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**PUBLIC PARTICIPATION SCOPING MEETINGS**  
**May 15, 1992 11:00 a.m.**  
**Chenega Bay, Alaska**

**RECEIVED**  
**MAY 18 1992**

<b>Attendees</b>	<b>Affiliation</b>	<b>Address</b>
Ken Rice	Restoration Team	EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL ADMINISTRATIVE RECORD  Box 8060 Box 8031 Box 8015 Box 8021
Barbara Iseah	Restoration Team	
Charles W. Totemoff	Chenega Corporation	
Doug Bruck		
Michael Kompkoff	Stockholder	
Mike Eleshansky		

**Issues Addressed:**

**General Review**

Members of the public participation staff were introduced. Ken briefly discussed the following handouts:

- 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

**Public Advisory Group**

Nominations are being accepted through June 8th for the Public Advisory Group. Public comments are also being solicited on the composition of the group.

**1993 Work Plan**

The Trustee Council will make a final decision at the June meeting if these projects will go forward at the level proposed. Public comment is solicited on the projects proposed and the funding levels.

**Release of Natural Resource Damage Assessment Information**

Attorney General Charlie Cole announced that both interim and final reports will now be made available to the public within the next month.

Attention was directed to the following handouts:

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

## Habitat Protection and Acquisition Process

Ken was requested to explain the habitat acquisition process in more detail and provided a discussion of the flowcharts involved in this process.

### Volume I - Restoration Framework

This document sets the stage for the Restoration Plan. The public can guide this plan by submitting comments and ideas. Ken distributed copies of the chapter-by-chapter prompt for eliciting comments from the public. Volume I contains the following information:

- 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
- Chapter IV - contains the 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 six conceptual restoration alternatives
- Appendix A - provides information on injured resources and services
- Appendix B - provides 35 restoration options for consideration and the 14 options rejected

### Questions:

Ken answered the following questions posed by the public:

Does the settlement language include equivalent resource replacement? Charles W. Totemoff

What does purchasing timber rights have to do with restoration? Michael Kompkoff

Who owns the land when timber rights are sold? Michael Kompkoff

If timber rights are sold, would payments come to the corporation? Mike Eleshansky

If Chenega says they want to keep their timber as it is, does the government buy it? Doug Bruck

What would stop the government from once they own the timber coming in later and cutting it down? Doug Bruck

How soon will the Restoration Plan be completed? Charles Totemoff

Regarding the timeline, are all of these actions necessary? Charles Totemoff

What can assure us that we will have the representation to keep on top of the acquisition process? Charles Totemoff

Was there an appropriated grant for the settlement? If the money is not used or it is impossible to do the work, what becomes of the money? Does it collect interest? Mike Eleshansky

When is the next Trustee Council meeting? Charles Totemoff

Is there any way to contact the agencies in charge of contracting for projects in the 1993 Work Plan? Charles Totemoff

When will the comments be reviewed by the Trustee Council? Charles Totemoff

#### **Oral Statements Presented:**

Charles Totemoff

- thinks buying timber rights is a bad idea
- the habitat acquisition process is somewhat confusing; would like time to review the flow charts on acquisition
- is very disappointed that their timber is not being looked at as much as Kodiak's timber; damage has already been done and what is left should be preserved; the Trustees have to know that there are a lot of habitat areas that need to be protected, either through the acquisition process or some other agreement; seems a lot of attention is being paid to whoever has the squeakiest wheel
- Chenega Bay is the most severely impacted area; they need to be involved in all the acquisition processes; would like a provision by the Trustee Council to have a staff person to keep an eye on their acquisition interests; there should be a provision in the Restoration Plan providing for someone to pay special attention to how their resources are manipulated and to keep them informed
- has a proposal for replacement of subsistence resources; would like to have this proposal included in the 1992 and 1993 Work Plans
- interested in being a subcontractor in the monitoring activities; sent a letter in March to the Trustee Council regarding this but has not received a response
- if any agencies need logistical help or services, they should contact his office at 573-5118 or fax 573-5135; there seems to be a lot of money appropriated for these

projects and this is what he means by being involved in all phases of this process; would like to be included on the bidder's list for any activities

Michael Kompkoff

-suggested that the school children could attend future public participation meetings to get an idea of how this process works

**Written Proposals Received:**

Charles Totemoff

-Chenega Bay Replacement Subsistence Resource Project

Ken stated that he would follow up on a response from the Trustee Council to Mr. Totemoff's March letter.

Meeting adjourned at 12:40.



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Public Meeting  
Chenega, Alaska  
February 10, 1992 - 1:00 pm

Panel: Ernie Piper (ADEC), Ray Thompson (USFS), Joni Matthews (ADEC)

- 22 citizens signed in (sign in sheets attached)

^ Panel comments

\* Public comments & questions

^ E. Piper introduced the panel then explained the mission of the meeting and his role with the restoration process. He briefly discussed the concept of the Public Advisory Group and invited suggestions and ideas for its formation stating that Chenegans would probably have much to say about restoration and this would be the avenue for public feedback. Ernie wants to ensure that native interests are represented on the PAG.

E. Piper then discussed the timeframe of the restoration process including damage assessment studies and early restoration plans and again requested public comments, ideas and suggestions throughout the entire procedure.

^ J. Matthews made comment that damage assessment documents with continuation of federal and state studies will be made available to the public in mid March of this year.

\* Chuck Totemoff-Chenega Corporation President: Pointed out that if Chenega was to submit proposals for restoration work they would need a staff to work on it because drafting proposals take a long time and Chenega did not have the resources to fund that sort of work. How will Chenega be able to participate without a staff?

^ Ernie commented that he meant suggestions and ideas for restoration work as this was not a grant process for proposals. He stated that the TC (Trustee Council) and RT (Restoration Team) wants to hear all recommendations on how to spend the money. For example, people in Valdez suggested possible water treatment centers in coastal communities.

\* C. Totemoff: Ernie what kinds of programs have you been hearing about in the

towns you've been to?

^ E. Piper: Buying land mainly. But there are problems with that too such as who will own and manage the lands. It's up to Chenega Corp (CC) to do what it will with private lands- if there is a decision to sell or lease timber rights or set it aside for subsistence etc.

\* C. Totemoff: What is the process to do this?

^ E. Piper: The TC is now trying to determine critical habitat and then see if the owner is willing to sell. For example, if CC doesn't want to sell land, that's okay. Something could be worked out such as timber rights or land easements. If CC has nominations for areas, just send them into Dave Gibbons. He's the interim administrative director.

\* C. Totemoff: How long will Dave Gibbons be the director?

^ E. Piper: Probably for this fiscal year or forever after he has been appointed.

\* Paul Kompkoff Sr.: When we go hunting we must go farther and farther these days. We need gas money to go so far for seals. We travel a long distance and still we hardly see any seals at all. Could we use some of this money for gas?

^ E. Piper: That's a good idea. But how to set it up so it's available...hmmm. Maybe possibly have people send in applications for grants on a yearly basis which provide for gas money while hunting. To spend money out of the fund it must be linked to injury, such as the harbor seal decline.

\* John Christensen: They have all sorts of studies going on in the summer to figure out the damage, but what about the winter? I mean they should be out there seeing what I am seeing right now which is NOTHING. I've been hunting these waters for 20 years and I am seeing NOTHING.

^ E. Piper: You mean you are seeing fewer animals? Or the animals aren't where they used to be?

\* J. Christensen: The animals aren't where they used to be-nothing-we go out on the water and see...nothing.

^ E. Piper: What about deer?

\* J. Christensen: No. We travel all winter and they're just not there.

^ E. Piper: They've been trying to figure out why there are fewer animals and they think some of it is due to the activity that's been going on out there now for three years.

\* J. Christensen: There's been 1/2 zillion studies done now and I'm wondering if



there's a place where we'll have access to all the scientific data and when it will all be available?

^ E. Piper: Some of the studies the Feds and State want to release but the attorney general is worried about it affecting litigation with third parties. But they've been working on an agreement to share all information and this is almost finished.

\* J. Christensen: Will this be catalogued so people will know what has been done and where we can get it?

^ E. Piper: Yeah. There is the Federal Agency called OSPIC-Oil Spill Public Information Center where all the information can be obtained and it'll be catalogued.

\* J. Christensen: My concern is that there won't be scientific studies on things that we have been seeing around here, our observations of wildlife.

^ E. Piper: In instances where they can, they'll try to link native observations with the studies.

\* C. Totemoff: Back to this PAG thing Ernie, my idea is that Chenega should have a coordination group within the community. We must pool our own resources here in Chenega and then worry about what other communities and regions concerns and interests are.

^ E. Piper: The RT came up with a list of concerns to try and figure out what interest groups will be out there. This list will help everyone figure out how to choose the PAG members. You know, to have all concerns covered by the PAG and make sure no one is left out.

\* C. Totemoff: The TC should provide money for technical support for our group here in Chenega. Our needs and interests should be supported.

^ E. Piper: Cover your expenses? Well there are two funds where the money comes from. From the criminal settlement, the state received 50 million and they haven't figured out how to spend that yet. But the legislature will propose how to spend the money and the governor will approve projects. For example, Cliff Davidson in Kodiak has proposed House Bill 411. It proposes the state would purchase land and or developing rights statewide. If Chenega Corp. has short term ideas you should contact your legislator and let them know how you feel. The other fund (900 million) is a joint trust between the feds and the state. The governments will pay themselves back for some of the expenses which will leave about 750 to 800 million for restoration.

\* Steve Ward: Will any of that money be used to pick up any oil on beaches this summer, out of the 900 million fund?

^ E. Piper: The state doesn't need permission from the TC to do response work. If we see the need to perform cleanup this summer we'll go and clean it up. The state



standards have always been a little more stringent than Coast Guard standards. If more cleanup occurs this season, it will probably be the state who does it.

\* C. Totemoff: How will the state do it if it does it on its own? The actual cleanup contracts?

^ E. Piper: Well there are standard ways such as using the department term contractor or possibly force accounting which provides for local jobs. And then there's the local response concept but it has its administrative limitations.

\* John Totemoff: Who will be involved in MAYSAP this year?

^ E. Piper: Well the state just wanted to do a simple survey this year with our own list. We sent a letter over to the Admiral who decided he wanted to run the survey the way we've been doing them in the past, a joint venture with Exxon involved and have them pay for it. So far there are 61 sites on the list and 14 of those are Chenega sites. But it would be more productive to push the state to do the work so we wouldn't be bugging the Coast Guard with state concerns. That way when anything gets done it will be through the state.

\* C. Totemoff: How will you do restoration work and cleanup at the same time? I mean will you do restoration work while response work is going on?

^ E. Piper: We can do restoration and response simultaneously.

\* S. Ward: Will there be on-scene restoration? Like at Elrington Island the storm berm needs to be replaced because of all the activity there over the past three years. I think it's ER20B. We need to keep an eye on that berm.

^ E. Piper: Restoration will fall in two categories. Fish & Game will have some sort of an altering management program to take pressures off of certain species. For example the Dolly Varden and the rockfish. They'll do whatever they need to do to increase the numbers. The other category is buying land, developing rights and timber rights.

\* J. Christensen: You know the rockfish issue really strikes close to home. If this altering management can really change the populations sometime in the future how will it help when the 1993 and 1994 season come around. That's the one that's going to hurt so what options do we have?

^ E. Piper: There is always the possibility of compensation and maybe we could address future problems this way, if commercial and subsistence fishing were messed up.

There will be another TC meeting today and one on the 27th. They plan to close out their decisions on the budget as well as which studies to continue. I have been placed in charge of the public participation meetings and getting feedback on the PAG. I hope to get enough information from you guys and the other communities so we can

figure out how the PAG will work. I need feedback on PAG from Chenega's perspective.

\* C. Totemoff: We want our own group locally so we can speak with one voice coming out of Chenega.

^ E. Piper: Well it makes sense if it's your resources at stake.

\* Gail Evanoff: I've a concern with regard to cleanup between subsistence lands and the state's management of recreational areas. In the past, like the state plan of 1991, recreational areas to do clean up on came before subsistence land areas...

^ E. Piper: That was just bad wording in the plan and we changed the way it was written Gail. Resource management areas were not given precedence over subsistence use areas in cleanup decisions.

\* G. Evanoff: I just want to impress upon Mr. Thompson that Chenega Bay suffers from oil contamination that was left on Forest Service lands too as well as the oil on our own lands. Where is the degree of importance? It has affected the plankton that many animals feed on and there is constant bleeding of oil on native, state and federal lands. We'll all benefit from the removal of all the oil from all the lands. Since the federal government came out with the NEBA report it has been used as a guideline to determine how much cleanup is good enough. It never took our need of subsistence into consideration. The agency's concerns have always seemed to be more important than our needs. Get the oil out so we can see a rebirth of nature. I would like to know if the state and the federal agencies will take that NEBA report separate and see if it's best to leave the oil in the environment as well as using bioremediation. Bioremediation just takes our problem further. That document still means to you guys the same as last year. Did that report help us, the natives, at all?

\* E. Piper: Gail, the state did not buy the NEBA report. We have always maintained that if the problem of contamination can be solved by cleanup in a practical way, we'll do it. The USCG had their reasons for their decisions just as the state does. The state has different resource management duties and therefore different responsibilities to the public than the federal government. As far as the NEBA report, we've always felt it was too narrow and so we didn't support it. Like I said, if there is a practical way to do cleanup on problem areas then we'll do it.

\* S. Ward: Is there a final list ready for MAYSAP?

^ E. Piper: There are 61 sites on the federal list but the state is more flexible when it comes to lists.

\* S. Ward: I noticed on one list that information on subdivisions has been dropped, you know like LA015B. It was just listed as LA015. If the site is too general and not specific, then those areas that are problem areas won't get looked at. They won't see the oil. Will the state have control over that or will Exxon?



^ E. Piper: The state will be able to go and look at any subdivisions we need too.

\* J. Christensen: How many boats will the state use this year?

^ E. Piper: We'll probably use one state boat this year, like last year.

\* S. Ward: When will the survey start this year?

^ E. Piper: The Exxon survey will begin around May 15th. I expect the state will go out a little earlier than this. But overall I think it's a good idea to wait for warmer weather. Do you remember last year when we had all that rain in April? Well, it's harder to see oiling conditions when it's so wet out there so it's good that the survey will start a little later this year.

\* S. Ward: We really need to keep our eyes on the oyster and mussel beds. The clams were wiped out and the beds are dead now. You know it would be a good idea to take some of that money and use it to reseed those dead beds.

\* C. Totemoff: But how are we to propose something like that request to the TC or to anyone, even you, without money for staff and that sort of thing?

^ E. Piper: I think the most important thing is to get the suggestions and ideas from you guys and we'll do the technical part.

\* G. Evanoff: Ernie about those set aside sites. What are your thoughts on cleaning those areas up? Are they still studying them?

^ E. Piper: If there is no use for the set aside sites then by all means they should clean those areas. Especially if they don't produce good science, then why leave them that way.

\* G. Evanoff: Will there be any special attention to the anadromous streams this year?

^ E. Piper: F & G is reasonably satisfied with last years work. I don't think they're planning any cleanup work this year but I can double check on that for you.

\* S. Ward: What about oily trash and debris found on beaches?

^ E. Piper: Exxon has contracted to ship waste out again this year and its alot easier for them to do it. But whatever waste we collect must come from the state otherwise I don't think Exxon will want to pick it up.

\* C. Totemoff: What will the TC approve today in their meeting?

^ E. Piper: Finish off some budget items and figure out which Damage Assessment studies they want to finish. That is which studies they want to conclude by writing up

final reports. They'll also pass judgement on some studies such as pink salmon studies. They'll get a better handle on what's left out there to do.

\* C. Totemoff: Seems that Chenega could be a support base for any field studies that are going on this summer.

^ E. Piper: The TC doesn't contract out themselves. Usually how that happens is that the TC will give a grant to some science group and the science group will set everything up. However the TC could recommend that local resources be used for the studies.

\* J. Christensen: As contract opportunities arise this summer what will the guidelines be that they are released under?

^ E. Piper: As this is a joint fund the money will come from the same source. However, depending on which programs are approved, it will either be state guidelines or federal guidelines for procurement.

\* G. Evanoff: Who exactly is the RT?

^ E. Piper: The RT is the restoration team and they're kind of like a panel that makes recommendations to the Trustee Council. More or less the bureaucrats who do the research work.

\* Carol Wilson: If we wanted to try and get a position with the PAG or even Chenega's advisory group, where would I go to apply?

^ E. Piper: That's what we're trying to figure out now is how to set this PAG up to make sure all interests are represented. It's still in the planning phase. The TC knows that money should be made available for subsistence injuries. It's just a matter of coming up with ideas on how to fix the problems that have come up with subsistence.

\* G. Evanoff: Ernie how many are going to these meetings? Is this all that's going?

^ E. Piper: Gail I know I'm your least favorite public servant but at least you know me. I've been around throughout the spill and it's better that you have someone you know to throw punches at rather than a complete stranger. At least there is a state representative and a federal representative present at each meeting. The next meeting out in Chenega should be sometime around the end of March.

\* C. Wilson: Is there a deadline for submitting proposals?

^ E. Piper: Try to get them in before March so the TC will have plenty of time to think about the suggestions and develop a plan. As I've said before there shouldn't be any rush to spend this money. A lot of thought should be given to the ideas.

\* C. Wilson: Are the council members getting a salary?



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^ E. Piper: No. Salaries for the TC were nixed. Are there any other questions?  
I want to thank everyone for coming out.

E. Piper closed the meeting at 1415.

# Restoration Public Participation Meeting, Chenega, February 10, 1992

Name (please print)	Affiliation	Address	Telephone
Darrell Totemoff	CB IRA Council	PO Box 8078 Chenega Bay AK 99574	573-5132
John Christensen	Chugach Alaska Corp	Box 8001 Chenega Bay AK 99574	573-5349
JOHN TOTEMOFF	CHENEGA BAY	Box 8071 CHENEGA AK. 99574	573-5352
Steve Liano		Chenega - Box 24	
Carol A. Wilson	Chenega Corporation	P.O.-Box 8005 Chenega Bay AK	N/A
PHILIP TOTEMOFF	CHENEGA I.R.A. COUNCIL	Box 8064 CHENEGA BAY, AK 99574	573-5112
Mike Eleshansky	Chenega IRA Council	Box 8021 Chenega	573-5117
MIKE KOMPKOFF	Chenega Bay	Box 8015	573-5131
Paul Kompkoff Jr	CHENEGA IRA COUNCIL	Box 54	N/A
Paul Kompkoff Sr.	Chenega Corp.	Box 54	N/A
LARRY EVANOFF	CHENEGA BAY IRA COUNCIL	Box 8003	573-5317
Charles W. Totemoff	Chenega Corp.	Box 6043 Chenega Bay, AK 99574	573-5147
FRANK Gerske	Chenega Bay	Box 8012	N/A
Donald P Kompkoff Sr.	Chenega Bay	Box 8034	573-5131
Cash Christensen	Chenega	Box 8001	573-5349
Paula Kompkoff	Chenega	Box 8054	none
Cork Christensen	Chenega	Box 8001	573-5349
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**Restoration Public Participation Meeting, Chenega, February 10, 1992**

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