen solid condition of his stream! Frank not only helps in stream monitoring, but also with CEMP

bioassessment each year. Last year at Beaver Creek, when a pair of eye glasses fell into the stream, Frank selflessly dove his arm and face into the frigid stream to retrieve them, as the rest of us just stood in awe. As if that weren't enough, Frank is always on hand to help with special events such as the Splash Bash and CEMP Trainings by setting up tables and hanging banners. This year, Frank helped with food prep as well. Frank, like most CEMP volunteers, dislikes to be singled out for his great talents and dedication, but we just couldn't help it...just this once. Frank, thank you for all you do for Cook Inletkeeper, and for the community of Homer!

EVENTS

Cook Inletkeeper Muckraker's Ball



Thank you members and friends of Cook Inletkeeper for the fabulous turnout at Cook Inletkeeper's Muckraker's Ball held on Saturday, December 1st at Alice's Champagne Palace!! The event honored Ray Metcalfe for his role in bringing corrupt Alaska politicians and VECO executives to justice. With free admission and two live

bands, the event also helped Cook Inletkeeper raise funds with a cash raffle for a new vehicle to replace the old 1990 Ford F-250 truck with a vehicle that consumes less fuel and emits fewer greenhouse gases. Funds from the raffle will be combined with private support and negotiated discounts from the dealer/manufacture currently underway to complete the fund raising package. Congratulations to the raffle winners who were located throughout the watershed in Anchorage, Soldotna and Homer!

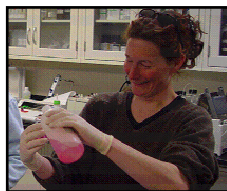


Inletkeeper Staff Changes: Thanks & Welcome!

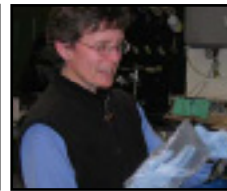
The year 2007 has brought considerable change to Inletkeeper, and it's time to say thanks to dedicated and departing staff, and to welcome new additions to our family. First, Inletkeeper says goodbye to Senior Engineer Lois Epstein, who played a critical role over the past 5 years helping Inletkeeper hold the oil industry and government regulators accountable. Among many (many!) other things, Lois's considerable expertise helped reduce Cook Inlet pipeline spills by several hundred percent, she played a vital role in passage of new federal legislation aimed at reducing pipeline leaks, and she attracted national attention for her commentary on BP's pipeline fiascos. Lois has moved on to head-up the Alaska Transportation Priorities Project, and while we hate to see her go, she remains under contract with Inletkeeper for oil and gas-related work. Next, Inletkeeper says good-bye to Citizens Monitoring Coordinator Ingrid Harrald, whose hard work over the past two and a half years has motivated a dedicated cadre of volunteers and retained Inletkeeper's role as a statewide leader in water quality monitoring. We'll miss Ingrid's humor and energy, but she hasn't gone far – she's now on staff with the Kachemak Bay Research Reserve. Also from the research

and monitoring staff, Laboratory Analyst Edan Badejos has moved on to play a larger role with his family. Edan served in various capacities with Inletkeeper, and his even keel and easy demeanor will be sorely missed.

To continue Inletkeeper's reputation for high-quality staff, we're happy to welcome Joan Stempniak as our new Finance & Office Manager. Joan has a long and successful history supporting local non-profits, and she brings a pragmatic attitude and strong sense of continuity to Inletkeeper's often chaotic office environment. Last but not least, we welcome Tori Lentfer as Inletkeeper's new Citizens Environmental Monitoring Program Coordinator. Tori brings a strong background in science and law to the CEMP position, and her lifelong dedication to progressive causes makes her a natural part of our team. As the saying goes, the only constant is change, and while Inletkeeper has been fortunate to retain solid staff for long tenures, we extend our most sincere thanks to departing staff, and welcome our new employees to the challenges and rewards of water "keeping!"



Thanks to Lois Epstein, Ingrid Harrald, and Edan Badajos



Welcome to Joan Stempniak and Tori Lentfer



Hallo Bay Bear Camp
907-235-2237
hallobay@ucsalaska.net

Thanks to Cook Inletkeeper's Major Funders:

Alaska Community Share • Alaska Conservation Foundation • AK Department of Environmental Conservation
Alaska Oceans Program • Ben and Jerry's Foundation • Brainerd Foundation • Bullitt Foundation
Center for Alaskan Coastal Studies • Combined Federal Campaign
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And of course, thanks again to all of Inletkeeper's new and renewing members!

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YES! I want Cook Inletkeeper to continue its important work to protect the Cook Inlet watershed and the life it sustains! Please accept my tax deductible contribution in the amount of:

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