

PUBLIC PARTICIPATION SCOPING MEETINGS

MAY 4-28, 1992

09.03.03

DRAFT

7/6/92

- 1 A TIMELINESS OF RESTORATION MAY HAVE AN EFFECT ON HOW A RESOURCE OR
2 SERVICE WILL RECOVER.
- 3 B THE TRUSTEE COUNCIL IS PERCEIVED AS NOT ACTING IN A TIMELY ENOUGH
4 MANNER TO PREVENT FURTHER DAMAGE TO INJURED RESOURCES AND SERVIC-
5 ES.
- 6 C THE ISSUE IS THE CONSIDERATION OF THE PROS AND CONS OF FUTURE
7 CLEAN-UP ACTIVITIES.
- 8
9 D CONSIDER CONTINUATION OR INITIATION OF INJURY ASSESSMENT STUDIES
10 TO PROVIDE NECESSARY INFORMATION AT ALL STAGES OF THE RESTORATION
11 PROCESS FOR ALL INJURED RESOURCES AND SERVICES TO (1) EVALUATE
12 THE NEED FOR PRESENT AND FUTURE RESTORATION AND (2) EVALUATE
EFFECTIVENESS OF RESTORATION.
- 13
14 E LONG TERM, COMPREHENSIVE, SCIENTIFIC MONITORING ON AN ECOSYSTEM
15 LEVEL, INCLUDING COLLECTION OF BASELINE DATA, MAY BE CRITICAL IN
16 ASSESSING LATENT AND SUBLETHAL OIL SPILL INJURIES AND RATE OF
RECOVERY.
- 17 F CONSIDER THE ABILITY OF NATURAL RECOVERY TO EFFECTIVELY RESTORE
18 INJURED RESOURCES AND SERVICES.
- 19 G CONSIDER THE LONG-TERM HEALTH AND MANAGEMENT OF ECOSYSTEMS,
20 INCLUDING ENHANCEMENT AND MONITORING BEYOND RECOVERY.
- 21
22 H DESIGNATION OF WILDERNESS AREAS, MARINE SANCTUARIES OR OTHER
23 SPECIAL MANAGEMENT AREAS AND PRESERVATION OF WILDERNESS QUALITIES
24 AND HIGH HABITAT VALUES MAY FACILITATE RESTORATION OF INJURED
RESOURCES AND SERVICES.
- 25 I CONSIDER THE PROS AND CONS OF MANAGEMENT MECHANISMS TO PLAN AND
26 IMPLEMENT RESTORATION.
- 27 J CONSIDER THE POSITIVE AND NEGATIVE EFFECTS OF SPECIFIC RESTORA-
28 TION ACTIVITIES ON OTHER RESOURCES AND SERVICES.
- 29
30 K CONSIDER WHAT INFORMATION IS AVAILABLE AND IN WHAT FORMAT TO
31 ASSIST THE PUBLIC IN THEIR UNDERSTANDING OF EVOS STUDIES AND
RESTORATION ACTIVITIES.
- 32
33 L TO RESTORE INJURED RESOURCES AND SERVICES, CONSIDER THE NEED FOR
CONSTRUCTION OF SCIENTIFIC, RECREATIONAL AND OTHER FACILITIES.
- 34
35 M DEVELOPMENT OF EDUCATION AND INTERPRETATION OPPORTUNITIES MAY
36 FACILITATE RESTORATION AND UNDERSTANDING OF THE RESTORATION
PROGRAM.
- 37 N CONSIDER THE ^{SOCIAL and} ECONOMIC EFFECTS OF RESTORATION ACTIVITIES ON LOCAL
38 COMMUNITIES.

15
1 CONSIDER USING SETTLEMENT MONIES TO PROTECT HABITAT AND TO
2 ACQUIRE LAND OR INTERESTS IN LAND THAT WILL RESTORE/REPLACE FOR
3 THE INJURED RESOURCES AND SERVICES, INCLUDING LANDS IN PARKS,
4 REFUGES AND FORESTS, INTERTIDAL AREAS, WILDERNESS AREAS, AND
5 MARINE BIRD COLONIES THROUGH THE SPILL AREA.

16
6 CONSIDERATION SHOULD BE GIVEN TO IMPLEMENTING THE IMMINENT THREAT
7 PROCESS TO IMMEDIATELY IDENTIFY AND ACT TO ACQUIRE THREATENED
8 HABITAT.

17
9 CONSIDER THE "CONCURRENT" APPROACH TO ACQUISITION AND PROTECTION
10 PRESENTED IN THE RESTORATION FRAMEWORK DOCUMENT [OR CONSIDER AN
11 ALTERNATIVE APPROACH. DO NOT CONSIDER THE HIERARCHICAL APPROACH
12 AS IT WAS PRESENTED IN THE RESTORATION FRAMEWORK DOCUMENT.

18
13 CONSIDER PROTECTING INJURED RESOURCES AND THEIR HABITATS AND
14 SERVICES FROM ACTIVITIES THAT ADVERSELY AFFECT THEIR ABILITY TO
15 RECOVER.

19
16 CONSIDER USING SETTLEMENT MONIES TO ACQUIRE LAND INSIDE OR
17 OUTSIDE THE SPILL AREA.

20
18 ALL INJURED RESOURCES AND SERVICES SHOULD RECEIVE EQUAL CONSIDER-
19 ATION IN RESTORATION AND MONITORING ACTIVITIES.

21
20 *CONSIDER ESTABLISHING AN ENDOWMENT FUNDS TO FACILITATE LONG TERM
21 FUNDING FOR RESTORATION ACTIVITIES AND ANNUAL WORK PLAN PROJECTS.

22
22 *CONSIDER USING RESTORATION FUNDS TO CAPTURE MATCHING FUNDS AND
23 TO DEVELOP PARTNERSHIPS WITH APPROPRIATE ENTITIES TO CARRY OUT
24 RESTORATION ACTIVITIES AND PROJECTS.

25
25 *USE RESTORATION FUNDS TO RESTORE INJURED RESOURCES AND SERVICES
26 AND CONSIDER DOING SO THROUGH OPEN COMPETITION.

26
27 *THE PUBLIC INVOLVEMENT PROCESS SHOULD CONSIDER INCREASED EMPHA-
28 SIS ON PARTICIPATORY INVOLVEMENT BY CITIZENS (INCLUDING THOSE
29 OUTSIDE OF ALASKA) AS WELL AS PROVIDING MORE TIME FOR THE PUBLIC
30 TO REVIEW DOCUMENTS.

26 Y Future Prevention, Response

27 Z Human Interactions / Impact / Subsistence

* Indicates RPW6 has not considered
as of 7/6/92

PUBLIC PARTICIPATION SCOPING MEETINGS
May 4, 1992 2:00 p.m.
Multi-Purpose Room, City Building
Seldovia, Alaska

| Attendees | Affiliation | Address |
|------------------|--------------------|----------------|
| Marty Rutherford | Restoration Team | |
| Barbara Iseah | Restoration Team | |
| LJ Evans | Restoration Team | |
| Alix Chartier | fisherman | P O Box 153 |
| Walt Sonen | fisherman, SOS | P O Box 107 |
| Dick Wyland | | P O Box 29 |

Mary Malchoff and Pat Norman attended via teleconference from Port Graham

Issues Addressed:

General Review

Marty gave a brief introduction 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

Public Advisory Group

The Public Advisory Group will consist of 15 seats plus two ex-officio, one each from the Alaska State House and Senate. Nominations will be made to the Trustee Council beginning May 6th and will conclude June 8th. The Trustee Council is very interested in whether the public feels the principal interests should have seats assigned. The Public Advisory Group will be able to attend and participate in the Trustee Council meetings, which will assure that the public's interests are heard.

1993 Work Plan

Each project that was approved by the Trustee Council along with its budget are contained in the 1993 Work Plan. There was not an adequate opportunity to hear from the public on what they thought this field season should include. The Work Plan will go to the public in a timely fashion next year once comments are received.

Release of Natural Resource Damage Assessment Information

All damage assessment materials which had been previously held confidential due to third party litigants are now available to the public. A process is being formulated to get the detailed study plans, interim reports, final reports and the restoration planning reports to the public. The restoration planning reports include all the meetings that led up to the Restoration Framework document. Over 400,000 pages of data exist for release and will be available through the Oil Spill Public Information Center. Chapter IV of the Restoration Plan contains a summary of all the damage assessment information released to date.

Public review and comment was also requested on the following handouts.

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

Marty 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
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

Volume II - 1992 Draft Work Plan contains descriptions of projects proposed for this year. \$4.8 million dollars was allocated for damage assessment closeout. The restoration projects are aimed at the recovery or monitoring of an injured resource. The Trustee Council is very interested in hearing the public's comments and the deadline for both of these documents is June 4th. Comments will be synopsized and provided to the Trustee Council to aid in making their decisions. The 1993 ideas form is due by June 15th. The public is strongly encouraged to review the framework document and then comment about projects that might be a good idea. The Trustee

Council wants to be responsive to the ideas and wants to be responsible in doing things that work. The Public Advisory Group's deadline for comments is June 8th. Marty directed the public to avail themselves of the information and respond with any comments. The draft Restoration Plan will begin once comments are received. This document will drive the expenditure for the entire process.

Questions:

Marty provided answers to the following questions posed by members of the public:

What is the deadline for responding to the draft Restoration Plan? Dick Wyland

Is there still damage assessment being done on the sea lion? Alix Chartier

What are the current guidelines for proposed projects? Dick Wyland

How much input will the Public Advisory Group have on the Trustees? Walt Sonen

Oral Statements Presented:

Dick Wyland

- 12 -concerned about building monuments to the spill and not having anything viable that would give benefit to the people from now on, such as a science school
- 25 ~~18~~ if another spill occurred a lot of the damage could be stopped by using a diversion and accessing public lands
- 24 X -community-wise more input is needed and additional meetings would help
- 24 X -this is a busy season and may account for the lack of participation
- 14 N -the cannery's closing could be attributed to the Exxon oil spill
- 14 N -Seldovia is looking for a means to help their community to be viable

Alix Chartier

- 4 D -considerable damage was done to the sea lions
- 4 D -there should be some concentration on their food supply
- 210 T -concerned that money go toward restoration of species and not recreational areas
- 4 D -there has not been enough time to do the required study
- 25 ~~20~~ future prevention should be addressed also so that another spill could be dealt with more readily

Walt Sonen

- 24 X -came into this meeting cold without any prior information and would like more prior notification publicizing meetings and suggested more lead time
- 12 L -suggested developing a first class research facility, this is an area where there is a lax in research on the damage done by the oil platforms to the crab supply, poor monitoring has also added to this problem, a marine research center could perform this type of monitoring; it may appear as a pork barrel project because Seldovia would be a beneficiary economically, but it also is an ideal area for such a facility, the Trustees should consider a research facility of some sort which could be funded with government and university monies as a universal project, Homer and Seldovia are very accessible by boat for the lower Cook Inlet area, which makes this area ideal for a research facility
- 25 X -concerned about where prevention fits in with restoration
delete documents
delete -
document

Mary Malchoff

- 14 N -pointed out that the village's needs are different from the city's needs

It was stressed that public comments such as these will drive this process LJ asked for suggestions on what she could do to provide more advance publicity The public's attention was also directed to the charts in the habitat protection and acquisition document Marty thanked members of the public for attending this scoping meeting and asked that they share the restoration framework document with others in the community Additional copies will be provided to the library for distribution to the public Mary Malchoff requested that Port Graham be connected to the Tatitlek teleconference or possibly have someone come there LJ will mail copies of the handout packet to Port Graham The three volumes will be mailed later Marty stressed the need for participation in nominations to the Public Advisory Group

Meeting adjourned at 3 30

PUBLIC PARTICIPATION SCOPING MEETINGS
May 4, 1992 7:00 p.m.
City Council Chambers
Homer, Alaska

| Attendees | Affiliation | Address |
|------------------|--------------------------|----------------|
| Marty Rutherford | Restoration Team | |
| John Strand | RPWG | |
| Barbara Iseah | Restoration Team | |
| LJ Evans | Restoration Team | |
| Larry Smith | Kachemak Resource Inst | 1520 Lakeshore |
| Ken Castner | | P O Box 558 |
| Ginger Tornes | Bristol Bay Driftnetters | Box 2497 |
| Hal Spence | Homer News | 3482 Landings |
| Harry Gregor | Mayor | P O. Box 241 |
| David Webster | KBBI | 3913 Kachemak |
| | | Way |

Issues Addressed:

General Review

Marty gave a brief introduction 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 Asking for Ideas for 1993
- Proposed Expenditures for 1992 (Projects and Administration)
- Timeline for the Restoration Plan

Marty gave a brief description of each chapter contained in Volume I - Restoration Framework, Volume II - 1992 Draft Work Plan contains descriptions of projects proposed for this year \$4 8 million dollars was allocated for damage assessment closeout The restoration projects are aimed at the recovery or monitoring the recovery of an injured resource The Trustee Council is very interested in hearing the public's comments and the deadline for both of these documents is June 4th Comments will be synopsized and provided to the Trustee Council to aid in making their decision The 1993 ideas form is due by June 15th The public is strongly encouraged to review the framework document and then comment about projects that might be a good idea The Trustee Council wants to be responsive to these ideas and wants to be responsible in doing things that work The Public Advisory Group's deadline for comments is June 8th Marty directed the public to avail themselves of the information and respond with any comments The draft

Restoration Plan will begin once comments are received. This document will drive the expenditures for the entire process

Public Advisory Group

Beginning May 6th letters will go out to those on the mailing list stating that nominations for the Public Advisory Group have begun. The deadline for nominations is June 8th. This group will play a strong advisory role. There are 15 seats on the Public Advisory Group, with 12 principal interest groups. The Trustees are also looking for input on whether each principal interest and the public at large should have designated seats. Marty encouraged the public to examine the nomination form.

The letter soliciting comments is also an important document. The Trustees are very interested in whether the public feels these projects should go forward. In an effort to do better next year, the idea was developed of a letter to concerned citizens asking for ideas for restoration for next year.

Release of Natural Resource Damage Assessment (NRDA) Information

The process for releasing this information is being developed. Within 3 weeks to one month the detailed study plans for 1989, 1990 and 1991, any final reports and the restoration planning reports shall be available through the Oil Spill Public Information Center. The planning reports are the meeting notes which resulted in these documents. By the end of June, all of the data should be available, which is about 400,000 pieces. A symposium is being proposed for late fall as another avenue of releasing data.

Other Handouts for Public Comment:

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

Volume I - Restoration Framework

This document will set the stage and act as a guide for the Restoration Plan. Further, the Restoration Framework fulfills the requirements of the National Environmental Policy Act. John provided the following highlights of what is contained in each of the seven chapters of the restoration framework document:

- Chapter I - provides the background of the legal settlement
- Chapter II - outlines the guidelines of the public participation program
- Chapter III - recounts restoration activities from 1989 to the present
- Chapter IV - contains the updated summary of the injury infor-

mation to date

Chapter V - contains proposed injury criteria, allowing what qualifies for further examination, there has to be substantial evidence of injury

Chapter VI - goes into more detail about some of the ideas and concepts for restoration and how these are evaluated; some ideas come from scoping meetings and resource managers, as well as from literature; the criteria gives us a way to filter through these ideas; there must be reasonable opportunity for success; the idea has to be cost effective with reasonable benefit or gain

Chapter VII - contains the following six conceptual alternatives or methods to organize the different restoration options.

- no action monitoring alternative
- management of human uses
- manipulation of resources, which entails working with the resource itself
- habitat protection and acquisition
- acquisition of equivalent resources; which entails moving afield of the resources and acquiring some area outside the spill zone
- combination of alternatives

Attention was directed to a chapter-by-chapter prompt of feedback requested. This document will aid in determining if the restoration plan is on track.

Appendix B contains 35 restoration options already gathered. Comment is solicited on this as well

Volume II - 1992 Draft Work Plan

The Work Plan contains a project-by-project description of everything that is going forward along with its budget. The Trustees are prepared to make changes in these programs should public comment warrant. Most of these projects are for damage assessment closeout

The deadline for submitting ideas for the 1993 Work Plan is June 15th. The deadline for Public Advisory Group nominations is June 8th

Questions:

Marty and John provided answers to the following questions posed by members of the public:

Is the lead agency for the projects indicated? Hal Spence

How are the actual people doing the work hired? Is it by bid? Hal Spence

Is there anything precluding private enterprise people from getting some of these jobs? Hal Spence

Once the Restoration Plan is finished, do you foresee a public participation period every year? David Webster

Will there be turnover in the Public Advisory Group in the 10 year period? David Webster

What about a turnover in the Trustees themselves? David Webster

Does the settlement language indicate that the Trustees have to reach unanimous decision on spending and are the Trustees bound to what is in the Restoration Plan? David Webster

Do you foresee some change in the ruling which sets up the Trustee Council? Hal Spence

Who defends against a court challenge? David Webster

Once the Public Advisory Group is established, does that mean there will not be public participation meetings in the communities? Ginger Ternes

How often can you expect to get feedback from the communities? Ginger Ternes

Does the summary of injury contain the information from NRDA studies? Hal Spence

Was it an option to use these different criteria? Ken Castner

When you arrive at a final plan, how fluid will the plan be to address issues down the road and will it be adaptable? Hal Spence

Will the plan be adaptable enough to attack a problem you did not even know existed? Hal Spence

Is there a mechanism for providing compensation for user groups? David Webster

Have any comments been received on the Public Advisory Group? Hal Spence

Will the Trustees be governed by the Alaska Open Meetings Act? Hal Spence

Oral Statements Presented:

Larry Smith

- ~~delete list~~
- PAG -none of the concerns seem to be reflected in the Public Advisory Group charter
 - PAG -appears that the Public Advisory Group's power will rest with the Trustee Council
 - PAG -the public will not rely on a group that is not empowered to do anything
 - PAG -the Public Advisory Group will not attract much attention from the public and will be just another indication of the Trustees ignoring the public
 - PAG -there appears to be reluctant acceptance of what Judge Holland said should be established
 - PAG -the public will see the Public Advisory Group as not functional, which may cause more distrust
 - PAG -suspects that the whole thing looks more like a federal and state agency pork barrel without even a shadow of a really effective Public Advisory Group

Ken Castner

- 4 D -wrote extensive comments in response to last year's restoration projects ~~comment~~
- 11 K -felt he was asked for comments without being given scientific information
- 4 D -he is a commercial seiner and there appears to be no recommendation for restoration in this area
- 15 D -feels no one has pushed for projects
- 4 D -somebody has made the decision that there is no restoration work to be done in the outer coast
- 4 D -need some chum salmon work done on the outer coast but won't know until next year if they were drastically affected
- PAG -doesn't see putting one commercial fishermen on the Public Advisory Group as a good idea, one fisherman with all the provincial interests just will not be enough
- 24 X -would like a different system to have direct access to the Trustees
 - this process should be approached in a rational manner ~~delete comment~~
 - need to determine what the road map will be and schedule ~~delete -comment~~ the money
- 1 A -people want to put money directly back into restoration as quickly as possible
- 1 A -appears to be a lot of willingness to put money into things which had a greater urgency
- ~~delete~~ H16 -one seat on the Public Advisory Group is not a rational way things should occur
- ~~delete~~ 26 X -the Seiners Association did some very early work with absorbent materials two weeks after the spill; this project was abandoned because it was not an issue that oil

had impacted the area

- 11 K -scientific release of information will tell a) if anyone did the analysis and b) what the analysis said
- 4 D -the point is if no work is done, then there is no recommendation for this area, which is a Catch 22 situation
- B
9 -most people who shot down his arguments were agency types
- 14 N -one fear was that we would end up with 100 Phd's out there
- must focus on the fact that the outer coast was heavily hit and there is a significant impact to the economy
- thinks there is a huge hole in the restoration document *delete - comment*

Ginger Tornes - Bristol Bay Driftnetters

- 14 N -Bristol Bay's marketability of fish was affected; wants to know how this will be addressed as far as restoration
- N -funding is needed for ASME for marketing salmon as a whole
- N -the only way to salvage this situation is through marketing

Marty encouraged Ms Tornes to put her comments in writing with more details to be presented to the Trustee Council.

Marty expressed appreciation to the public for attending and encouraged them to impress upon others the importance of public comment

Meeting adjourned at 9.00

PUBLIC PARTICIPATION SCOPING MEETINGS
May 5, 1992 7:00 p.m.
Borough Assembly Chambers
Kodiak, Alaska

| Attendees | Affiliation | Address |
|-------------------|-------------------------|-------------------|
| Marty Rutherford | Restoration Team | |
| Sandy Rabinowitch | RPWG | |
| Barbara Iseah | Restoration Team | |
| LJ Evans | Restoration Team | |
| Heidi Zemuch | KMXT Radio | |
| Margie Derenoff | KANA | 402 Center Avenue |
| Greg Petrich | Kodiak Audobon | Box 1005 |
| Mike Milligin | | SR 9121 |
| Mary Fiorentino | Area K Seiners | P.O. Box 1224 |
| Claire Holland | AK State Parks | SR Box 3800 |
| Dolly C.R Reft | Kodiak Tribal Council | 3011 Spruce Cape |
| Wes S. Wiley | Salmon Setnet/Landowner | Box 1811 |
| Jim Carmichael | Afognak Native Corp | P O Box 1277 |
| Brian Himelbloom | UAF/Fish Ind Tech Ctr | P O Box 1866 |
| Richard MacIntosh | | 909 Mission Road |

Issues Addressed:

General Review

Marty gave a brief introduction and proceeded to summarize the following handout documents.

Settlement 101

Draft Summary of Comments

Public Advisory Group 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 Completion of the Restoration Plan and the Environmental Impact Statement

Public Advisory Group

The nomination process for the Public Advisory Group begins tomorrow, May 6th. The Trustees decided there would be 15 seats plus two ex-officio, one each from the Alaska State House and Senate on the Public Advisory Group. The Trustee Council is very interested in whether the public feels the 12 principal interest groups should have seats assigned or should the Trustees attempt to balance the group. The deadline for nominations is June 8th.

1993 Work Plan

Each project that was approved by the Trustee Council along with its budget are contained in the 1993 Work Plan. There was not an adequate opportunity to hear from the public on what they thought this field season should include. These projects are not final as the Trustees wanted to know if the public felt they were appropriate. In order not to miss this field season, the Trustees have allowed two months of funding.

Release of Natural Resource Damage Assessment Information

All damage assessment materials which had been previously held confidential due to third party litigants are now available to the public. The third party litigants have now agreed to the release of this data. A process is being formulated to get the detailed study plans, interim reports, final reports and the restoration planning reports to the public in the next 3 weeks to a month. The restoration planning reports include all the meeting notes that led up to the Restoration Framework document. Over 400,000 pages of data exist for release and will be available through the Oil Spill Public Information Center by the end of June. The damage assessment information release allows the public to participate more fully in the restoration process. The Trustees are considering a symposium in the spring or fall of 1993 in an effort to release information in a usable form to the public.

Public review and comment were also requested on the following handouts:

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

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

- Chapter I - provides the background of the legal settlement; begins to address some of the requirements of the National Environmental Policy Act
- Chapter II - outlines the goals of the public participation program
- Chapter III - recounts efforts for restoration planning from 1989 to the present
- Chapter IV - gives an updated summary of the injury information to date
- Chapter V - proposes criteria for determining when the injury is sufficient to warrant a restoration action or spending money
- Chapter VI - proposes criteria and procedures for evaluating restoration options, includes many ideas that have

Chapter VII - come from public meetings
contains the following six conceptual restoration alternatives.

- no action
- management of human uses
- manipulation of the resources
- habitat protection and acquisition
- acquisition of equivalent resources
- combination of alternatives

Appendix A - provides background information on injured resources and services

Appendix B - provides 35 restoration options for consideration and includes 14 options which were rejected

A list of questions were provided as a handout to elicit comments or feedback from the public regarding the Restoration Framework. A brief discussion was given on the importance of responding to these questions. Two approaches, hierarchical and concurrent, were used in this scoping document. The Trustees are very interested in hearing from the public what is the most appropriate approach. This plan will be the guideline for expenditure of the settlement funds.

Volume II - 1992 Draft Work Plan is a list of all the projects and budgets the Trustees have tentatively decided can proceed for two months. The Trustees are prepared to make changes once comments are received. Because so much of the restoration process is tied to injury, the Trustee Council is very interested in getting the damage assessment information to the public. The deadline for comments on both of these documents is June 4th. Comments will be synopsized and provided to the Trustee Council to aid in making their decision. The 1993 ideas form is due by June 15th. The public is strongly encouraged to review the framework document and then comment about projects that might be a good idea. The Trustee Council wants to be responsive to the ideas and wants to be responsible in doing things that work. The Public Advisory Group nomination deadline for comments is June 8th. Marty directed the public to avail themselves of the information and respond with any comments. The draft Restoration Plan will be developed once comments are received. This document will drive the expenditure for the entire process.

A third volume of the Restoration Framework is the Response to Public Comment on the 1991 State/Federal Natural Resource Damage Assessment and Restoration Plan for the Exxon Valdez Oil Spill, which is a synopsis of public comments received last year.

Questions:

A toll free number was provided for those in the villages to call

in comments or questions at 1-800-478-5736

Marty answered the following question posed by the public.

Is acquisition of equivalent resources referring to land?
Greg Petrich

Written Proposals Presented:

Mark Donoghue

- 4 D -Assessment and Quality Assurance of Shellfish Resources
- 4 D -Enhancement of the Pacific Herring in Uyak Bay

Oral Statements Presented:

Mike Milligan

- 11 K -would like to file some complaints, the documents are very hard to understand, the public will be unable to grasp what is going on
- 24 -concern was expressed about where the money is going
- 4 D -would like more issues addressed on ongoing health of the environment and ongoing populations
- 26 Z -inquired if the villages in Kodiak are being addressed
- 4 D -concerned about how traditional clam areas are being assessed
- 4 D -concerned about cultural artifacts which are irreplaceable and the damage from the spill
- 17 Q -feels more comfortable with the horizontal matrix, which is more accessible to the communities
- 11 K -a suggestion was made to index the framework with areas of concern alphabetically and regionally
- 11 K -another suggestion is information should be sent to areas where projects will take place
- 4 D -presented a concept by Dr Sylvia Earl - not much has changed in scientific techniques; there is a lot of potential for the money to change the course of knowledge and do some unconventional things, would like to see some input into new ways of collecting information
- 11 K -wants more digestible documents that the public can grasp
- 11 K -would like more emphasis on cultural artifacts
- 11 K -an important concern is fecundity of all resources

Jerome Selby - Mayor Kodiak Island Borough

- A D -thinks the Restoration Framework document is off to a real good start, but there is one glaring omission, the impact on human resources
- 24 -need to look at what will preclude these things from happening in the future; we are not in much better shape today than in 1989 as far as dealing with a large scale oil

- spill, some response capability needs to be developed
- ~~7/6/88~~
4 D -part of the Restoration Framework has to have some preparation for mitigation that gets us in a better prepared state
 - was disappointed that a couple of high priority projects such as the Kitoi project and Red Lake Mitigation program were deleted, would like to see these two projects funded out of the 1992 funds
 - 14 -a good case can be made over the ten-year period for spending \$300 million of the settlement funds in the Kodiak Island Borough due to the impact by the oil spill; \$100 million could be put into an endowment fund to continue scientific work and projects proposed on an ongoing basis
 - 27 U ~~delete~~ -have put together a list of projects which will come to \$2 million over the ten-year restoration effort ~~delete - comment~~
 - 24 -a committee was formed with representation from the Alaska Departments of Fish and Game and Environmental Conservation, Federal Fish and Wildlife, Native associations, National Marine Fisheries Service, state and federal parks, Kodiak Island Borough, Kodiak Regional Aquaculture Association, Area K Seiners, and Alyeska Regional Citizens Advisory Council, have taken the shore line committee from the spill and are working to identify where the mitigation can be most effective and where most good can be done in terms of positive restoration for public resources
 - 15 O -working closely with Fish and Wildlife for acquisition on Afognak Island, most projects fit within the options in Appendix B
 - ~~delete~~
15 O need to look at some preparedness options
 - ~~delete~~
15 O -worked with federal parks on inholdings on the Katmai coast
 - ~~delete~~
5 E -the regional citizens advisory council is working on preparedness in the event of another spill
 - 5 E -some baseline data in terms of natural loss is needed to compare to the future; could build off existing systems and increase capabilities to do monitoring; need a laboratory locally for capability to do analysis of clam and fish to determine oil contamination, \$1 million was spent to get answers on the clams
 - 12 L -construction of the KANA (Kodiak Area Native Association) Museum would aid archaeological research, archaeologist could excavate the artifacts
 - 4 D -some analysis of herring and clam resources is needed
 - 4 D -further analysis on protection of artifacts needs to be examined
 - 12 N -a learning center at the Kodiak Community College where the data could be available to mitigate another oil spill would be helpful
 - ~~delete~~ -the committee held a meeting this afternoon and a presentation will be available in a couple of days, have some ideas for mitigating and building back from the oil spill ~~delete - comment~~
 - ~~delete~~ -KANA has had offers from the Smithsonian and Russia of collections taken from the island in the past and returning them to Kodiak ~~delete - comment~~

- 11
- ~~delete~~ wants to know what has happened to the \$50 million in criminal restitution; has not been able to get information on the \$50 million *comment*
- ~~217 Z delete~~ cannot ignore human resources and need to fix the settlement language to expand a certain percentage to offset the human mitigation factor
- ~~26 X delete~~ concerned that it is May 1992 and we are in no better position to deal with a large scale oil spill
- ~~delete~~ would like a report from the Federal Trustees regarding the \$50 million which went to the federal government *comment*

Dolly Raft

- ~~delete~~ -applauds and agrees with Jerome Selby *comment*
- ~~4~~ -current technology does not allow an accurate assessment
- ~~delete~~ -resources and environment died *comment*
- ~~217 X delete~~ -more local control of environment will give better results and assurance if another oil spill happened
- ~~12 L~~ -a local laboratory is needed
- ~~12 L~~ -the KANA museum is the least that is deserved
- ~~217 X~~ -a lot of people are still affected by the spill, people are concerned about how to get involved in restoration
- ~~11 K~~ -the amount of the information is intimidating
- ~~delete~~ -feels at the mercy of everyone else because they are an island, fearful that Kodiak will be forgotten again *comment*
- ~~Robert~~ -need tools to respond on a local level, there are dedicated people here
- ~~14~~ -does not feel this is an issue of money but one of responsibility
- ~~11 K~~ -hasn't read all the information but wants to say don't forget about Kodiak
- ~~14~~ -no amount of money can fix this but they can be reassured by having some local control

Mark Donoghue

- ~~3 C~~ -there is an impression that they did not get oil that is still out there
- ~~4 D~~ -there is still a question of the health of clams and the system in general
- ~~15 D~~ -people are looking for restoration of the health of every thing, thinks the jury is still out on this
- ~~4 D~~ -should look at what could have been done better, thinks a lot has been left out
- ~~9~~ -need more confidentiality of archaeological sites

Greg Petrich - Kodiak Audobon

- ~~delete~~ -focus on criminal restoration money in the legislature has tried to highlight what are important issues for the public such as habitat acquisition on Afognak Island and weir site management *comment*

- 12 L -need funding for tech center and long-term planning for that facility
- 4 D -there is a need for archaeological assessment and protection
- 13 M -need money for education programs to communicate and make sure this doesn't happen again, human resources are extremely important
- 15 -in Chapter 7 the definition of habitat acquisition is too narrow
- 17 Q -more comfortable with the concurrent approach to restoration
- 4 -focus should be on doing something with a resource that can be helped
- 13 -there should be extreme public scrutiny of these projects with no expenditure on dead areas
- ~~delete~~ -House Bill 411 contains points that are important to his group *out of scope*
- 13 M -prevention in the future and education of youth are important issues, resource materials for the schools could be obtained for pennies

Marty expressed appreciation for participation and comments and reiterated that we want this to result in a plan that the public can feel good about

Meeting adjourned at 9 05

PUBLIC PARTICIPATION SCOPING MEETINGS
May 11, 1992 2:00 p.m.
Tatitlek, Alaska

| Attendees | Affiliation | Address |
|-------------------|--|----------------|
| Ken Rice | Restoration Team | |
| John Strand | RPWG | |
| Barbara Iseah | Restoration Team | |
| LJ Evans | Restoration Team | |
| Ron Totemoff | Council Member | Box 106 |
| Maxine Y Totemoff | | Box 111 |
| Steve S Totemoff | Council Member | Box 127 |
| Claren Allen | | Box 128 |
| Phillip Allen, Sr | | Box 128 |
| Jack Kompkoff, Sr | | Box 120 |
| Kim Mallory | | Box 122 |
| Roselene Vlasoff | | Box 124 |
| Betty J Totemoff | | Box 127 |
| Sandra Selanoff | Treasurer, Council | Box 115 |
| Peggy Totemoff | | Box 134 |
| Gary P Kompkoff | Chair , Tatitlek Corp Pres , Tatitlek Council | Box 171 |
| Illene Totemoff | | Box 109 |

Issues Addressed:

General Review

Gary Kompkoff, chairman of the Tatitlek Corporation, permitted the members of the Public Participation staff to introduce themselves. Members of the public were requested to give their names when commenting or giving testimony. Ken proceeded to discuss where the money is going the Settlement 101 handout. Some of the money is already spent to pay back expenses incurred in the cleanup. Some of the provisions of how the money is to be spent are discussed in other handouts. Public meetings were held in February regarding what the needs were to get the public fully involved in this process.

Public Advisory Group

Nominations for the Public Advisory Group began last Friday. When the two governments agreed on how to spend the money, the idea of a Public Advisory Group evolved. This group will include 15 members. Nominations are solicited through June 8th. Some of the information requested is background, knowledge of the region and involvement with other interest groups. Comments are being solicited on whether there should be assigned seats for this group. The purpose of soliciting comments is to find out what needs to be done next year for restoration. A concerned citizen letter went out to

the public for comments on what they would like to see next year. Ideas are requested to get these projects going in 1993

Release of Natural Resource Damage Assessment Information

Attorney General Cole decided to release a lot of the studies which had been held confidential up until now. Preliminary and final reports will be released in a few days. Access will be provided to studies done in the past three years.

Ken proceeded to discuss the following handouts.

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

One of the proposals that came from the public is the need to protect Prince William Sound from major development. The Restoration Team was charged with a process to develop some of the criteria used to protect it further. This process will become a component of the Restoration Plan on how the money will be spent over the next ten years

Volume I - Restoration Framework

The Restoration Plan will be developed over the next 18 months. The framework will guide in developing a plan that will help determine where the money will be spent and what are the concerns of the public.

Another purpose of this document is the need to comply with the National Environmental Policy Act, which determines all the potential impacts to the Sound and its ecosystem. John Strand reviewed the following contents of the 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
- Chapter IV - contains the updated analysis of the injury information to date
- Chapter V - proposes criteria for determining when injury is sufficient to warrant any restoration action
- Chapter VI - proposes criteria and procedures for evaluating restoration options
- Chapter VII - contains the following six conceptual restoration alternatives

- no action monitoring alternative
- management of human uses

- manipulation of human resource
- habitat protection and acquisition
- acquisition of equivalent resources
- combination alternatives

Appendices A and B were discussed, and comments on the restoration options were solicited. The public is asked to comment on any options they feel might be better.

The diagrams at the end of Chapter VI depict the hierarchical and concurrent approaches of exploring options. These diagrams show how each restoration option was developed and how it will be implemented. Public comment is solicited regarding these two approaches.

Attention was directed to a list of questions eliciting public comments by chapter from the Restoration Framework. The framework represents the first crack at trying to organize the process for writing the plan. The Restoration Team would like to know if they are on track.

Volume II - 1992 Draft Work Plan

Volume II contains all the projects proposed to begin this year. Comments are solicited on studies and projects that the public feels should be included. Comments are solicited on projects the public feels should not go forward or not be funded at the levels proposed. The Trustees have reserved final decision until after public comment is received.

The third volume compiles the public comments received on last year's Work Plan.

Questions:

Ken provided an answer to the following question posed by the public:

Have the corporations in this area been approached to buy back their land or timber rights? Gary Kompkoff

Oral Statements Presented:

Gary Kompkoff

- all same issue*
- 2/* the most important issue in this area is subsistence
- 2/* wants to know if the Trustee Council is aware that subsistence users have been impacted more strongly than any other group in the state
- 2/* ~~new reports show that~~ the damage to subsistence resources has been a lot heavier than was previously realized
- 2/* has a memo written by the Subsistence Division requesting

funding for the project, Subsistence Information and Response, on January 23, the people at the Subsistence Division stated that no more projects were to be funded through that budget, they were told the project was worthwhile but was too late to get funded; they were told that the money is there but the Trustees want to appear cost conscience and that puts a lot of pressure on the project director to cut costs to the bone

~~2~~ -concerned that every new study shows that the subsistence resources were damaged more than they were led to believe

262 -they depend on the resources for their livelihood

~~2~~ -a letter will be drafted addressing each subsistence issue *comment*
~~2~~ -doesn't think the Trustee Council is aware of how important subsistence resources are to this community

11 K -can't figure out if the studies being kept from the public show that the resources are contaminated more than they are being told, would like to know what is dangerous now and long term

14 -read a statement that new releases of studies back up what the health task force has been saying; statements like this make it hard for them to believe what is being said by the task force, they aren't able to trust anything

PAG -thinks each member of the Public Advisory Group should be specifically assigned to one user group rather than 15 in general, wonders if there has been any thought to having members from each impacted area on the group, subcommittees from each user group with teleconference capabilities were suggested

PAG -would not be comfortable with one representative from the Native community as the issues and concerns may be different

~~delete~~ -will make copies of the comments form and try to get as much feedback from the community as possible; then will write a letter with their concerns *comment*

27 -subsistence does not appear very much in the framework document

A D -wild deer studies should be considered

11 K -one problem is that they have not had time to review the reports and most of the people have not even seen them

~~delete~~ -would like to talk with members of the Trustee Council regarding his concerns

Ken expressed appreciation to the public for attending the meeting and providing feedback. Another round of meetings will be scheduled when a draft Restoration Plan is developed.

Meeting adjourned at 3:15

PUBLIC PARTICIPATION SCOPING MEETINGS
May 11, 1992 7:00 p.m.
City Council Chambers
Valdez, Alaska

| Attendees | Affiliation | Address |
|------------------|--------------------|----------------|
| Ken Rice | Restoration Team | |
| John Strand | RPWG | |
| Barbara Iseah | Restoration Team | |
| LJ Evans | Restoration Team | |
| John Harris | City of Valdez | P O Box 1245 |
| Doug Griffin | City of Valdez | P O. Box 307 |
| Nancy R Lethcoe | AWRTA | P O Box 1353 |
| Jim Lethcoe | AWSS | P O. Box 1313 |
| Vince Kelly | PWSCA | Box 2862 |
| Judy Kitagawa | | P O. Box 1451 |
| Katherine Bigger | | |
| Pat Lynn | KVAK | |

Issues Addressed:

General Review

The public participation staff introduced themselves Ken directed attention to the handouts and summarized the following 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

Public Advisory Group

Nominations for the Public Advisory Group are being solicited. The following information is requested for nominations

- biographical sketch
- demonstrated knowledge of the region and people
- identification of relationship to principal interests
- identification of groups recommending appointment
- statement of unique contributions
- additional relevant information

1993 Work Plan

Ideas are being solicited from the public of what additional or new projects they would like to see done in 1993.

Release of Natural Resource Damage Assessment Information

The Attorney General is no longer requesting that damage assessment information be held confidential. A process is being developed to get interim and final reports out to the public in a couple of weeks. This data will be available through OSPIC at a nominal reproduction cost.

Ken briefly discussed the following handouts:

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

Volume I - Restoration Framework

The framework will guide the expenditure of funds for the next ten years. It also serves as a scoping document to ensure compliance with the National Environmental Policy Act. Public comments are solicited on the framework document.

John gave the following brief description of the contents of the framework document:

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; describes the peer review process
Chapter IV - contains an updated summary of injuries
Chapter V - proposes criteria for determining when injury warrants any restoration action
Chapter VI - proposes criteria for evaluating restoration options, some criteria come from CERCLA
Chapter VII - shows how the options in Appendix B can be grouped, contains the following six conceptual restoration options:

- no action
- management of human uses
- manipulation of resources
- habitat protection and acquisition
- acquisition of equivalent resources
- combination alternative

The concurrent and hierarchical approaches to looking at options were discussed. Comments are solicited on how to get at the final mix of options.

Appendix B contains 35 restoration options. Comments and recommendations on any aspect of the framework document are solicited.

Attention was directed to a chapter-by-chapter prompt of questions to elicit comment

The intent of the National Environmental Policy Act is to make good decisions

Questions:

Ken answered the following questions posed by the public.

Is the environmental impact statement meant to address all problems? Nancy Lethcoe

Where are the guidelines and decisionmaking criteria for writing up proposals? Nancy Lethcoe

Regarding the Public Advisory Group, will local government and Native interests have seats? Nancy Lethcoe

Written Statements/Proposals Received:

Judy Kitagawa

-Oily Bilge Water and Oily Solid Waste Treatment

Doug Griffin - City of Valdez

-Resolution No 92-45

-Testimony on the Exxon Valdez Oil Spill Trustees Restoration Framework

Oral Statements Presented:

Judy Kitagawa

Y delete just
-works at the DEC office but is here representing herself - has a proposal that would provide the infrastructure for pollution prevention at boat harbors that send boats into Exxon Valdez impacted waters; thinks dealing with the continuous oiling of these sites would be a good first step; there is an argument that we shouldn't be using the money for prevention but for restoration

Doug Griffin

26 Y
-thought Judy's idea was good, there seems to be some buck *delete* *passing* because she was told prevention could not be dealt with under criminal funds

PAG -here as a local government advocate, concerned about being put in the same category as an interest group

PAG -trying to have a representative of local government would be very difficult because of the different interests of

different areas, local government is affected by decisions in ways that interest groups are not; local government has interests beyond themselves such as tourism, thinks there is a process by way of local governments that they have a legitimacy that goes beyond narrow focuses, because of its various interests, local government must do a balancing act, each local government should have a representative, no one person will be able to represent everyone, it is frustrating to try to be effective by its very nature

PAG-need to look at broader representation

10-there is a question of can we survive the process that comes in after the oil spill to try to help

~~delete~~ the oil spill was looked upon as a bonanza *comment*

PAG-local government needs to be at the table because there are immense pressures which affect them, very concerned about House Bill 411

Jim Lethcoe

Ug V -doesn't know if Judy's project would have to be considered as a prevention proposal but maybe as a preservation proposal
delete

Nancy Lethcoe

11 K -not all resources studied are listed in the summary of injury

4 D -concerned that they got left off in 1989 because of lack of knowledge regarding making a case for what has to be studied

4 D -dalls porpoise is not being studied on a regular basis those who have a charter business have noticed some porpoise are missing, from a tourism and recreation point of view, a picture of the porpoise is worth money, feels left out on this resource

4 D -understands from the Trustees that they were not doing any more damage assessment

15 O -The Nature Conservancy study talks about various ways of evaluating the land and use and trying to come up with some solution, this information is almost non-existent

4 D -there were no economic studies done after the Exxon Valdez spill in regard to tourism, she did a survey of disbursed recreation and the tourism businesses in Prince William Sound, none of them were contacted for any economic survey

7 -some people are very concerned about enhancement to recreation, concerned that the level of recreation will be changed in the name of enhancement

11 K -wants public input into EIS's, not quite sure how to feed this into the comment process

12 -option 12 deals with creation of recreational services, concerned about creating new recreation sites

PAG-wanted some guidance on whether advocacy types should be on

the Public Advisory Group, concerned because she has been caught in some difficult situations where she was representing several resources as an advocate, doesn't see much of a budget for the Public Advisory Group if the nominees represent several constituencies

~~PAC~~ - what is expected of the Public Advisory Group is as important as who should be on it

11 K - has tried to get out flyers on how to prevent oil spills on a boat

~~delete~~ - has drafted a Prince William Sound conservation act but hasn't had time to finish it *complete*

11 K - put out a proposal for a brochure to go to charter boat operators for minimizing the disturbance to wildlife, which would not cost much

4 D - Glacier Bay has a study to look at impacts on harbor seals from disturbance

8 H - has put together a committee to work on proposals for a Prince William Sound marine sanctuary

Jim Lethcoe

9 - asked for clarification of what is meant by enhancement as it applies to services

Vince Kelly

9 - some kind of coordinated management is needed

Ken provided time after the meeting for any further questions.

Meeting adjourned at 9 10

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

| 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

- 24X -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
- 4D -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
- 14N -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
- 4D -would like to see more work done on assessing the stellar sea lions and why this species is being given up on so soon
- 11K -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
- 14G -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
- 4D -statements on stellar sea lions are not accurate
- 14N -social and economic impacts need to be examined more closely and are appropriate for discussion and remediation
- 26Z -human impacts of potential decisions should be in the EIS

Willard Dunham

- 11 K -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
- 11 K -the lines showing oiling need to be modified to be more accurate, it is misleading
- 4 D -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
- 12 L -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

- 13 -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
- 14 -Seward is fighting a battle to be included with respect to oil spill responsibility
- ~~delete~~ -would like to compliment the Public Participation team on the work being done in this process *comment*
- 11 K -would take money from her budget to have a representative attend the symposium
- PA6 -the affected areas could be divided into four spill zones as far as representation on the Public Advisory Group
- 12 L -a big plus for having the Sea Life Center in Seward is accessibility
- 11 K -need to spread the word to the community of how far this process has gone
- 12 L -Seward's two main focuses are the Alaska Sea Life Center
- 150 -and land acquisition; supports SAAMS as a great educational tie

Sharon Stone

- 12 L -feels the proposed Sea Life Center will bring in dollars to the state instead of just spending settlement dollars
- PA6 -marine transportation should be included in the principal interests on the Public Advisory Group
- 12 L -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.

PUBLIC PARTICIPATION SCOPING MEETINGS
May 14, 1992 6:00 p.m.
Whittier, Alaska

| Attendees | Affiliation | Address |
|-------------------|-------------------------|-----------------------------|
| Ken Rice | Restoration Team | |
| Stan Senner | RPWG | |
| Barbara Iseah | Restoration Team | |
| Floyd E. Heimbuch | RCAC of PWS | Box 3175, Soldotna |
| Pete Petram | Div. Emergency Services | HC 89 Box 388, Willow |
| Marilynn Heddell | PWS Tourism Coalition | P O Box 708 |
| Pete Heddell | Honey Charters, PWSTC | P.O Box 708 |
| June Miller | Kenny Hill Sea Foods | P.O Box 715 |
| Ken Miller | Kenny Hill Sea Foods | P.O Box 715 |
| Tom Lakosh | | P O Box 100648 Anchorage |

Issues Addressed:

General Review

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

The Trustee Council has decided to set up a 15-member Public Advisory Group with input regarding restoration activities. Comments are solicited from the public regarding the assignment of seats.

1993 Work Plan

The public has criticized some of the programs for 1992 because there was not time for meaningful public comment. Ideas are being solicited from the public of what they would like to see revised or suspended in 1993. Between now and the middle of June, the public is being asked to submit ideas.

Release of Natural Resource Damage Assessment Information

Charlie Cole, Attorney General, indicated at the last Trustee

Council meeting that he was no longer going to hold the damage assessment studies confidential. Volumes of studies, some of which are interim reports, will be available to the public as soon as possible through the Oil Spill Public Information Office.

Attention was directed to the following handouts with a brief discussion of each

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

Volume I - Restoration Framework

While this document is not the Restoration Plan, it heads toward a document that outlines the philosophy for spending settlement funds and will be out in draft this winter. The framework attempts to outline the parameters of the program and is used as a means of garnering public comment.

This document also meets the requirements of NEPA in that it is a scoping document to consider issues and concerns that need to be addressed

Stan 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 - deals with the public participation actions which have been taken and will be taken
- Chapter III - describes restoration planning
- Chapter IV - contains the summary of the injury information to date
- Chapter V - proposes criteria for determining when the injury is sufficient to warrant any restoration action, this is a very important chapter in deciding what was injured and what to spend the money on, two definitions, natural resources and natural resource services, should be examined closely in determining what to restore
- Chapter VI - talks about criteria needed 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

The planning group has sifted through hundreds of restoration options. The 35 options contained in Appendix B represent a distillation of the hundreds of options.

Copies of a chapter-by-chapter prompt were distributed to elicit feedback from the public

Questions:

Ken and Stan answered the following questions posed by the public.

When does the advisory group begin functioning? Floyd Heimbuch

Is there a ratio of how much money the state and federal governments get each year? Floyd Heimbuch

Is \$70 million going to be deposited yearly? Pete Petram

Who prepared the framework document? Floyd Heimbuch

Are the salaries for agency people preparing the framework document coming from the settlement fund? Floyd Heimbuch

Which commissioner does this work group report to? Floyd Heimbuch

What does the term scoping mean in the framework document? Floyd Heimbuch

What are indirect uses and why is this a particular concern? Floyd Heimbuch

Did the options in the framework document come from the public or agency staff? Floyd Heimbuch

What is the definition and scope of restoration? Ken Miller

Can she put in a request for a nomination from her coalition to the Public Advisory Group? Marilyn Heddell

Oral Statements Presented:

Floyd Heimbuch

4 D -wants a strong adherence that there was some damage here due to the spill; tying the injury to the spill should be a strong criteria

Pete Heddell

~~delete~~ -wasn't sure where the meeting was being held ~~comment~~

~~delete~~ -has a day charter operation ~~comment~~

9 -the problem now is not the oil spill but management, dead otters can't be replaced

82 -human nature is such that every one will try to get a chunk of the money on the table; has seen some things in the past

delete first part
~~that indicate that management of funds is questionable~~ *comment*
20 ~~marine operator coverage is marginal; (the issue of a~~
~~repeater system was discussed; communications could be~~
~~improved~~

Marilyn Heddell

- 24 -concerned that money not be spent on one study after another
20 -from a tourism aspect, she would like a better communication system where people could get the weather prior to going out

Pete Petram

- 20 -has watched far out uses of the oil and hazardous substances response fund, the Trustee Council will come under pressure in defining injury criteria; they should find some very tight spending criteria that fits injury criteria, this should be dealt with up front

June Miller

- A D -there was not a lot on shellfish, particularly spot shrimp, discussed in the framework document
20 delete -bioremediation did not help
A D -the feeding grounds have changed and they are seeing more aggressive fish

Ken Miller

- A D -there was no money appropriated to study shellfish in the Sound, would like some restoration money put into this study
delete -it seems to be very quiet in the Sound *comment*

Tom Lakosh

- CX -area is still subject to major oil impact, in order to restore property, the oil has to still be removed, there has been no restoration process approved to remove subsurface oil, the berm relocation program was a disaster; it polluted more previously unimpacted area; it is not appropriate to have a policy which allows the oil to remain, techniques need to be developed that are approved for use in removing subsurface oil, vessels could be adapted for this technique, did a shoreline survey for VECO; found that where there was fresh water or wave action, the oil was removed by cold water, could put together a small system that could do 500 to 1,000 square feet at a time costing about \$5,000 in hosing equipment; there needs to be some injection method that will get the hydrocarbons out of

the beaches, if necessary he would get in his boat and do the work himself, he could not do recovery and disposal with the budget he could get; he would like some support from a government agency; nobody is supporting application of the resources to cope with the oil pollution problem

Ken gave an overview of the meeting for members of the public who came in late.

Meeting adjourned at 8 20

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

| Attendees | Affiliation | Address |
|--------------------|---------------------|----------------|
| Ken Rice | Restoration Team | |
| Barbara Iseah | Restoration Team | |
| Charles W Totemoff | Chenega Corporation | Box 8060 |
| Doug Bruck | | Box 8031 |
| Michael Kompkoff | Stockholder | Box 8015 |
| Mike Eleshansky | | Box 8021 |

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 Elesha-nsky

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

- 150 -thinks buying timber rights is a bad idea
- 150 -the habitat acquisition process is somewhat confusing; would like time to review the flow charts on acquisition
- 150 -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
- 150 -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
- 26Z -has a proposal for replacement of subsistence resources, would like to have this proposal included in the 1992 and 1993 Work Plans
- 5 E -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
- W 83 -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

M -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

~~2~~ Chenega Bay Replacement Subsistence Resource Project *not on list delete*

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

PUBLIC PARTICIPATION SCOPING MEETINGS
May 18, 1992 7:00 p.m.
Trustee Council Meeting Room
645 G Street
Anchorage, Alaska

| Attendees | Affiliation | Address |
|---------------------|------------------------|--------------------|
| Ken Rice | Restoration Team | |
| Stan Senner | RPWG | |
| Barbara Iseah | Restoration Team | |
| LJ Evans | Restoration Team | |
| Donna Mix | | 2500 W 66th |
| Steve Planchon | The Nature Conservancy | 601 W 5th, #550 |
| Michael Galginaitis | | 1652 Sunrise Drive |
| David Johnson | | Houston, Texas |
| Pandora Southkamp | | Santa Barbara, CA |
| John Grames | | P O. Box 60827 |
| John Humke | The Nature Conservancy | 6911 Strata Street |
| | | McLean, Virginia |
| Peter Schwar | AMT | 3960 Alitak |
| Alan Phipps | ACE | 519 W. 8th, #201 |

Issues Addressed:

General Review

Ken gave a brief introduction 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

Public Advisory Group

The Trustee Council has approved a 15-member advisory group. A request for nominations has gone out and includes an explanation of the information sought for nominees. The deadline for nominations is June 8th. Nominations will then be compiled and submitted to the Trustee Council. Comments are also solicited on whether there should be assigned seats for the principal interests or whether there should be some flexibility in filling the seats to reach a balance.

1993 Work Plan

Ideas are solicited on what projects should go forward in 1993. The public's input will help to develop requests for proposals.

Release of Natural Resource Damage Assessment Information

Attorney General Charlie Cole is no longer requiring confidentiality on the interim natural resource damage assessment reports. This information will be made available within the next month through the Oil Spill Public Information Center.

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

Volume I - Restoration Framework

Stan inquired whether the public had received copies of the framework document through the mailing list, and 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, includes a list of issues and concerns identified for purposes of analysis of restoration options
- Chapter IV - contains a summary 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

The Restoration Framework is a process document which will lead up to the preparation of a draft Restoration Plan. The goal over the next six months is to draft a plan to go to the public for review. By next spring a final Restoration Plan should be in place. The purpose of the Restoration Plan is to lay out a blueprint with a program for the ten-year life of the settlement. It will not be a

site-specific document but will describe the types of things the Trustee Council wants to do. The framework is a preliminary document to solicit comments from the public and to focus the Trustee Council's thinking. Attention was directed to a chapter-by-chapter prompt of questions eliciting comments on the framework document. The point of these questions is not to limit what the public might say. Comments are also solicited from the public on whether the criteria listed in Chapter V are too rigid or not rigid enough. Suggestions of additional options and priorities from among those options are welcome. Although this is a process document, there is also a lot of meat in it. The goal now is to have a draft Restoration Plan and environmental impact statement out by February of 1993 and to have the final Restoration Plan completed in May or June of 1993. The comment period for the Restoration Framework and draft Work Plan ends June 4th.

Volume II - 1992 Draft Work Plan

Volume II lays out the program of work being proposed to the Trustee Council for 1992. The first section is the natural resource damage assessment projects. The closeout cost is \$4.8 million. An additional six projects costing \$2.4 million are proposed for continuation due to insufficient information to determine the level of injury. Restoration projects costing \$6.6 million are designed to provide more information on the resources injured to determine when the resources are fully recovered.

Questions:

Ken and Stan answered the following questions posed by the public:

Regarding the Restoration Plan and the identification of alternatives, will the plan offer a preferred alternative?
Alan Phipps

In terms of resources and services, is wilderness considered a resource or service? Alan Phipps

In the introduction to the plan, is the amount listed only for the plan or for the work? Can we expect the costs to go up or down? Donna Mix

In noting that the budgets do not include audit processes, what kind of audits will be done and what kind of accountability can the public expect? Donna Mix

Will this audit information be available to the public in one document? Donna Mix

What happens if money is not spent at the rate it comes in?
John Humke

In Chapter VII under the restoration options, is fee simple acquisition not an option? Alan Phipps

Similar alternatives will surface again in the draft document. Do you foresee a lot of blocking out of options? Steve Planchon

When will the public know about responses to comments? Steve Planchon

Besides comments, what direct influence will the Public Advisory Group have? John Grames

How does the supplement to the framework document on habitat protection work? Steve Planchon

Since money has gone to both state and federal agencies, who does ownership of land go to and who will administer habitat? Will it depend on which pot the money is pulled from? Donna Mix

Could you explain restoration options rejected under Appendix B, Potential Restoration Options? Alan Phipps

When is the deadline for the Public Advisory Group nominations? Alan Phipps

Is this just a bunch of paper work or is there a check on the progress of the environment? Is there any restoration going on now? Peter Schwar

Will the Public Advisory Group be involved in fine tuning the development of the Restoration Plan? Steve Planchon

Where is the support for the Public Advisory Group going to come from? Will this be a set group of people working seven days a week? Donna Mix

Oral Statements Presented:

John Humke

13 -seems the plan doesn't come close to covering expenditure costs

John Grames

PAG -this process seems undemocratic in appointments so that the citizen has been excluded, it doesn't behoove citizens to digest all these volumes of material; the people on the advisory group have their own agendas and they will play politics with all of this just by the very nature of the

group, this will make people cynical about the whole process in that they cannot affect their own affairs; this process is reverse from what we are governed by, public participation is not talking to committees; submitted a recommendation that issues about restoration be accepted from political platforms

Peter Schwar

3 C -has gone out in his boat and seen oil still pouring out; wants to know if any more removal and cleanup will be done

Written Proposals and Comments Submitted:

John Grames

PAG -nomination to the Public Advisory Group
~~delete~~ -Primary Election '92 proposal *comment*

Ken solicited written comments from the public Stan announced the continuation of a Trustee Council meeting, which will be teleconferenced on May 20th, and invited the public to attend.

Meeting adjourned at 8 00

PUBLIC PARTICIPATION SCOPING MEETINGS
May 19, 1992 7:00 p.m.
Council Chambers, Cordova Public Library
Cordova, Alaska

| Attendees | Affiliation | Address |
|-------------------|------------------------|----------------|
| Ken Rice | Restoration Team | |
| Sandy Rabinowitch | RPWG | |
| Barbara Iseah | Restoration Team | |
| C.K. Weaverling | Mayor, City of Cordova | Box 1200 |
| Mary McBurney | CDFU | Box 939 |
| Nancy Bird | | Box 1185 |
| Rick Steiner | | Box 2424 |
| Sam Sharr | ADFG | Box 529 |
| Dan Logan | USFS | Box 208 |
| Dave Schmid | USFS | Box 208 |
| Dan Torgerson | USFS | Box 1356 |

Issues Addressed:

General Review

Ken gave a brief introduction 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

Public Advisory Group

Nominations are being accepted for a 15-member advisory group set up by the Trustee Council. The Trustee Council would like some feedback from the public on whether this group should have assigned seats. The Public Participation group will screen the nominations for certain criteria. The deadline for nominations is June 8th.

Release of Natural Resource Damage Assessment Information

The Attorney General announced at the last Trustee Council meeting that the damage assessment information will no longer be held confidential. This data will be available within the next month through the Oil Spill Public Information Center.

Ken gave a brief summary of the following handouts for public comment:

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

The public's attention was directed to the hierarchical and concurrent approaches to reviewing habitat protection options.

Volume I - Restoration Framework

The Restoration Framework is a road map to a plan. It offers an opportunity for public comment on whether the ideas in the framework are on track. This document also contains policies in compliance with the National Environmental Policy Act. Sandy gave the following brief description of each section contained in Volume I of the 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
- 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

Comments are solicited on the contents of the Restoration Framework. A chapter-by-chapter prompt of questions was distributed eliciting comments from the public on the framework document.

Questions:

Ken and Sandy provided answers to the following questions posed by members of the public

Is it possible to resubmit projects that were rejected? Will they be reconsidered for 1993? Mary McBurney

What is the definition of the Work Plan? Why is it distinguished from the Restoration Plan? Nancy Bird

When will the Work Plan be finalized? Will this be after the bulk of the work has already been done? Rick Steiner

What part of the Work Plan will be subjected to the EIS process? Mary McBurney

Regarding the habitat protection supplement, why was option three not put out as a proposal? Rick Steiner

Have people had enough time to review the framework document? Dan Logan

Does the interim protection issue show up anywhere? How quickly can interim protection be implemented? Rick Steiner

Where are the contingent valuation studies? What is the reason they are still being held confidential? Nancy Bird

What are the Trustees' leanings toward lost services? Sam Sharr

When will the decision be made on the designated seats for the Public Advisory Group? Nancy Bird

Has the Trustee Council already approved the charter for the Public Advisory Group? Nancy Bird

In filling the Public Advisory Group slots, the Attorney General wanted to be sure that no interests were overlapped. Will that be an overriding concern in filling the Public Advisory Group seats? Mary McBurney

Does the criteria for the advisory group disqualify anyone? Nancy Bird

Will the Public Advisory Group be listened to? Rick Steiner

Is there any requirement that the Trustee Council respond in writing to the Public Advisory Group if there is a strong consensus or disagreement? Nancy Bird

Are the comments available to the public? Rick Steiner

Can the public see the products the Trustee Council has declined? Dan Torgerson

Oral Statements Presented:

Mary McBurney - Cordova Fishermen United

D/K
11
A D concerned about what was in the Work Plan for funding and that they are only getting a small snapshot of the total; seems they are rather arbitrarily sorted through, not sure there was any real peer review. There were a number of commercial fisheries projects which had merit, the public

has not been presented with a full range of possibilities and has been given a distilled version; a small part of the resource injury has been addressed, there are a number of herring projects which she doesn't feel will be revisited

4 D ~~PA6~~ - concerned that the Attorney General will impose a certain amount of orthodoxy to the nomination process for the advisory group

Rick Steiner

- 1 - seems like the 1993 work should be started on now
- 1 - the 1992 Work Plan seems almost futile
- B - thinks there is a profound paradox in that the Trustees are slowing the process down
- 15 O - the public is pissed, something needs to be done, they have been told privately that the Trustee Council has no intention of following through on habitat protection
- 15 - contingent valuation was not mentioned in the habitat protection section, seems unnecessarily restrictive; surprised the Attorney General had to bring up the contingent valuation idea
- 15 O - the single most important issue that the public was bringing up, habitat protection, was omitted from the framework
- 25X - suggested scheduling a meeting when the fisheries are closed
- ? - there is nothing really imminent four years after the fact
- 4 D - doesn't see any projects having to do with identification of replacing injured services, nothing categorizes what resource services were injured and what the options are for replacing these services
- 4 D - requested that contingent valuation of economic studies be released
- ~~delete~~ - extended an invitation for the Trustee Council to visit this area *comment*
- 13 - comments from API and Exxon regarding damages were similar and seem to attempt to dismiss financial liability of the spill, Trustees are opening themselves up to huge political liability by playing into Exxon's hands

Dan Torgerson

- ~~delete~~ - has worked in the fishing industry a long time *comment*
- 14 - it was brought up in several meetings that the departments have to work together to get full use of the community
- 25X - it is ironic that there was a fishing opener and a public participation meeting scheduled on the same night; there should be more planning so that the majority of the public can come and give their comments; there should be some flexibility to change the meeting schedule
- 13 - the Trustee Council needs to visit this area before they can make any real decisions
- 3 M - senior high school classes should be encouraged to attend

C ✓
these meetings because they will be the ones dealing with these issues in the future, this is a good resource to tap into

- 13 -the public needs to see what the Trustee Council has rejected to make them accountable to the public

Nancy Bird

- 11 -there is so much paperwork involved in this process and people are being overwhelmed with NEPA
~~delete~~ -not opposed to planning but thinks we need to do something *comment*
0 -habitat acquisition is what the vast majority of the public wants; hasn't seen anything from the Trustee Council in this direction
4 -was very disappointed with paying back state and federal agencies, money should be used for more critical things, such as herring studies and habitat acquisition
11K -encouraged the Public Participation group to keep coming out to the communities to explain materials

Sam Sharr

- ~~delete~~ -asked for a framework document three weeks ago and still hasn't received one *comment*
4D -all proposals on lost resource services were rejected by the Trustees
5E -acquisition is not the only option, every public testimony meeting has had strong support for resource research

C.K Weaverling - Mayor of Cordova

- 150 -the only thing that has any hope for success will be the acquisition of equivalent resources, we cannot restore or replace the lost resources; money received as a result of natural resource damages should go to natural resources, this idea is broadly supported within this community

The public was encouraged to, make comments on the information presented.

Meeting adjourned at 8 45

PUBLIC PARTICIPATION SCOPING MEETINGS
May 21, 1992 7:00 p.m.
Gruening Bldg., Room 310
Fairbanks, Alaska

| Attendees | Affiliation | Address |
|------------------|--------------------|----------------|
| Jerome Montague | Restoration Team | |
| Carol Gorbics | RPWG | |
| Barbara Iseah | Restoration Team | |
| William Waters | Sea Scout | |

Issues Addressed:

General Review

Jerome gave a brief introduction 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

Public Advisory Group

Nominations are being solicited for this advisory group. The nomination period deadline is June 8th. The Trustee Council would like input on the makeup of the group and whether there should be designated seats for interest groups. The Public Advisory Group's operating procedures were approved for public comment. The charter was submitted to the Department of Interior for finalization. At the end of June, the Trustees will make selections for the Public Advisory Group. By July 31st confirmation of appointments will be received. The first meeting for the Public Advisory Group is scheduled for the last of August.

1993 Work Plan

Ideas are solicited on what projects the public feels should go forward. The timeline process for the Work Plan was approved by the Trustee Council.

Release of Natural Resource Damage Assessment Information

Litigation sensitivity of damage assessment information was lifted by Attorney General Charlie Cole. The interim reports, any final reports, and restoration meeting notes will be available within the next month to the public through the Oil Spill Public Information

Center One benefit of releasing the information is the public can provide more informed advice to the process. A symposium is scheduled for next spring to provide an opportunity for distribution of information at a single location

Jerome briefly described the following handouts

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

Volume I - Restoration Framework

Carol walked through a 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
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 the following six conceptual restoration alternatives:

- no action
- management of human uses
- manipulation of resources
- habitat protection acquisition
- acquisition of equivalent resources
- combination alternatives

Appendix A - provides information on injured resources and services

Appendix B - provides 35 restoration options for consideration and the 14 options rejected

The hierarchical and concurrent approaches to restoration were discussed. Attention was directed to flowcharts explaining these approaches. Public comment is solicited on the preferred approach. The information received from the public will be used for a draft Restoration Plan. The deadline for comments on the framework document is June 4th. The framework also acts as a scoping document in compliance with the National Environmental Policy Act.

Volume II - 1992 Draft Work Plan

The activities of the Trustee Council prior to settlement were geared towards litigation. Once the settlement was reached, the schedule for work during the field season had been set. The ability to maximize public input could not occur in time. The Trustee Council has tentatively approved the work schedule to allow projects to get underway. Although work has begun on projects, they are not cast in stone. Public input is solicited on the proposed projects.

The projects are in two categories damage assessment projects, which include mostly closeout projects, and restoration projects, which include monitoring and manipulation of human activities

Questions:

Jerome and Carol answered the following questions posed by Mr. Waters:

Will there be concentration on estuaries? William Waters

Would a permit be needed to block or remove streams? William Waters

Is there anyone that coordinates volunteer efforts?

Oral Statements Presented:

William Waters

3 -worked on clean-up crews; some crews thought eel grasses would be transplanted, others thought groups would concentrate on estuaries; didn't agree with the steam cleaning which was killing some of the survivors

10 -will do some work on the technique of planting eggs to maintain wild stock

9 -a grass roots effort should be organized for volunteer efforts

~~delete~~ -will get some of his advisors to come up with ideas *comment*

Jerome reiterated the deadlines for the comment periods. Mr. Waters was encouraged to take handouts for distribution to others interested in this process.

Meeting adjourned at 8 00

PUBLIC PARTICIPATION SCOPING MEETINGS
May 28, 1992 7:00 p.m.
Centennial Hall
Juneau, Alaska

| Attendees | Affiliation | Address |
|--------------------|--------------------|--------------------------|
| Tim Steele | Restoration Team | |
| John Strand | RPWG | |
| Peg Kehrer | OSIAR | |
| Barbara Iseah | Restoration Team | |
| Chip Thoma | | #2 Marine Way |
| Tony Mecklenborg | Pt Stephen Press | #2 Marine Way, Suite 222 |
| Marshal Kendziorek | Trans Pacific | 340 Highland Drive |

Issues Addressed:

General Review

The purpose of these scoping meetings is to answer questions and solicit input on the green book series. These comments will guide the actions of the Trustee Council for the next ten years. Tim gave a brief introduction 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 most recent budget handout, which was presented at the last Trustee Council teleconference on May 20th, was also discussed.

Public Advisory Group

A series of meetings have been held on public involvement. Summaries of the public comments have been synthesized. The Public Advisory Group nomination process has begun with a request for nominations. The form contains the timeline for the process and the requirements for nominations. Nominations will be accepted through June 8th and will be submitted to the Trustee Council to make their selections, which will then be forwarded to the lead federal agency for appointment. The Trustee Council has decided that 15 is a good number for the Public Advisory Group. A list of 12 principal interests has been adopted for representation on the advisory group. The Trustee Council would like to have a balanced representation. The question is how to get this balance. Input is being solicited from the public on whether seats should be assigned in an attempt to balance the group.

Release of Natural Resource Damage Assessment Information

The Attorney General announced the release of the NRDA data at the last Trustee Council meeting. The state no longer had a need to withhold that information. All the previous 1989, 1990 and 1991 detailed study plans and interim reports will be released within the next month. Information is combined into sixty 4-inch binders and will be available through the Oil Spill Public Information Center. A number of libraries have expressed an interest in having copies which will be available for loan, reference and copying. Mechanisms have not been worked out for purchasing copies. Databases will also be available containing the damage assessment information. A symposium is also scheduled for further release of data.

Tim briefly discussed the following handouts and gave the costs associated with the budgets:

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

Volume I - Restoration Framework

The Restoration Framework outlines the process for the draft Restoration Plan and sets in motion compliance with the National Environmental Policy Act. The introduction lists the major issues that will be addressed in the environmental impact statement. John gave the following brief description of the chapters contained in the Restoration Framework.

- Chapter I - provides the background of the legal settlement
- Chapter II - deals with the public participation program and provides the goals and objectives of that program
- Chapter III - deals with restoration activities from 1989 to date; identifies issues and concerns addressed in the environmental impact statement
- Chapter IV - contains an updated version of the injury summary and covers some information on injury to services
- Chapter V - addresses the need for criteria for determining when injury warrants any restoration action
- Chapter VI - proposes criteria for evaluating restoration options
- Chapter VII - the following six conceptual restoration options were discussed and examples of each were given

- no action
- management of human uses
- manipulation of resources
- habitat protection and acquisition
- acquisition of equivalent resources

-combination alternatives

Through a contract with The Nature Conservancy, a process for habitat acquisition was outlined.

Appendix A contains additional background information on the injured resources and services

Appendix B contains 35 options used for preliminary screening and other restoration options suggested by the public, staff and scientists which were rejected

Comments are solicited on whether the criteria or the processes in the framework document are appropriate Applications were developed both for resources and services

The hierarchial and concurrent approaches for making decisions were discussed. Public comment is solicited after review of both approaches in Figures 6 and 7 of the Restoration Framework The public's input on habitat protection is solicited Attention was directed to a chapter-by-chapter list of questions eliciting comments on the framework document,

Volume II - 1992 Draft Work Plan

Volume II contains a short description of each project that will go forward and its budget Public comment is solicited on Volumes I and II utilizing the tear out sheets enclosed in the documents The problem in the past has been getting projects in the field on an annual basis In the past, there has been inadequate time for the planing process prior to work being done in the field The public's input is solicited on ideas for work that should go forward.

The third volume contains responses to public comments on the 1991 Work Plan

Questions:

Tim and John answered the following questions posed by the public.

Who counts as "public" in nominations to the Public Advisory Group? Marsal Kendziorek

Are there some legal guidelines being followed such as the Federal Advisory Committee Act in the nomination process for the Public Advisory Group? Peg Kehrer

Would the final 15 members of the Public Advisory Group need unanimous approval of the Trustee Council? Chip Thoma

Have the charter and the habitat acquisition documents been

approved to go forward? Chip Thoma

What is the difference between the Trustees and the Trustee Council? Chip Thoma

Has the Council made a policy decision to only acquire resources within the spill area? Chip Thoma

Has the Trustee Council defined the oil spill area? Peg Kehrer

Could you explain the hierarchical approach? Peg Kehrer

Oral Statements Presented:

Chip Thoma

2 -disagrees with having unanimous approval of the six Trustee Council for the final 15 members of the Public Advisory Group, a 4-member approval would be sufficient, getting different disciplines involved is necessary, assignment of seats may cause a lot of controversy which may become political, the decisions that need to be unanimous are the ones laid out in the settlement agreement

X
24 -has been very critical in the past of the public meeting notice, there were a couple of display ads in the Juneau Empire, would recommend having meeting notices in the calendar of the Juneau Empire to inform people about the teleconference, emphasis should be placed on noticing papers a week in advance

11K -it is very disturbing that through this entire process there have been no maps, DNR and the Forest Service are negligent in not providing maps for the meetings, a booklet of maps should accompany the handouts, the maps in the framework are totally inadequate, has yet to see a good set of maps come out of the entire process

11K
11K -there was very little notice on the Public Advisory Group nominations

11K -the transcripts of these meetings should be made available to the public with a monthly update of meetings held, attendance and a general reflection of the meeting

11K -DNR and the Forest Service should be the source of more information

5E -has given a lot of comment on restoration activities but would like to reiterate overall that continued emphasis on scientific study and monitoring is unnecessary, any further study on wildlife and bird species is unnecessary; foxes should be eliminated, there should be continued emphasis on the acquisition and replacement of lands, which will be the thrust of the next five years

19S -the definition of oil spill area should not be a limiting factor of acquisition from willing sellers, the public attitude of Trustees has been to lobby long and hard against

SB 483, Mr Cole and Mr Sandor do not have a proper conservation ethic

- delete* -will submit to this group the list of projects in amendment 1 of SB 483, this bill has been passed and sent to the Governor, is also submitting this bill to the habitat and process team for inclusion in the 1992 and 1993 projects *out of scope*
- delete* -wants the US house energy bill passed *out of scope*
- AD -there are some valuable fisheries projects that could occur
- 150 -the Restoration Team and replacement team should concentrate on acquiring land from willing sellers throughout the Gulf of Alaska, the Trustees should not hold out the argument that timber harvest is some kind of benefit to the region
- 150 -personal interest is to see that Chugach Forest be put in willing seller status

Marshal Kendziorrek

- 11 K -agrees that the mapping products have not been distributed through this process, which is a subject close to his heart, DEC did most of the mapping, a number of mapping documents are available to the public, some books of those maps have been done, one of which is The Recreational Users Guide to PWS, there is also a three volume set of maps of the beaches showing the degree of oiling and oil concentration, these documents have not been kicked out through this process
- 11 K -one method of distributing the damage assessment information would be to have copies left at major copy centers and advising the public

Written Proposals Received:

Chip Thoma

Amendment No 1 to SB 483 (Capital Budget)

Tim encouraged the public to take advantage of the numerous handouts available and again requested input on the documents and the nomination process Every opportunity to make this process better is encouraged

Meeting adjourned at 8 25