

8.3.6

PUBLIC PARTICIPATION SCOPING MEETINGS
May 13, 1992 7:00 p.m.
Kenai Fjords Visitors Center
Seward, Alaska

RECEIVED
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EXXON VALDEZ OIL SPILL
 TRUSTEE COUNCIL
 ADMINISTRATIVE RECORD

Attendees	Affiliation	Address
Pamela Bergmann	Restoration Team	
Ray Thompson	RPWG	
Barbara Iseah	Restoration Team	
Judy Oravec		Box 498
Steve Kurth		11760 Nix Court, #A
		Anchorage
Willard E. Dunham	SAAMS	Box 27
Sharon E. Anderson	SAAMS	Box 1315
Anne Castellina	NPS	
Joe Meehan	NPS, Park Ranger	
Chris Gates	City of Seward	P.O. Box 167
Darrell Schaffermeyer	City Manager	P.O. Box 167

Issues Addressed:

General Review

Pamela welcomed the public to the meeting, gave brief introductions and proceeded to summarize the following handout documents:

- Settlement 101
- Draft Summary of Comments
- Nomination Process/Timeline
- Public Advisory Group Charter
- Letter to Agencies and Public Requesting Ideas for 1993
- Proposed Expenditures for 1992 (Projects and Administration)
- Timeline for the Restoration Plan

The main purpose of these meetings is to solicit comments on the 1992 Draft Work Plan and provide a scoping opportunity for the Restoration Framework. In addition, there is a variety of information that was put out by the Trustee Council for distribution to the public.

Public Advisory Group

As of May 6, the Trustee Council began soliciting nominations to the Public Advisory Group which will advise the Trustee Council on a number of matters. A handout is available on the nomination process. The deadline for nominations is June 8th. The Trustee Council is looking at a 15-member group but would like some feedback from the public on the group's composition. The Council is also interested in interest groups which may have been missed. The Restoration Team has developed draft operating procedures for

the Public Advisory Group. The draft Public Advisory Group charter is currently going through the Department of Interior for approval, which meets the requirement that one federal agency must run it through their process to ensure that it meets their approval.

1993 Work Plan

A concerned citizens letter requesting ideas for work in 1993 and beyond is being distributed to those on the mailing list. The deadline for submitting ideas is June 15th in order to get a jump on next year and try to go through this process early. The Trustees can look at the broad spectrum of ideas and start selecting from those suite of ideas to flush out the details for how that work would be done. Every year there will be an evaluation of projects looking towards the next year's work.

Release of Natural Resource Damage Assessment Information

Charlie Cole, Attorney General, announced at the last Trustee Council meeting that the injury information could be released to the public. Within three weeks to one month the following data will be released:

- detailed study plans
- interim reports
- final reports
- restoration planning reports

The mechanism for the release of this data is now being developed, and the information will be available through the Oil Spill Public Information Center. A symposium is being considered with principal investigators attending to discuss data. Other avenues for getting information out to the public are being explored.

The following handouts were briefly discussed:

- Proposed Budget Summary for 1992
- Timeline for Completion of the Restoration Plan and Environmental Impact Statement
- Habitat Protection and Acquisition Process

A Lands/Habitat Protection working group was formed and has attempted to come up with some threshold criteria and screening procedures before any action is taken.

Volume I - Restoration Framework

The Restoration Framework provides a blueprint for a draft Restoration Plan and an environmental impact statement. The final Restoration Plan will be completed in May 1993. This scoping meeting for the draft Restoration Plan will not be the last opportunity for public comment.

Pamela gave the following brief description of each section contained in Volume I - Restoration Framework:

- Chapter I - provides the background of the legal settlement
- Chapter II - outlines the goals of the public participation program
- Chapter III - recounts restoration activities from 1989 to the present, including workshops
- Chapter IV - contains the updated analysis of the injury information to date
- Chapter V - proposes criteria for determining when the injury is sufficient to warrant any restoration action
- Chapter VI - proposes criteria and procedures for evaluating restoration options
- Chapter VII - contains the scope of six conceptual restoration alternatives
- Appendix A - provides additional information on injured resources and services
- Appendix B - provides a laundry list of the 35 restoration options for consideration and the 14 options rejected

Comments on the Framework are solicited prior to June 4th. A tear out sheet is provided in the front of the document for comments.

Pamela walked through a chapter-by-chapter prompt of questions eliciting public comment on the Restoration Framework.

Volume II - 1992 Draft Work Plan

Volume II contains the descriptions of the projects being proposed for 1992 and their budgets. Budgets were approved for the first three months so that the opportunity was not lost to begin work on these projects this field season. The Trustees are prepared to make changes based on public comment. The proposed projects fall into two categories, damage assessment continuation and closeout. Restoration and monitoring are the other major components of the studies. The majority of the studies are to complete data analysis and final reports. The total cost is \$4.8 million dollars for damage assessment closeout. It is difficult to pin down the impact on some species because there was not good baseline data. The total cost is \$13.9 million for all projects proposed for 1992.

The public is asked to comment on projects which they feel should be included or ones that they feel may have insufficient or excessive budgets.

The third volume is a response to comments received on the 1991 Work Plan.

Questions:

Pamela and Ray answered the following questions posed by the public:

Has the makeup for the Public Advisory Group been decided?
Chris Gates

What is the difference between "environmental" and "conservation" as defined in the interests groups? Anne Castellina

What is the Secretary of the Interior's role in the recommendation for nominations to the Public Advisory Group? Chris Gates

What is the target of this process? Is this the total settlement share on an annual basis? Are these proposal requests for several years? Willard Dunham

Would decisions for funding be bound for several years?
Willard Dunham

In relationship to this process, is this a call for RFP's?
Willard Dunham

What if a project is thrown out in this round? Does it have to wait until the next year? Sharon Anderson

How does this process relate to the first payment made in December 1991? Has that money already been delegated? Willard Dunham

Was there a discussion about what studies would continue?
Willard Dunham

When will the final decisions be made on the 1992 Work Plan?
Chris Gates

Who will filter the public comments? Chris Gates

Is the working group process open to the public? Chris Gates

Is there an appeal process? Chris Gates

How does this process fit with the scientific review committee? Willard Dunham

Have all the scientific studies now been released? Chris Gates

Is it the schedule now that the 1992 work program will be put to bed before the damage assessment data is available? Chris Gates

When will the social and economic impacts data be released?
Chris Gates

Are social and economic impacts appropriate under restoration?
Chris Gates

Has there been a decision made on the hierarchical and concurrent approaches? Chris Gates

Is habitat acquisition an appropriate use of settlement funds?
Chris Gates

If this is an assessment of oil spill damage, why is there no map which tracks the flow of the spill? Willard Dunham

Can we suggest that there be an evaluation of the human impacts of the communities with respect to economic effects in the environmental impact statement? Chris Gates

Oral Statements Presented:

Chris Gates

- the working group process should be open to the public per the open meeting concept adopted by the Trustee Council; would like to know the logic of decisions because this is such an important role
- is very concerned about the stellar sea lions; wants a better job done on the results from these studies; there is very little mentioned in the framework document regarding this species
- this area is looking hard at activities in Prince William Sound with respect to its economy; thinks there is room for good timber harvest and habitat protection as well
- would like to see more work done on assessing the stellar sea lions and why this species is being given up on so soon
- a symposium will be very helpful to get questions answered about why decisions were made the way they were; it is necessary to get up to speed; the reports will generate questions to the professionals regarding process and substance; would like one symposium per month to focus on disciplines
- his first impression is that he agreed with the comments made by Bill Walker from Valdez that there should be more community representation on the Public Advisory Group; the affected regions should each have a seat because each community was affected in a myriad of ways; suggested one seat each for Valdez, Homer, Seward, and Kodiak
- statements on stellar sea lions are not accurate
- social and economic impacts need to be examined more closely and are appropriate for discussion and remediation
- human impacts of potential decisions should be in the EIS

Willard Dunham

- there should be a fold out map which traces the flow of the oil spill; the framework document contains some excellent coverage, but more information is needed on locations
- the lines showing oiling need to be modified to be more accurate; it is misleading
- the threatened species that were affected by the oil spill should be looked at; Fish and Wildlife has gotten close to identifying these species, four mammals and three birds
- everyone has liked the Sea Life Center project and feel it fits in with the settlement criteria; this is the first field group that a presentation has been made to

Anne Castellina

- a lot of people were not involved in the process from the beginning; there is still the idea that this was just a Prince William Sound spill
- Seward is fighting a battle to be included with respect to oil spill responsibility
- would like to compliment the Public Participation team on the work being done in this process
- would take money from her budget to have a representative attend the symposium
- the affected areas could be divided into four spill zones as far as representation on the Public Advisory Group
- a big plus for having the Sea Life Center in Seward is accessibility
- need to spread the word to the community of how far this process has gone
- Seward's two main focuses are the Alaska Sea Life Center and land acquisition; supports SAAMS as a great educational tie

Sharon Stone

- feels the proposed Sea Life Center will bring in dollars to the state instead of just spending settlement dollars
- marine transportation should be included in the principal interests on the Public Advisory Group
- so far all funds for the center have come from donations

Pamela reminded the public the deadline for comments is June 4th on the framework documents.

Sharon Stone and Willard Dunham gave a visual presentation on the Alaska Sea Life Center, which is a proposed mammal rehabilitation and research facility. A written proposal will be forwarded to the Trustee Council within ten days.

Meeting adjourned at 9:30.

DRAFT

Notes from Seward Public Participation Meeting, Feb. 6, 1992

Taken by Peg Kehrer and Sandy Rabinowitch, Peg Kehrer summarizing.

Six people were in attendance. They said that the meeting had been well covered in advance in the newspaper, although the paper had been confused by the initial announcement being sent so early.

Questions - What can the money be used for? If the public doesn't think it is being used correctly, what is the appeal? Does the money have to be spent in oil affected areas? Do affected resources include humans? How are affected flow of services defined?

At what point in time can the public expect to have the guiding laws, settlement agreements, and science around the injury studies explained to them? (Suggests that they don't think this is happening adequately.) Given that the restoration planners and decisionmakers know that the public does not yet understand these elements, how much is the public comment going to be listened to - how much is it really worth?

There was the suggestion that it is a valid position to say that no major restoration should take place until a quality public review happens and questions about the persistence of the oil in the environment are answered.

Public Advisory Group (The group seemed unanimously behind some of the specifics and all of the tone of these comments, even though they came primarily from two individuals).

The PAG must not be a "sham", or it is worse than nothing. The group must have real strength in the process, represented by some arrangement such as the power to veto a trustee decision by a unanimous or large majority opinion. Someone mentioned the comments by Judge Holland in approving the settlement that the public should come to him if they think the money is being misused. This guidance could also apply to the PAG.

It is important that the group be independent, i.e. not controlled by the Trustee Council, and able to get information from both inside and outside the restoration program. There was a concern that the Trustees would not consider allowing this much independence.

Recommendations from the PAG should be listened to by the Trustees and the Trustees should give them a response to these suggestions.

The process the PAG follows must be done very well with minority views given a voice and representation which is acceptable to communities and interest groups in the affected area. The PAG should elect their own leadership and would ideally have staggered terms. 12 is probably an acceptable size - 10 better.

Public Advisory Group, cont. - Remember, representation may change - an example is the RCAC, which did not pretend to be fully representative at the beginning and is now adding seats. The bottom line, one person felt, was that the affected communities feel represented, perhaps by having elected officials choose member; then additional seats for interests still unrepresented can be included. The PAG and Trustees should both travel to communities.

Several people felt it was important that the PAG feel a strong sense of their mission. Two ideas were to write a very good mission statement and to make the positions clearly volunteer positions - to compensate only for direct costs and not give per diem or other benefits. A counter argument that this would limit the "type" of person who could serve was made. Breaking up the PAG in any way (clustering of geographic areas into subgroups has been suggested) would be bad, because the group can be most helpful in aiming for unity. Don't begin by assuming disagreement and different aims from the different communities.

The view was expressed that the Public Advisory Group could be a very positive contribution to the program and that this seems badly needed. It is, in part, a way of correcting the fact which has been noticed in oiled communities that none of the Trustees are actually from the oil spill area. It also should help provide continuity over the long period expected for recovery - both the agency staff and the Trustees will change over time and the PAG will maintain some of the organization's institutional memory.

Process for the PAG - the planners shouldn't outline too many details at this point. These should be left to the PAG itself. A task or process it was suggested the PAG might take on was as a filter for restoration proposals - all proposals, including proposals from staff - and for proposals on the process. They should play a very active role, rather than passive one, in both collecting and distributing information to the public.

Communicating information to communities - Use well timed ads accompanied by press releases which tell more of the story. Complete agenda packets with all the backup information which is supplied to the Trustee Council also should be sent to communities (usually to library and/or city building, preferably one week ahead). Posters sent to the Post Office are effective in communities where almost everyone goes to the Post Office daily. Consider using direct mailed information as well (no more than quarterly); this is probably the best approach. It would help the Restoration Program to have a good looking logo so their ads and stories in the press are easily recognizable.

There was a very strong comment on the teleconferencing of Trustee Council meetings. To date, they have exhibited so much evidence of bad management and disorganization that they have been counter-productive in building public trust.

Restoration Public Participation Meeting, Seward, February 6, 1992

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