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AGENDA
EXXON VALDEZ OIL SPILL SETTLEMENT
TRUSTEE COUNCIL

June 29, 1992

TRUSTEE COUNCIL MEMBERS:

MICHAEL A. BARTON
Regional Forester, Alaska Region
USDA Forest Service

CHARLES E. COLE
Attorney General
State of Alaska

CURTIS V. MCVEE
Special Assistant to the Secretary
U.S. Department of the Interior

STEVEN PENNOYER
Director, Alaska Region
National Marine Fisheries Service

CARL L. ROSIER
Commissioner
Alaska Department of Fish & Game

JOHN A. SANDOR
Commissioner
Alaska Department of Environmental
Conservation

June 29, 1992 @8:00am

1. 8:00-9:00 Public Comments
2. Status of the Public Participation Working Group - **Marty Rutherford**
 - Public nomination process
 - Public comment on designated seats
3. 1992 Draft Work Plan - **Byron Morris**
 - Review and analysis of public response
 - Approval of final 1992 Work Plan
4. Proposed Process for the Development of the 1993 Work Plan - **Jerome Montague**
5. Status of the Habitat Protection Working Group - **Dave Gibbons**
6. Status of Symposium - **Byron Morris**
7. EIS Options for Draft Restoration Plan - **Ken Rice**
8. August 3 Teleconference for final Budget Approval - **Dave Gibbons**
9. Financial Operating Procedures - **David Gentry**
10. Trustee Council Executive Session
 - Working Group Membership
 - Public Advisory Group Members
11. 5:00-7:00 pm Public Comments

TRUSTEE COUNCIL ISSUES

June 29, 1992

Agenda

1. Public Comments 8:00-9:00
2. Status of the Public Participation Working Group
Action items- 1. Probably none, information item (Public Advisory Group nominations are in executive session at the end of the meeting)
3. 1992 Draft Work Plan
Action items- 1. Review of public comments on Work Plan
2. Approval of final 1992 field project Work Plan
4. Process and Schedule for the Development of the 1993 Work Plan
Action items- 1. Review and approve process and schedule
2. Discuss timing for next request to the court for funding
5. Status of the Habitat Protection Working Group
Action items- 1. Probably none, information item
6. Status of Symposium
Action items- 1. Probably none, information item
7. EIS Options for the Draft Restoration Plan
Action items- 1. Trustee Council discussion and guidance to Restoration Team on two viable options for timely completion of EIS
8. August 3 Teleconference for Final 1992 Budget Approval
Action items- 1. Set up teleconference (or some other mechanism) to approve final two pieces of the 1992 budget following receipt of public comment (Administrative Director's Office and Restoration Team)
9. Financial Operating Procedures
Action items- 1. Review and approve procedures
10. Trustee Council Executive Session
Action items- 1. Working Group membership
2. Public Advisory Group membership
11. Teleconference for Public Comments 5:00-7:00 pm

JUNE 29, 1992 EXXON VALDEZ RESTORATION
TRUSTEE COUNCIL MEETING, 8:45 PM
TELECONFERENCE SITES 5

Site	Teleconf.#
Anchorage Legislative Information Office	258-9860
Originator: Curt McVee, Trustee Council	Bridge # 562-2867 <u>on-line</u>
<i>Probably not</i> Chenega Bay Volunteer Teleconference Center Chenega Bay	573-5118 NO
Cordova Volunteer Teleconference Center Cordova City Hall	424-6444 NO
Fairbanks Legislative Information Office 119 Cushman Rd., Suite 101	456-5076 NO
Juneau , Mtg in Fahrenkamp Rm., 2nd floor State Capitol Building.	465-3433 yes
Homer Teleconference Center 126 W Pioneer, #4, Homer	235-6548 yes
<i>Probably not</i> Kenai Peninsula Legislative Information Office 3482 Kalifornsky Beach Road, Suite A, Soldotna	262-9366 NO
Kodiak Legislative Information Office 112 Mill Bay Road, Kodiak Plaza Building, Kodiak	486-8101 yes
<i>Probably not</i> Seward Volunteer Teleconference Center Seward Public Library	224-7488 yes
Tatitlek - IRA Council Office	325-2311 NO
Valdez Legislative Information Office Room 13, State Court and Office Building, 121 Hazelet, Valdez	835-2111 yes
Whittier - Kittiwake Room, Begich Towers	472-2327 NO

* no comments from Teleconferencing sites

JULY 8, 1992

DECISIONS AT THE 6/29 TRUSTEE COUNCIL MEETING

1. 1992 WORK PLAN

A. TC MOVED TO ACCEPT THE 1992 WORK PLAN AS DEVELOPED WITH THE ADDITION OF \$47,000 FOR FS/27 (SCKEYE) AND \$103,000 FOR R60C (PINK SALMON). FISH & GAME WILL PREPARE REVISED DETAILED STUDY PLANS TO REFLECT THESE ADDITIONS. FORWARD ALL SPECIFIC NEW PROJECTS NOT INCLUDED IN THE 1992 WORK PLAN TO THE 1993 WORK PLAN FOR ANALYSIS. HABITAT PROTECTION PROPOSALS TO THE HABITAT PROTECTION WORKING GROUP FOR SYNTHESIS AND DEVELOPMENT

B. THE FINAL 1992 WORK PLAN RESPONSE TO PUBLIC COMMENTS SHOULD BE SENT TO ALL RESPONDERS.

2. FINANCIAL OPERATING PROCEDURES

A. TABLED FINANCIAL OPERATING PROCEDURES UNTIL AUGUST 3RD TRUSTEE COUNCIL TELECONFERENCE. REVIEW STANDARD AUTHORITIES AND MAKE SUGGESTED TC CHANGES IDENTIFIED AT THE MEETING (IE. CHARTER FOR FC).

B. REQUESTED THAT FEDERAL TRUSTEE MEMBERS SEND A LETTER TO OMB REQUESTING THEIR POSITION ON THE FINANCIAL OPERATING PROCEDURES.

3. 1993 WORK PLAN

A. MOTION TO APPROVE THE 1993 SCHEDULE IN CONCEPT INCLUDING CHANGES INVOLVING PUBLIC ADVISORY GROUP, OMB AND OTHERS

B. TRUSTEE PROPOSED TO REQUEST FUNDING FROM THE COURT FOR 1993 PROJECTS IN DECEMBER WITH A CONSIDERATION OF OTHER PROJECTS NEEDING EMERGENCY FUNDING BEFORE THAT TIME (OCTOBER). REMAINING 5 MONTHS OF 1992 BUDGET WILL BE REQUESTED FROM THE COURT TO ENABLE OBTAINING FUNDING PRIOR TO START OF THE 1993 FISCAL YEAR ON OCTOBER 1.

C. MORE INVOLVEMENT IS NEEDED BY THE CHIEF SCIENTIST, PEER REVIEWERS AND PUBLIC ADVISORY GROUP IN THE 1993 PROPOSED SCHEDULE. RT TO MEET WITH CHIEF SCIENTIST TOMORROW TO FACILITATE THIS INCREASED INVOLVEMENT.

4. HABITAT PROTECTION - FOR AUGUST 31 TRUSTEE COUNCIL MEETING, RT TO DEVELOP AN OUTLINE FOR THE OVERALL HABITAT PROTECTION PLAN INCLUDING LEVEL OF DETAIL, OPTIONS FOR ACCOMPLISHMENT, CRITICAL HABITATS FOR IMINENT THREAT. WANT AN INTEGRATED PACKAGE TO START MOVING AHEAD. TWO MAIN ISSUES WERE THE LEVEL OF DETAIL REQUIRED FOR AN OVERALL ACQUISITION PLAN AND THE IMMEDIATE MOVING OF THE IMMINENT THREAT PROCESS.

5. SYMPOSIUM - TRUSTEE COUNCIL APPROVES OF THE DIRECTION THAT THE RT HAS PRESENTED.

6. EIS OPTIONS - PROCEED WITH THE WALCOFF CONTRACT (OPTION 2) FOR THE DEVELOPMENT OF AN DEIS RESTORATION PLAN.

7. PAG - TABLED FINAL SELECTION OF THE PUBLIC ADVISORY GROUP WITH THE UNDERSTANDING THAT EACH TRUSTEE COUNCIL MEMBER INDEPENDENTLY NOMINATE UP TO 3 MEMBERS IN EACH CATAGORY BY THE NEXT TRUSTEE COUNCIL MEETING. ADMINISTRATIVE DIRECTOR IS TO COMPILE A LIST FOR USE AT THIS MEETING.

8. ENDOWMENTS - RESTORATION TEAM TO DEVELOP ENDOWMENT OPTIONS FOR TRUSTEE COUNCIL BY 8/31/92 TRUSTEE COUNCIL MEETING.

9. TRUSTEE COUNCIL MEETINGS

A. JULY 20TH CONTINUATION MEETING DEALING WITH 1993 WORK PLAN SPREAD SHEETS AND PAG NOMINATION PROCESS

B. AUGUST 3RD TELECONFERENCE TO REVIEW PUBLIC COMMENTS TO THE ADMINISTRATIVE BUDGET

C. AUGUST 31ST TO REVIEW 1993 WORK PLAN AND HABITAT PROTECTION PROCESS

DAVE R. GIBBONS

TRUSTEE COUNCIL MEETING MINUTES

6/29/92

BY DAVE GIBBONS

Members Present:

Trustee Council

Curt McVee (USDOI)
Charlie Cole (ADOL)
•Don Collingsworth (NMFS)
•Doug Wolfe (USFS)
Carl Rosier (ADF&G)
John Sandor (ADEC)

Restoration Team

Dave Gibbons (IAD)
Mark Brodersen (ADEC)
•Doug Mutter (USDOI)
Ken Rice (USFS)
Jerome Montague (ADF&G)
Marty Rutherford (ADNR)
Byron Morris (NOAA)

•**Alternates**

- 8:00 a.m. is too early to start Trustee Council (TC) meetings.
- Curt McVee chaired meeting.
- No public comment from 8:00 - 9:00 a.m.

AGENDA ITEMS

1. Public Advisory Group

- Discussion of nominees.
- Defer selection to Executive Session.

2. 1992 Work Plan

- 98 commenters (letters & public meetings).
- Summarized comments.

MOTION: Move to accept 1992 Work Plan as developed and specific new projects be forwarded to 1993 Work Plan and Habitat Acquisition proposals to Habitat Protection Working Group.

- Jerome Montague's agency projects:
 - F/S 27 Sockeye add \$ 47,000
 - R60c Pink Salmon add \$103,000
- RT did not discuss these - RT will meet on 6/30

MOTION: Send out final comment package to commenters.

MOTION: To approve additional monies for F/S 27 (\$47K) and R60c (\$103K) with revised work plans to reflect these changes.

3. Financial Operating Procedures

- Changes to text

- A. Equipment language to reflect all dollars being spent for Restoration activities. All equipment over \$500 and/or sensitive equipment under \$500 will be tracked.
- B. Finance Committee (FC)
 - concern for role of FC
 - cost & procedures only role of FC (Gentry)
 - limited time standing committee (Gentry)
 - **Sandor** wants charter to articulate this role in writing on page 8
 - **Cole** page 4 change remove FC reference in 1st section
 - page 4 delete 1 sentence, 3rd paragraph
 - page 4 delete FC reference 4th paragraph
 - page 4 4th paragraph last sentence
 - page 5 last paragraph 1st & 2nd sentence
 - need written documentation from OMB on 1st paragraph, page 5 "transfer of Exxon settlement funds..."

MOTION: Table FOP until next meeting reviewing standard authorities and suggested changes to charter, page 4 etc.

4. 1993 Work Plan

- Reword assumption Habitat Protection last sentence to: "TC recognizes..."
- We are preparing scientific approval and will move to acquire & protect critical habitat.
- "recognizes importance of these activities" and will move to acquire these in 1993."
- Endowment needs discussion as 6th item on assumption. Endowment part of 1993 program pursue concept of endowment. Want analysis.
- Focused attention with options, Work Groups?
- Collingsworth supports acquisition/Habitat protection (changing position of TC).
- Cole steady course of Habitat protection.
- Curt revise OMB 8/31 reference.

MOTION: To approve 1993 schedule in concept with changes in PAG involvement, OMB, etc. and when to initiate 1993 projects (request funds for court).

- TC to request funds for 1993 projects on December 1 with others that must start before January 1994. This applies only to new 1993 projects...Guidance to RT.
- Reimbursement schedule? Reimbursements to agencies in 1993?
- 1992 Scientific review of 1993.
- Spies - Insure agencies are not tailoring studies to their needs.
- **Cole** - Dr. Spies & Peer Review Group be active participants (independent advice).

Put more involvement of Chief Scientist & Peer Reviewer
in schedule of 1993.

5. Habitat Protection

- Grand plan for Habitat Protection (long range point of view).
- By January framework of plan?
- Get someone on board "land planner."
- Review The Nature Conservancy Options book.

MOTION: August 31st write-up to TC an outline for Grand Plan for Habitat Protection on Spill Affected Area including mapping of oil spill area (viewsheds, veg., wildlife, etc.).

- Level of detail to TC (description of detail and holes in data).
- Integrated plan = option package.
- Id critical Habitat for imminent threat (level of detail?).
- Bring info together now.

6. Symposium

- TC approves of direction RT is proceeding with concerning the symposium.

7. EIS Options

MOTION: Proceed with Walcoff EIS option.

NOT AUGUST 10TH

Carl - 8/5 - 6

July 20th - 1993 Work Plan overview - PAG process.

August 3rd - Teleconference - Administrative Budget and final Operating Procedures.

August 31st - Habitat Protection and 1993 Work Plan.

POLL TC MEMBERS

8. PAG

FAILED MOTION Table the selection of PAG members until process developed and interpretation on Executive vs. public session. <CHARLIE COLE>

MOTION: Table final selection with understanding that each TC independently nominate up to 3 members in each category by next TC meeting--composite list at TC meeting (not by individual TC member) then majority selection of member by TC (by 7/23).

To: Trustee Council
From: Restoration Team
Date: June 29, 1992
Subj: Final Approval of 1992 Work Plan

Enclosed is the review of public comments on the 1992 Draft Work Plan that was out for public review from March 26 to June 4, 1992. Both a summary of the comments and an itemization of specific comments with responses are included.

Based on our review of the public comments, the Restoration Team recommends that the Trustee Council approve the 1992 Work Plan without modification or deletion of any projects.

RESPONSE TO PUBLIC COMMENTS
ON THE
EXXON VALDEZ OIL SPILL RESTORATION
1992 DRAFT WORK PLAN

June 1992

EXXON VALDEZ TRUSTEE COUNCIL
ANCHORAGE, ALASKA

PUBLIC COMMENTS ON 1992 WORK PLAN

EXECUTIVE SUMMARY

Public comments were received on the 1992 Work Plan between March 26 and June 8, 1992. Ninety-eight individuals or organizations commented, 67 by mail and 31 at public meetings held during the May scoping process. Alaskans contributed 85 percent of the comments while 15 percent came from outside Alaska.

Comments received from the public were consistent with previous public testimony and ranged across a wide spectrum of issues. Differing views were presented on almost every issue, reinforcing the Trustee Council's belief in the necessity of continuing dialog with the public on numerous contentious issues. In the "Responses to Public Comments" (Section IV) that follow, these comments are summarized under the following headings: (1) Programmatic Issues (2) Injury-Assessment-Studies (3) Restoration.

Comments on "Programmatic Issues" related to the Trustee Council's approach to restoration and suggested changes or modifications of the process. Some of the issues of concern included more immediate restoration activities, attention to National Park lands, and suggestions on how the restoration money should be spent.

Comments on "Injury-Assessment-Studies Issues" addressed damage-assessment-closeout and continuation studies. Divergent views were expressed on whether the studies were needed or should be discontinued. Only a few project-specific comments were made. Certain commenters requested better injury information. Some commenters felt that injury to services was a missing component of the study plan.

"Restoration Issues" received the bulk of the comments. Many commenters suggested additional projects for consideration in 1992. These suggestions ranged from additional projects on specific noncommercial species, additional or modified projects on commercial species, inclusion of pollution-prevention and cleanup projects, suggestions on archaeological projects, the need for subsistence studies, and the need for long-term monitoring of the ecosystem. Almost half the commenters--46 of 98--addressed land acquisition and the majority (32) felt that land or habitat acquisition, including timber, was the best use of restoration funds.

The following document summarizes and responds to the comments received. A summary of public comments is presented for each of the three main issues categories. Specific comments and their responses follow the summary, and are organized into issue-specific subcategories. An appendix provides a numerical key to specific comments referenced parenthetically in Section IV and lists the respective commenters.

The last part of this package is a decision document prepared for the Trustee Council to approve or modify the 1992 Work Plan as a result of their review of the public comments.

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I. INTRODUCTION

1.0 TRUSTEE COUNCIL APPROACH TO PUBLIC COMMENTS

We, the Exxon Valdez Trustee Council, want the public to have an opportunity to review each significant development in the course of injury assessment and restoration. These developments have included reviews of project budgets, review of the Restoration Framework document that is the first step toward development of a restoration plan, suggestions on development of a Public Advisory Group, and review of project descriptions such as those included in the 1992 Draft Work Plan. The 1992 Draft Work Plan was approved by the Trustee Council for public review and comment on February 27-28, 1992. Interim budgets also were approved at that time, with final funding decisions to be made after the Trustee Council reviewed public comment.

The review process has included distribution of several thousand copies of the 1992 Draft Work Plan and a round of public meetings held in May 1992 in Seldovia (teleconferenced to Port Graham), Homer, Kodiak, Juneau, Tatitlek, Valdez, Seward, Whittier, Chenega Bay, Anchorage, Cordova, and Fairbanks.

To compile this summary of comments, all comments relevant to the 1992 Draft Work Plan were considered--whether made in public testimony or in written correspondence received by the Oil Spill Restoration Office between February 27-28, 1992 (release of document by Trustee Council) and June 8, 1992 (the likely receipt date for letters postmarked by the end of the public comment period--June 4). Where commenters did not make clear distinctions between comments on the 1992 Draft Work Plan and the Restoration Framework document, interpretations were made as to which document a particular comment addressed. Comments indicating that recommended actions be taken immediately or very soon were interpreted as applying to the 1992 plan. Comments relevant to the 1993 Work Plan or the Restoration Framework document were forwarded to the appropriate working groups, even if those comments were responded to in this document. In instances where a project idea proposed for 1992 could not reasonably be considered this late in the year, that project also will be considered for inclusion in the 1993 Draft Work Plan. Comments of a more general nature will be used to develop the draft Restoration Plan and are not addressed in this document.

2.0 COMPOSITION OF COMMENTS

Ninety-eight individuals or organizations commented on the 1992 Draft Work Plan. Of these, 15 came from outside the State of Alaska. Approximately one-quarter of the commenters listed an affiliation and were presumably speaking for an institution or group or in an official capacity, such as city or borough mayor or university president. One-third of the comments were received

in the round of public meetings held in May 1992.

II. SUMMARY OF PUBLIC COMMENTS

1.0 PROGRAMMATIC ISSUES

Programmatic issues relate to the approach that the Trustee Council is taking in conducting the business of restoring injured resources and services throughout the spill area. Commenters were interested in the process that the Trustee Council is using to make decisions, spend money, and include public agencies in the process.

Commenters stressed their need to understand which resources were affected and what can be done to help recovery, through access to information released in reports, maps, prepared materials, or transcripts of Trustee Council meetings. Commenters expressed the desire to talk directly to the Trustee Council or Restoration Team members about restoration ideas. Community members wanted to know that their local knowledge and concerns would be included to help build a cost-efficient, effective restoration program with a coordinated approach to the public involvement process.

Some commenters also noted that comments are due on 1993 and future work plans before the 1992 Work Plan and the Restoration Plan are finalized, and another pointed out that their documents were received late but a request for an extension on review time was denied.

Ten commenters pointed out that the failure to release natural resource-damage-assessment studies in time for the public to read and understand them makes the current call for comments on more studies almost meaningless. One commenter noted that this is especially true for economic studies, which have not been released. Two commenters said that the long-term research and monitoring program should not receive renewed funding prior to data and progress reports being made available to public and peer reviewers.

Six commenters expressed concern that the Trustee Council was moving too slowly and not working together to achieve restoration goals. The commenters believed that the amount of time since the spill and subsequent settlement should have been sufficient for more active restoration within the injured areas.

Nine commenters expressed dismay that National Parks were being overlooked and were not being more fully restored, and that the National Park Service was not a more active participant in the restoration process. These commenters pointed out that several National Parks and over 900 miles of National Park shoreline were impacted and suggested that restoration of these areas to a

pristine state should be a priority.

Many commenters addressed issues relating to how the restoration money should be managed, including:

- use the money in conjunction with matching funds for grants in the spill area,
- prepare cost-benefit analyses on projects being considered,
- do not consider budget as a major reason to delete projects,
- place some or all of the money into an endowment fund,
- place none of the money into an endowment fund, and
- do not spend money on construction projects having little or no connection to the spill.

The commenters' more specific ideas on how to spend restoration money can be found in Sections II. 2.0 and III. 3.0. The Restoration Team did not deal with programmatic comments in the 1992 Work Plan but referred them for use in developing a Draft Restoration Plan.

Some commenters expressed general support for the program proposed by the Trustee Council, while others believed that the program needed further refinement.

2.0 INJURY-ASSESSMENT-STUDIES ISSUES

Many commenters addressed the continuing injury- or damage-assessment studies proposed by the Trustee Council for the 1992 Work Plan. Divergent views were expressed, ranging from support to no support of proposed 1992 injury-assessment and closeout activities. These programmatic issues were related to the Restoration Plan--not to the 1992 Draft Work Plan; therefore, they are not dealt with in this document but will be used in developing the draft Restoration Plan.

Many commenters expressed concern that the studies may not be necessary for supporting restoration activities in the future. Seven commenters suggested that the studies were important and useful but that they should be undertaken using existing agency funds. Other commenters believed that some of the injury-assessment studies were focused on inconsequential levels of injuries.

Other commenters pointed out the following:

- the lack of injury information available to the public and the lack of baseline information, in general, made it difficult for the commenters to respond with meaningful comments;
- the injury information that is available should be summarized in a clearly understandable document;
- the monitoring projects contained in the 1992 Draft Work

Plan should be evaluated based on criteria in the Restoration Framework Plan; and

- the injury to services also should be evaluated.

Many comments in other sections also addressed issues relevant to injury assessment, including monitoring, budgeting, and public input.

3.0 COMMENTS ON RESTORATION ISSUES

The largest number of comments received by the Trustee Council concerned restoration of resources and services in the spill-affected area. Commenters in this category included people from all over the spill-affected area as well as nationwide. Environmental organizations, local communities, oil companies, and others responded with suggestions and concerns.

Many commenters suggested additional projects that they would like the Trustee Council to fund in 1992. Different commenters often expressed divergent or opposite views on an issue.

The eight individuals who commented on wildlife generally recommended that additional projects should be undertaken on:

- sea otters,
- bald eagles,
- seabirds,
- sea lions,
- Dall's porpoises, and
- deer.

However, one commenter believed that the abundance of birds in the spill area and the findings of the U.S. Food and Drug Administration and the T.V. Exxon Valdez Oil Spill Health Task Force concerning hydrocarbons remaining in the environment should lead to the conclusion that ongoing exposure is not a risk to wildlife living in the spill area.

Five of the comments on studies concerning fish and shellfish expressed concern about:

- the limited scope of the studies,
- the focus on commercial fish, and
- the potential for adversely affecting the genetic diversity of wild salmon stocks.

Five other commenters recommended that the following studies be included in the 1992 Work Plan:

- study of wild fish stocks in Prince William Sound,
- need for sockeye salmon escapement to support wildlife in the Kodiak Archipelago,

- herring studies, and
- Kitoi and Red Lake mitigation.

Twelve commenters believed that restoration monies should be used for pollution prevention and cleanup, including additional cleanup of the Exxon Valdez oil spill. The proposed projects in this category included:

- sewage treatment,
- storm-drain improvements,
- harbor pollution,
- oil and grease separators,
- recycling support,
- contingency planning,
- industry-oversight capabilities, and
- pre-staging of response equipment for future spills.

Four commenters generally supported the need for an archaeological program but also believed that there is a need to expand the program now and in future work plans. Suggestions on ways to minimize costs of archaeological projects also were provided.

Four commenters suggested options for educational uses of restoration funds, including a Sea Life Center in Seward, a museum in Kodiak, and construction of a spill display in the Valdez museum.

The need for additional work on subsistence was addressed by three commenters. These comments expressed a need for the Trustee Council to more fully consider the concerns of Native villages and corporations because they were more adversely impacted than any other group in the State.

The importance of considering the spill area as an ecological unit was a theme reiterated by 11 comments on:

- long-term planning,
- monitoring,
- expansion of programs throughout the spill area and not just in Prince William Sound,
- food-chain impacts,
- migration routes, and
- noncommercially important species.

The majority of commenters on the topic of restoration, 46 in all, were concerned with the issue of land acquisition. Many commenters (32) felt that all or most of the money should be spent on acquiring land or habitat, including timber lands. Conversely, several commenters believed that timber acquisition was a bad idea and that there would be adverse economic impacts of a major land acquisition program--including the need to

compensate logging companies and their employees, and other economic losses resulting from land acquisition.

Four commenters were concerned that the Trustee Council was not moving fast enough because of a lack of commitment to the purchase of habitat and lands with settlement funds. They stressed the need to move quickly on land acquisition and to include land acquisition as a major component of the 1992 Work Plan.

Commenters asked the Trustee Council to consider the following factors when evaluating land and habitat acquisition needs:

- plan carefully, but do not delay;
- purchase large blocks of habitat;
- purchase selectively and focus on habitats directly related to injured species;
- consider acquisition of timber rights for only the period it will take injured resources to recover; and
- consider a variety of methods including fee simple, timber rights only, conservation easements, and others.

Some commenters generally identified the lands they hoped would be purchased, including lands on Afognak, Kodiak, and Shuyak Islands, and in Prince William Sound and Kachemak Bay.

III. CONCLUSIONS

All of the comments received reflect a keen interest on the part of the public in the effects of the oil spill and the activities of the Trustee Council. Suggestions on how to manage the settlement monies and other programmatic issues are still being considered. No final decision on these issues has been made.

Comments received from the public were consistent with previous public testimony and ranged across a wide spectrum of issues. Differing views were presented on almost every issue, reinforcing the belief of the Trustee Council in the necessity of continuing dialog with the public on numerous contentious issues. Deliberative movement as opposed to precipitous action is much more apt to result in a restoration program that is acceptable to the largest number of people.

The comments concerning activities to take place as part of ongoing or annual work plans or ongoing injury assessment will generally be carried forward and given additional consideration in subsequent work plans. Commenters generally did not provide specific recommendations for changes to projects that were provided interim funding by the Trustee Council; therefore, those projects will continue and be completed as identified in the 1992 Work Plan.

Many commenters made suggestions about additional studies that they wanted the Trustee Council to consider implementing as soon as possible. The Trustee Council believes that the best way to make use of these recommendations is to incorporate them into the recommendations currently being considered for the 1993 Work Plan. Those recommendations that the Trustee Council determines have potential for additional consideration will be incorporated into a public review draft of the 1993 Work Plan due in fall of 1993. This decision was based on several factors including:

- the difficulty of getting additional projects into the field for the 1992 field season,
- the current lag time in accessing the joint fund for monies to conduct additional projects,
- the overall prioritization of projects,
- the ongoing review of projects for inclusion into the 1993 Draft Work Plan; and
- lead time necessary to develop contracts.

By far the majority of comments dealt with the issue of land and habitat acquisition. The Trustee Council concurs that this is an extremely important issue and is designing a systematic method of evaluating and acquiring land. The Trustee Council has additionally identified the need for some baseline habitat information needs to be used in evaluating specific protection ideas. The Trustee Council is proceeding to ensure that requirements of all six State and Federal agencies are considered to ensure compliance with appropriate regulations and laws. In addition, the Trustee Council is determined that the decisions they make concerning specific habitat protection measures are made with restoration of the injured resources and services as the paramount purpose.

The Trustee Council appreciates all the public comments and concerns that were expressed and continue to be expressed concerning this process. Many additional opportunities will be provided for the public to continue their involvement and influence on the restoration process for the Exxon Valdez oil spill.

IV. RESPONSES TO SPECIFIC COMMENTS

1. Comments on Programmatic Issues

1.1 General

- 1.1.1 COMMENT: Commenters suggested that there be an analysis of the effects of the proposed actions as could be achieved through the Federal National Environmental Policy Act (NEPA) process. (84, 114)

RESPONSE: The Restoration Team and legal council analyzed the 1992 Draft Work Plan projects and determined that the projects would have minor impacts both individually and collectively and could be categorically excluded from formal documentation in an environmental assessment or environmental impact statement (EIS). The Restoration Plan EIS will analyze the cumulative effects of projected restoration projects and activities over the next 10 years. Prior to Trustee Council approval of any project, appropriate environmental analysis and documentation will be conducted.

- 1.1.2 COMMENT: Many commenters suggested that more emphasis be placed on restoration in National Parks and that participation of the National Park Service in restoration should be increased. (19, 35, 36, 37, 58, 70, 71, 87, 89, 116, 125, 126, 129, 192) The National Park System should be more involved in Geographic Information System (GIS) projects. (129)

RESPONSE: The National Park Service is represented by the Department of the Interior member of the Trustee Council. The Trustee Council will give careful consideration to restoration of all specially designated lands, including National Parks.

- 1.1.3 COMMENT: Commenters suggested that money not be put into construction projects with little or no connection to the spill. (87, 90, 85, 26, 35, 126)

RESPONSE: The Exxon Valdez oil-spill settlement specifies that restoration funds must be spent to restore natural resources and services injured by the spill. The Trustee Council proposes that the evidence of consequential injury and the adequacy and rate of natural recovery must be considered in deciding whether it is appropriate to spend restoration money on a given resource or service. In the 1992 Draft Work Plan no construction projects are funded.

- 1.1.4 COMMENT: Comments are due on the 1993 and future work plans before the 1992 Work Plan and the Restoration Plan are finalized. (94) One commenter said that the draft documents were received late and a request for an extension on time to review was denied. (79)

RESPONSE: There was an extremely tight timeframe involved with the mailing of the 1992 Draft Work Plan and Restoration Framework. In the future, steps will be taken to ensure that mailings are received with adequate time remaining for public comment. The public will have additional opportunities to provide comments on the Restoration Plan and 1993 Work Plan in fall 1992, before final documents are revised for release in spring 1993.

1.2 Budget

- 1.2.1 COMMENT: Restoration funds should be used as matching funds for State and Federal grants in the spill area. Funding sources should be identified immediately. (114)

RESPONSE: Where appropriate, the Trustee Council would consider leveraging settlement funds with matching monies. Currently, in the 1992 Draft Work Plan, many of the projects are additionally being supported by other types of agency monies. This reflects the Trustee Council's desire to obtain the maximum value of settlement monies.

- 1.2.2 COMMENT: Cost-benefit analysis should be done on the costly seabird studies so that less expensive restoration projects for the resource may be considered. (92)

RESPONSE: The seabird studies are primarily limited monitoring projects designed to determine if more extensive restoration-implementation actions are necessary or if natural recovery will suffice. These studies, like all the 1992 Draft Work Plan projects, withstood numerous reviews and budget reductions prior to their inclusion in the plan. These reviews and reductions reflect the Trustee Council's commitment to a conservative approach to science. Additionally, the value of a resource and the extent of the injury, in relationship to the cost of the restoration action, are always considered in the review process.

- 1.2.3 COMMENT: Budget concerns should not be the reason for deletion or curtailment of studies. (103, 162)

RESPONSE: The Trustee Council is responsible for ensuring that the affected area recovers from the spill; and intervention (i.e., restoration), if necessary, must be accomplished in the most cost-effective manner. Therefore, it is inevitable that some proposed projects will either be eliminated or reduced in scope.

1.3 Trustee Council

- 1.3.1 COMMENT: One commenter supported the Trustee Council's disapproval of many manipulation/enhancement projects. (116)

RESPONSE: In the 1992 Draft Work Plan the Trustee Council chose to fund one manipulation/enhancement project, the Red Lake project. More of these types of projects will be considered during development of the Restoration Plan and the EIS on the plan.

2. Comments on Injury-Assessment-Studies Issues

2.1 General

- 2.1.1 COMMENT: Lack of baseline information on injured resources makes it difficult to determine how ecosystems are operating. At least the area of impact should be well defined and identified for each resource or service. (114)

RESPONSE: Baseline data for many species were limited prior to the oil spill, making injury-assessment projects more difficult. To the extent possible, projects have been designed to demonstrate that the injuries observed are due to oil rather than some other confounding environmental feature. This has most commonly involved studying the same species or communities in nearby control areas, as well as in oil-affected areas.

As much as possible, the Trustee Council has identified the impact area in the study plans and we will try to scrutinize future plans and reports to be sure that this is clear.

- 2.1.2 COMMENT: Continuing damage assessment should function only to support restoration projects that restore service to the levels of natural resources provided to the public prior to the spill. (78)

RESPONSE: The Trustee Council agrees and believe that the program as designed meets this objective.

2.1.3 COMMENT: Results of the Natural Resources Damage Assessment studies should be synthesized and provided to the public in a clear manner. (104, 79, 156, 114, 45)

RESPONSE: The Trustee Council released a summary of injury chapter in the Restoration Framework document released in April. Additionally, a Trustee Council-sponsored symposium planned for early 1993 will attempt to meet the goals of this comment. In the interim, reports are being released as soon as available. Interested parties should contact the Oil Spill Public Information Center for information on obtaining a list of available reports. Further syntheses will be developed as information becomes available.

2.1.4 COMMENT: Studies may provide interesting and useful information for other agency resource management purposes but should not be funded from restoration money. (35, 71, 77, 105, 111, 114, 160)

RESPONSE: The Trustee Council has avoided supporting studies that are interesting but otherwise have no restoration value. However, resource management is recognized by the Trustee Council as a legitimate restoration tool and is being used where appropriate.

2.1.5 COMMENT: The failure to release the findings of natural resource-damage-assessment studies in adequate time for the public to read and understand them makes the current call for comments on more studies almost meaningless. (92, 103, 129, 153, 155, 161, 162, 166, 177, 180) The Restoration Plan should be deferred until the public can review data from previous studies. (161)

RESPONSE: An updated summary of injuries was included in the Restoration Framework document that was released with the 1992 Work Plan. In the meantime, reports on natural resource-damage-assessment studies currently available were released to the public on June 1, 1992. Additional reports will be released as they are completed. Information on currently available reports can be obtained from the Oil Spill Public Information Center. The Draft Restoration Plan will be available for public comment in fall 1992; and the Final Restoration Plan is not expected to be complete until spring 1993, allowing approximately 6 months for public scrutiny of the study reports and opportunities to make comment on the findings for consideration by the Trustee Council as they draft the plan.

2.1.6 COMMENT: This is especially true for economic studies, none of which have yet been released. (105,112,129)

RESPONSE: The natural resource damage assessment group did not complete any economic studies. The only economic studies--conducted separately--were sponsored by the Alaska Department of Law and the U.S. Department of Justice in support of the criminal cases and litigation. Requests for these studies should be directed to those offices.

2.2 Support of Program

2.2.1 COMMENT: Some commenters generally supported damage-assessment-closeout projects. (92, 116)

RESPONSE: The Trustee Council believes that it is important to provide the public, scientists, and managers with the information generated by these projects to support public knowledge and future restoration.

2.3. Studies Not Needed

2.3.1 COMMENT: Studies are focused on inconsequential levels of injuries that are not having a significant effect on naturally occurring restoration, or are related to an unproven or unlikely pathway to injury. (77, 78, 177, 116)

RESPONSE: Studies on injuries are necessary to understand and develop adequate restoration options. They also are necessary to determine if and when restoration activities are needed or can be effective. Based on the best available information, the Trustee Council does not believe that injury studies currently being conducted are inconsequential. Previous damage-assessment studies were halted when it appeared that there was no consequential injury.

2.3.2 COMMENT: Information from these studies is not necessary for restoration to go forward. (24, 73)

RESPONSE: It is true that some valid restoration projects would not necessarily depend on damage-assessment studies for justification; however, many restoration projects are based on information gathered in damage-assessment projects (see Comment 2.1.2). The Trustee Council believes that the best understanding of the injuries incurred by each resource will help develop the most efficient means of restoring that resource. More restoration activities can be funded if

their cost effectiveness can be estimated from the damage-assessment studies.

2.4 Information Incomplete

- 2.4.1 COMMENT: The 1992 Draft Work Plan offered no explanation of why studies were continued or deleted; also, peer review was not explained. (77, 168, 176, 178)

RESPONSE: The criteria used for identifying projects to continue in 1992 were evidence of continued injury and a compelling reason for the study to continue this year, i.e., loss of important information.. The peer review process was established to ensure the high quality of studies being used for litigation and has continued following the settlement. The Chief Scientist established a roster of peer review scientists, noted experts in their fields, to review projects depending on their area of expertise. Each project is reviewed by the Chief Scientist and at least one peer reviewer for technical and scientific merit and for its ability to meet damage-assessment and restoration-project objectives.

- 2.4.2 COMMENT: Maps that identify injured areas should be made public. A GIS repository should be established and made available to the public. (191, 116)

RESPONSE: On June 1, 1992, information collected by the damage-assessment studies, including data presented graphically and cartographically was released to the public through the Oil Spill Public Information Center. Staff at the Oil Spill Center can advise the public on how to access that data.

2.5 Needs to Be Added

- 2.5.1 COMMENT: Damage assessment has overlooked loss of "services" from injured resources. These services should be assessed now to address these losses in restoration planning. (111)

RESPONSE: Information on loss of services has been a result of some damage-assessment studies. Restoring services is a goal of many ongoing restoration studies, of many of the restoration ideas for 1993, and of the Restoration Framework.

- 2.5.2 COMMENT: Future uses of studies should be justified before closeout funding is allocated. (129)

RESPONSE: The goal of all closeout studies, even those where no injuries were demonstrated, is to produce a final report. The likelihood of injury was sufficiently large to justify funding these studies. These reports will inform the public as well as scientists and managers, and will form the basis for future restoration efforts. They also will provide a better basis for determining the need for similar studies following future oil spills.

- 2.5.3 COMMENT: Additional scientific studies on economic damage to recreation and tourism should be considered. (84, 166)

RESPONSE: This idea will be considered for inclusion in the 1993 Draft Work Plan.

3. Comments on Restoration Issues

3.1 General

- 3.1.1 COMMENT: Not enough of the overall injury has been addressed. (176, 105)

RESPONSE: In the 3 years of study prior to the settlement, the Trustee Council conducted the largest damage assessment program in U. S. history. A broad range of studies was initiated to address the potential injuries. Annual adjustments were made to the studies to reflect the results obtained.

- 3.1.2 COMMENT: It is important that restoration activities be considered at the ecosystem level and not focused only on single species. (105, 116)

RESPONSE: Although individual projects in the 1992 Draft Work Plan generally focus on individual species, their relationship to each other and their function in the ecosystem were considered when projects were prioritized by the Trustee Council. In addition, some of the proposed restoration options in the Restoration Framework do address the concept of looking beyond individual species by examining their role in the ecosystem. For example, land acquisition and habitat protection of coastal upland habitats was identified as Option 25 in the Restoration Framework. This option allows for the recovery of a variety of species including harlequin ducks, marbled murrelets, river otters, anadromous fish, and bald eagles, as well as the prey base for many of these species. If this restoration option is implemented, recreation, wilderness, and intrinsic uses also will receive a

certain amount of protection.

- 3.1.3 COMMENT: Restoration monies should not be used for recreation but rather for restoration of injured species. (153)

RESPONSE: The settlement terms would permit the restoration of injured resources and the services they provide, such as recreation.

- 3.1.4 COMMENT: Commenters suggested that there was not enough restoration work outside of Prince William Sound (e.g., the outer coast of the Kenai Peninsula). (155)

RESPONSE: Damage-assessment studies investigated injured species, habitats, resources, and the services these resources provided. These studies investigated the services and resources throughout the spill-impacted area, including Prince William Sound, and the Kenai Peninsula, Alaska Peninsula, and Kodiak Archipelago. The restoration projects will consider addressing the resources and services determined to be injured in the entire spill-impacted area.

- 3.1.5 COMMENT: Experts in environmental fields should be available throughout the recovery period. (101)

RESPONSE: The Trustee Council intends to maintain a staff of experienced scientists to monitor and study the recovery process and to assist in implementation of restoration activities in oil-impacted areas during the recovery period.

- 3.1.6 COMMENT: Additional scientific studies on terrestrial plant life should be considered. (113)

RESPONSE: The only terrestrial plants studied were those on the beach, such as beach rye grass. It was determined that recovery of terrestrial plants would be allowed to progress naturally. If injuries to other upland plant species become evident, further investigation of these species will be considered.

- 3.1.7 COMMENT: Additional scientific studies on hydrocarbon effects on plankton growth should be considered. (93)

RESPONSE: Literature indicates that petroleum hydrocarbon effects on plankton are usually short-lived. Thus, impacted plankton probably recovered soon after the spilled oil had passed.

- 3.1.8 COMMENT: Commenters suggested that restoration efforts

be broad and encompass a variety of activities such as research, enhancement, acquisition, and other appropriate actions. (94)

RESPONSE: The Trustee Council agrees. The 1992 Draft Work Plan encompasses a variety of activities including projects for identifying upland habitats. Chapter VII of the Restoration Framework embraces the use of a variety of activities, including research, enhancement, and land acquisition, in an attempt to restore the health of the injured ecosystem and ultimately allow for its long-term health. In addition, the Council is developing a process for habitat protection.

- 3.1.9 COMMENT: Concern is expressed about the bias of the 1992 Work Plan toward management and manipulation activities, rather than land acquisition. (129, 116)

RESPONSE: See Section IV.3.4 (below) for discussion of habitat protection. Chapter VII of the Restoration Framework recognizes a variety of restoration options, including habitat protection. Before land can be protected, additional information must be gathered on habitats relevant to injured resources and services. This information will be integrated into the Trustee Council's overall effort to restore the injured resources and services.

- 3.1.10 COMMENT: A volunteer work force should be organized to assist in restoration activities. (182)

RESPONSE: Though it is possible that volunteer efforts may be used to assist with restoration projects in the future, the program is not yet at that stage. Volunteers have already contributed to some of the studies.

3.2 Archaeology

- 3.2.1 COMMENT: One commenter expressed concern that the estimated budget for cultural resources projects was lower than the actual cost and also suggested funding archaeology graduate students rather than contract personnel to conduct damage assessment. (113)

RESPONSE: The Trustee Council believes that funding is appropriate for this year and will be considered for expansion in future years. Graduate students have been and will continue to be used as appropriate.

- 3.2.2 COMMENT: Site-stewardship programs may not provide the service that the Trustee Council needs for the

protection of archaeological sites. (113)

RESPONSE: Coordinators of existing volunteer programs in Arizona, Arkansas, Texas, and British Columbia believe them to be a cost-effective and efficient means of reducing impacts from vandalism of sites. These programs also have proven to be valuable supplements to agency-data-collection and public education efforts.

- 3.2.3 COMMENT: One commenter expressed concern that archaeological sites were not surveyed until 2 years after the spill. (113)

RESPONSE: State and Federal land managers, Native corporations, and Exxon all had archaeologists working on site identification within a few weeks of the oil spill.

- 3.2.4 COMMENT: Protection of archaeological resources is important (156), especially in National Parks (71, 126). Particular concern was expressed over data recovery or relocation of damaged burials. (113)

RESPONSE: The Trustee Council agrees with the need for protection of archaeological resources. During cleanup all burial finds were immediately reported to the appropriate land manager and the concerned Native corporation. In the rare cases of burial disturbance, the remains were returned to the appropriate Native village.

- 3.2.5 COMMENT: Additional studies should be undertaken throughout the Kodiak Island Archipelago to continue survey and monitoring work of archaeological sites and add interpretive programs at parks. (58)

RESPONSE: The Trustee Council continues to solicit ideas for restoration projects, including additional archaeological work in the oil-impacted area. Proposals on archaeological topics have been received from individuals and groups and will be considered for inclusion in the 1993 Work Plan.

3.3 Fish

- 3.3.1 COMMENT: Chum salmon studies should be expanded to include the outer coast. (155)

RESPONSE: Outer Kenai Peninsula chum salmon were studied in Fish/Shellfish Studies 7A and 7B. Field sampling was concluded in 1990, when injuries were no longer demonstrated. Chum salmon from Port Dick and

Island Creek, in particular, were studied.

- 3.3.2 COMMENT: The commenters expressed concern about protecting the genetic diversity of wild salmon stocks and opposed actions that may cause problems with wild stock. (116, 129)

RESPONSE: All projects, regardless of sponsoring agency, must follow applicable laws and regulations. Fish transport is regulated under Alaska Administrative Code Title 41. Fish Transport Permit applications are reviewed for a variety of potential effects, including adverse genetic impacts.

- 3.3.3 COMMENT: Shellfish in Prince William Sound have not received adequate attention. (172)

RESPONSE: Several studies investigated crab and other shellfish in the spill area. Some of these studies were discontinued as a result of lack of injury resulting from the oil spill. Where there is an indicated injury, additional shellfish studies will be considered in 1993 and beyond.

- 3.3.4 COMMENT: The commenter would like the Trustee Council to reconsider some fisheries studies that were not recommended to be carried forward in the 1992 Work Plan, particularly the Kitoi and Red Lake Mitigation (157), and the herring studies (176).

RESPONSE: Projects deferred in 1992, including the two mentioned, will be reconsidered for 1993.

- 3.3.5 COMMENT: Some commenters support restoration science projects focused on wild fish stocks in Prince William Sound. (53, 56)

RESPONSE: The State and Federal Governments are mandated to protect the wild stocks that they are responsible for managing. Restoration of wild stocks has fundamental value, as it is essential to ensure the future viability of the species.

- 3.3.6 COMMENT: Focus on commercial fish is of concern, particularly as it relates to Fish/Shellfish Study 27. (129)

RESPONSE: Protection and restoration of sockeye stocks is the focus of Fish/Shellfish Study 27. These stocks support important commercial and sport fisheries, but current study results indicate a strong likelihood that the fisheries for these affected stocks will be closed

for several years to allow the stocks to recover. The resource agencies have responsibility for restoring affected stocks and species regardless of whether these fish support commercial, sport, or subsistence fisheries. Secondary to restoring the stocks, but also important and a valid restoration activity, is restoration of the services that those resources provided the oil spill.

- 3.3.7 COMMENT: Additional studies should be undertaken throughout the Kodiak Island Archipelago, such as identifying the minimum sockeye salmon stock needed to support brown bear within the Kodiak Wildlife Refuge and evaluation of escapement on the Uganik River. (58)

RESPONSE: These projects have been submitted as ideas for the 1993 Work Plan and will be considered.

3.4 Lands/Habitat Protection

- 3.4.1 COMMENT: Habitat acquisition should have been in this year's plan and should be the priority use for this money. Restoration money should be spent only on this approach. Money should not be wasted on any other costs (e.g., lawyers, cleanup, science studies). Eighty percent of the total settlement should be spent on habitat acquisition. (2, 3, 10, 11, 12, 17, 24, 26, 35, 38, 68, 70, 72, 81, 82, 83, 85, 87, 88, 90, 95, 107, 110, 114, 116, 126, 127, 159, 160, 179, 181, 190)

Other comments included:

Commenters expressed concern that: the Trustee Council is not interested in habitat protection and is not being honest in their interest in buying land (177,160); buying timber is a bad idea (174); rights should be acquired for the period needed for a clearcut area to recover from logging (114); the Council does not support use of settlement money for manipulation that benefits only commercial users (129); options other than land acquisition must be considered (180); land acquisition should be considered not only for habitat but also for recreational use--therefore, land that does not support essential habitat for injured species should still be considered because it provides other uses (e.g., recreational) (84); if money from this fund is spent on educational programs, facilities should not be built; and teaching should occur in the habitats acquired (88).

In addition, maximizing restoration through careful planning is a worthy objective; but it should not delay

acquisitions that need to happen now (103). Assessments for land acquisition should be conducted carefully; the habitat acquisition group needs to do a lot of work (160, 166). Habitat acquisition will be the most effective means of restoration (73) because it is the most long-term goal (81). Large blocks of habitat should be purchased (29). Acquisition should be a secondary method of restoration; only those habitats directly related to oil-spill-injured species or populations should be selectively purchased (106). Specific areas, e.g., Prince William Sound and Kachemak Bay, and Kodiak, Afognak, and Shuyak Islands should be purchased (many comments). Recreation sites or improved programs offered at sites should be acquired as compensation for the lost "services" from oiled resources (105). Fourteen specific sites or projects were suggested by the Kodiak Parks Board (58). A variety of methods should be used to protect habitat-- fee simple acquisition, purchase of timber rights only, conservation easements, and a moratorium (105) on timber harvest. Restoration efforts should be focused on affected shorelines (109). Wildlife harvest in these areas should be prohibited for the period of time needed for populations to recover (113). Logging company employees should be compensated for losses due to purchase of land or timber rights. Affected parties should be compensated for the net secondary economic gain lost because of acquisitions (114).

RESPONSE: Habitat protection and acquisition as presented in the Restoration Framework document is an alternative that includes changes in management practices on public or private lands and creation of "protected" areas on existing public lands in order to prevent further damage to resources injured by the Exxon Valdez oil spill. Going beyond land management practices, there also are options that involve the acquisition of property rights, short of title, or habitats by public agencies to protect strategic wildlife, fisheries, or recreation sites.

Another potential restoration alternative that involves habitat protection and acquisition is the Acquisition of Equivalent Resources. The Restoration Framework defines this alternative to mean: compensation for an injured, lost, or destroyed resource by substituting another resource that provides the same or substantially similar services as the injured resource (56 Federal Register 8899 [March 1, 1991]. Restoration approaches, such as the manipulation of resources and habitat protection and acquisition, can be implemented on an equivalent-resource basis.

The goal of these alternatives is to identify and protect strategic wildlife and fisheries habitats and recreation sites and to prevent further potential environmental damages to resources injured by the Exxon Valdez oil spill. In order to achieve this goal, the Trustee Council is developing an evaluation process to be used for habitat protection as well as an imminent-threat-protection process designed to respond to any imminent development threats to habitats linked to recovery of injured resources or services. These evaluation processes will be submitted to the public for review in the very near future. Both processes contain criteria to ensure that a potential acquisition is linked to an injury or loss of services that resulted from the Exxon Valdez oil spill. The proposed processes also would ensure that lands under consideration for acquisition contain habitats, the protection of which will facilitate recovery of injured resources or services. Furthermore, these proposed processes will be included in the Draft Restoration Plan, which also will undergo public reviews.

3.5 Monitoring

- 3.5.1 COMMENT: Research and monitoring proposals should be evaluated against an approved scientific design and should fit the framework of a Restoration Plan. (114)

RESPONSE: It is the intent of the Trustee Council to evaluate, research, and monitor proposals utilizing input from scientists and peer reviewers, and to ensure that restoration activities conform to the Restoration Plan. In addition, experts will be contracted to assist in the planning effort to develop a comprehensive monitoring program.

- 3.5.2 COMMENT: Additional scientific studies should be considered on long-term monitoring of hydrocarbons around Kodiak and Prince William Sound. (93, 106)

RESPONSE: Restoration Planning includes a long-term monitoring strategy that is being developed for the Restoration Plan. Long-term monitoring of hydrocarbons is one component of monitoring that will be considered under this strategy.

- 3.5.3 COMMENT: The Kodiak Island Borough should be provided funds for baseline sampling and analysis. (58)

RESPONSE: This idea will be considered as part of the 1993 Draft Work Plan.

3.5.4 COMMENT: A comprehensive monitoring program that focuses on injured species including noncommercial species should be implemented. (85, 106, 116, 126, 73, 129, 110, 171)

RESPONSE: The Trustee Council is developing a comprehensive monitoring plan as part of the draft Restoration Plan. This proposed monitoring program (Option 31 in the Restoration Framework) will address commercial and noncommercial species.

3.5.5 COMMENT: Baseline-data needs were recognized by several commenters. One commenter suggested that additional post-spill studies will need to be undertaken to allow for the lack of pre-spill baseline data. (113)

RESPONSE: A comprehensive monitoring program could determine if and when injured resources have been restored to their pre-spill baseline conditions. Additional data needs may become obvious during the process of meeting this objective. At that time additional studies will be considered.

3.5.6 COMMENT: Long-term research and monitoring programs should not get renewed funding before data and progress reports are made available to public and peer reviewers. (85,114)

RESPONSE: Reports on monitoring activities conducted to date have been--and as of June 1, 1992, are--available to the public at the Oil Spill Public Information Center. Through each stage of the natural resource-damage-assessment studies, interim and final reports received careful scientific peer review. Now that the studies have been made public, the scientists who conducted the injury-assessment studies can present their findings in scientific journals, at conferences, and to the press.

3.6 Native Issues

3.6.1 COMMENT: The needs of Native villages or corporations are not being addressed. (156, 174)

RESPONSE: The Trustee Council is aware of the needs of the various Native communities that have been impacted by the oil spill and has tried through public meetings and public comments to identify issues of particular concern to those communities that can be appropriately addressed in the future.

- 3.6.2 COMMENT: Additional studies on subsistence use should be included in the Work Plan (162, 174); and the needs of subsistence users should be more clearly considered because they were more adversely impacted than any other group in the State. (162) Clam areas that are important for subsistence are not being addressed. (156)

RESPONSE: The Trustee Council is aware of the importance of subsistence to the Native communities impacted by the oil spill and will be considering subsistence-related studies for implementation in 1993. In addition, the Federal Government, through the Chenega Bay Settlement, is committed to conducting a 1992 joint study of spill impact on subsistence activities.

3.7 Oil-Spill Prevention and Cleanup

- 3.7.1 COMMENT: No more cleanup should be conducted (83) because it might be more damaging to the environment. (87)

RESPONSE: Oversight of cleanup through 1992 has been the responsibility of the U.S. Coast Guard and the Alaska Department of Environmental Conservation. A primary criterion for approving an individual cleanup action has been that the action must be of net environmental benefit. Any action that the Trustee Council would undertake in the future would need to meet this same criterion.

- 3.7.2 COMMENT: Commenters suggested that restoration funds be used for pre-staging of response-related materials. (115)

RESPONSE: The Memorandum of Agreement requires that settlement funds be used for restoring, replacing, enhancing, rehabilitating, or acquiring the equivalent of natural resources injured as a result of the oil spill and the lost services provided by those resources. The Division of Emergency Services in the Alaska Department of Military and Veterans Affairs is responsible for maintaining emergency response depots in areas at risk from potential oil and hazardous substance releases. These response depots are supported by the State's Oil and Hazardous Substance Release Fund. Additional pre-staging of response-related materials may be supported by criminal settlement monies, which total \$50 million for the State and \$50 million for the Federal Governments.

3.7.3

COMMENT: Commenters suggested that restoration funds be used for funding locally initiated oil-spill-prevention and response projects, including providing assistance to local governments for oversight of the oil and gas industry operating within their jurisdictions. (52)

RESPONSE: The Memorandum of Agreement requires that settlement funds be used for restoring, replacing, enhancing, rehabilitating, or acquiring the equivalent of natural resources injured as a result of the oil spill and the lost services provided by those resources. The State Emergency Response Commission is responsible for establishing local emergency planning committees to develop local emergency response plans. Local plans must inventory facilities and activities that may release hazardous substances and plan for emergency response actions in the event of a hazardous-substance release. Local emergency-response-planning activities are funded by State Oil and Hazardous Substance Release Response funds. Additional pre-staging of response-related materials may be supported by criminal settlement monies, which total \$50 million for the State and \$50 million for the Federal Governments.

3.7.4

COMMENT: Restoration funds should be used to train emergency personnel in firefighting, oil-spill response, and other activities, and also to provide for public health facilities to ensure that oil industry personnel are healthy and well-cared for. (52)

RESPONSE: The Memorandum of Agreement requires that settlement funds be used for restoring, replacing, enhancing, rehabilitating, or acquiring the equivalent of natural resources injured as a result of the oil spill and the lost services provided by those resources. State Oil and Hazardous Substance Release Response funds are used to "conduct training, response exercises, inspections, and tests in order to verify equipment inventories and ability to prevent and respond to oil and hazardous substance release emergencies." The Response Fund also is used by the Alaska Department of Environmental Conservation to train expert State oil and hazardous-spill-response personnel, and by the Division of Emergency Services to register and train a volunteer response corps for oil-and hazardous-substance-spill containment and cleanup. Additional pre-staging of response-related materials may be supported by criminal settlement monies, which total \$50 million for the State and \$50 million for the Federal Governments.

3.8 Recreation

- 3.8.1 COMMENT: Recreational opportunities, including sport fishing, marine parks, etc., should be increased in Prince William Sound. (52)

RESPONSE: No recreation projects were proposed by the Trustee Council for implementation in 1992. However, recreation projects throughout the spill area will be considered in the 1993 and subsequent Work Plans.

3.9 Wildlife

- 3.9.1 COMMENT: Additional studies should be undertaken throughout the Kodiak Island Archipelago to inventory sea otters along the coast. (58)

RESPONSE: No sea otter studies were proposed by the Trustee Council for implementation in 1992 because such studies could be deferred without loss of essential data. However, sea otter studies throughout the spill area will be considered in the 1993 and subsequent Work Plans.

- 3.9.2 COMMENT: One commenter supports all the bird projects that were proposed in the 1992 Work Plan. (92)

RESPONSE: Support is acknowledged.

- 3.9.3 COMMENT: Additional studies should be undertaken throughout the Kodiak Island Archipelago to evaluate the productivity of bald eagles. (58)

RESPONSE: No bald eagle studies were proposed by the Trustee Council for implementation in 1992 because such studies could be deferred without loss of essential data. However, bald eagle studies will be considered in the 1993 and subsequent Work Plans.

- 3.9.4 COMMENT: The abundance of birds illustrates the recovery of the spill area. (77)

RESPONSE: Much of the information collected on birds since the spill indicates that some species continue to exhibit low numbers or low productivity. The abundance of birds in Prince William Sound is due to naturally occurring large numbers of migratory birds. The overall numbers of birds throughout the spill area are still large, though reduced from pre-spill population levels for certain species.

- 3.9.5 COMMENT: The project that recommended the removal of

foxes and other introduced predators from seabird islands should not have been denied by the Trustee Council; this project should go forward in 1992. (92)

RESPONSE: The Trustee Council determined that this project could be deferred and will be considered in subsequent years.

- 3.9.6 COMMENT: Additional scientific studies on species that were threatened by the spill should be considered. (169)

RESPONSE: The Trustee Council has approved many studies on species that were affected by the spill, including pink, sockeye, and chum salmon; marbled murrelets; murrees; harlequin ducks; black oystercatchers; harbor seals; and river otters. Additional studies on species that were threatened by the spill will be considered in subsequent years.

- 3.9.7 COMMENT: Sea lions and their food supply should be studied. (153)

RESPONSE: Results of the Steller sea lion injury-assessment study were inconclusive. Several sea lions were observed with oiled pelts, and petroleum hydrocarbons were found in some tissues. Determining whether there was a spill effect on the sea lion population was complicated by the seasonal movements of sea lions in and out of the spill area, and by an ongoing population decline and a pre-existing problem with premature pupping.

The Alaska Department of Fish and Game and National Marine Fisheries Service are cooperating in a major research effort to investigate the decline of the Steller sea lion population in the Gulf of Alaska. This project is funded independently from the Exxon Valdez oil-spill-damage-assessment and restoration program.

- 3.9.8 COMMENT: Additional scientific studies on the Dall's porpoise should be considered. (166, 105)

RESPONSE: The Dall's porpoise is not one of the species studied in the 1992 Draft Work Plan nor was it studied during the damage-assessment phase because there was no direct evidence of injury to the Dall's porpoise. If information linking small cetaceans to the oil spill becomes available, consideration of further investigations may be warranted.

- 3.9.9 COMMENT: Additional scientific studies on impacts to the food chain should be considered. (113)

RESPONSE: Studies investigating the impacts on the food chain are under consideration. Restoration Study 103 is investigating oiled mussel beds in Prince William Sound and their impact on higher organisms, including harlequin ducks, black oystercatchers, and river otters. Additional studies are investigating the impacts on the food chain in the intertidal zone.

- 3.9.10 COMMENT: Additional scientific studies on deer should be considered. (162)

RESPONSE: Intensive searches of Prince William Sound beaches following the oil spill revealed no Sitka black-tailed deer whose deaths could be attributed to the spill. However, deer taken for the purpose of testing for human consumption (not part of damage assessment) were found to have slightly elevated concentrations of petroleum hydrocarbons in tissues in some individuals that may have fed on contaminated kelp in the intertidal areas. It was determined that recovery of the Sitka black-tailed deer would be allowed to progress naturally. If injury to deer due to the oil spill becomes apparent, further investigation of this species will be considered.

3.10 Public Education

- 3.10.1 COMMENT: The public needs to understand what happened and what can be done to help recovery. Therefore, public education should be an important component of the restoration process (85). In addition, a brochure on minimizing disturbance to wildlife should be developed. (166)

RESPONSE: Public education proposals, including brochures, will be considered for inclusion in the 1993 Draft Work Plan. Additionally, the Trustee Council makes public information and education a high priority. All Trustee Council meetings are open to the public and members of the press. On June 1, 1992 the Trustee Council released the natural resource damage assessment studies to the public; and the Trustee Council approved planning for a public symposium regarding the damage studies in early 1993. In addition, the Oil Spill Public Information Center continues to serve as an important resource to assist members of the public in obtaining information about oil-spill effects and the restoration program.

3.10.2 COMMENT: The public should be better informed about the resources that were impacted, distribution of impacts, and how areas to be considered for restoration are being defined. (114)

RESPONSE: The Summary of Injury--Chapter 4 in the Restoration Framework--outlines the species known to be affected, degree of injury, and the geographic areas involved. Copies of the Summary or the entire Restoration Framework can be obtained by contacting the Oil Spill Public Information Center. In addition, on June 1, 1992, damage assessment reports were released to the public through the Center. Additional reports will be released on a monthly basis as they are completed. Contact staff at the Center for information on how to access study report.

3.10.3 COMMENT: A Sea Life Center in Seward would be a valuable use of the restoration funds (58, 170, 171). Restoration funds should be used to fund a museum in the Kodiak region (58). Restoration funds should be used to fund the construction of a maritime wing dedicated to the spill in the Valdez Museum (52).

RESPONSE: The Trustee Council is evaluating a number of educational proposals as restoration options and will consider all such proposals carefully in developing an overall restoration plan.

APPENDIX LIST OF COMMENTERS

COMMENT #	NAME	AFFILIATION
2	DeBusman	None
8	Karcz	OSEI
10	van den Berg	None
11	Chenier	None
14	Bronson	None
17	Nowicki	None
19	Provenzo	None
24	Frick	None
26	Powell	None
29	McKay	None
35	Olson	None
36	Booher	None
37	Jennings	None
38	Murray	None
45	Carlisle	Mayor City of Whittier
50	Griffin	Mayor City of Valdez
52	Walker	Hughes Thorsness Gantz Powell & Brundin
53	McMullin	Prince William Sound/Copper Rvr Reg. Salmon Planning Team
55	Harris	Mayor City of Valdez
56	Weaverling	Mayor City of Cordova
58	Otto	NOAA-Alaska Fisheries Science Center
68	Gardner	None
70	Kuizenga	None
71	Brookman	None
72	Bisco	None
73	Brunetti	None
77	Lock	Exxon Company USA
78	Frick	American Petroleum Institute
79	Bishop & Baker	Copper River Delta Institute
81	Charlesdottir	None
82	Hillstrand	None
83	Rott	None
84	Lethcoe	Ak Wilderness Recreation & Tourism Association
85	Janka	Prince William Sound Conservation Alliance
87	Faust	None
88	Brainard	None
89	Osborn	None
90	Latimer	None
92	Harrison	Pacific Seabird Group
93	Kroll	None
94	Sturgulewski	Alaska State Legislature
95	Strassenburgh	None
96	Nowicki	None
101	Komisar	University of Alaska
103	Miller	National Wildlife Federation
104	Ott	Oil Reform Alliance
105	Phipps	Alaska Center for the Environment
106	Sargent	None
107	Tschersich	None
109	Booher	None
110	Kozie, Rوتا	None
111	Parker	Adler, Jameson & Claraval Attorneys
112	Chasis	Natural Resources Defense Council

COMMENT #	NAME	AFFILIATION
113	Morgan	Arizona State University
114	Tileston	None
115	Joyce	None
116	Miller	The Wilderness Society
125	Parker	Adler, Jameson & Claraval
126	Rock	None
127	Hammer	None
129	Grisco	National Parks and Conservation Assn.
153	Chartier	None
154	Malchoff	None
155	Castner	None
156	Milligan	None
157	Selby	Kodiak Island Borough
158	Raft	None
159	Petrich	Kodiak Audubon
160	Thoma	None
161	Rainery	None
162	Kompkoff	None
163	Kitagawa	None
164	Griffin	None
165	Lethcoe	None
166	Lethcoe	None
167	Kelly	None
168	Gates	None
169	Dunham	None
170	Castellina	None
171	Stone	None
172	Miller	None
173	Lakosh	None
174	Totemoff	None
175	Schwar	None
176	McBurney	Cordova Fishermen United
177	Steiner	None
178	Torgerson	None
179	Bird	None
180	Sharr	None
181	Weaverling	None
182	Waters	None
183	Kendziorek	None
190	Nowicki	None
191	Hagenstein	Prince William Sound Science Center
192	Eilers	None
199	None	City of Valdez
200	Harrison	Pacific Seabird Group
217	Elvsas	Seldovia Native Association, Inc.

TRUSTEE COUNCIL DECISION DOCUMENT
1992 WORK PLAN

On June 29, 1992, the Exxon Valdez Trustee Council approves the following:

- _____ Final Approval of 1992 Work Plan without modification
- _____ Final Approval of 1992 Work Plan with modification
 - _____ Modify the following existing projects
 - _____ Add the following new projects
 - _____ Delete the following projects

Additional actions to be taken on Public comments;

- _____ Forward new project ideas to 1993 Work Plan Group
- _____ Forward Habitat Protection/Acquisition comments to the
Habitat Protection Working Group

11.1.7 4

RECEIVED
JUN 29 1992

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL
ADMINISTRATIVE RECORD

PUBLIC PARTICIPATION

TRUSTEE COUNCIL MEETING

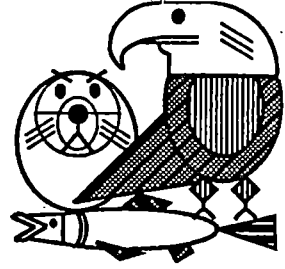
JUNE 29, 1992

Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 "G" Street, Anchorage, AK 99501

Phone: (907) 278-8012 Fax: (907) 276-7178



To: Trustee Council

Date: June 22, 1992

From:  Marty Rutherford, Chair
Public Participation Work Group

Subject: Public Advisory Group Nominees

Please refer to your three-ring binder entitled "Public Advisory Group Nominees".

The binder contains the entire package of information for each of the thirty-one nominees, as well as a cover memo with attachments and various tables that may assist you in your review of the nomination information. It also contains all public comments received concerning the issue of *designated seats* for the Public Advisory Group.

Should you have questions I will be available at the June 29th meeting.

EXXON VALDEZ OIL SPILL
PUBLIC ADVISORY GROUP
NOMINEES

RECEIVED
JUN 29 1992

NOMINEE	PRINCIPAL INTEREST	AFFILIATIONS	NOMINATED/ENDORSED BY	INFO. COMPLETE YES/NO	IF NO, WHAT IS MISSING	ADDITIONAL INFO REQUESTED YES/NO
1. Adams, Kenneth Box 1855 Cordova, Alaska 99574 (907) 424-5456	<ul style="list-style-type: none"> • Commercial Fishing • Science/Academic • Aquaculture 	Cordova District Fishermen United Prince William Sound Aquaculture Corp.	Dr. G. L. Thomas, Director Prince William Sound Science Center P O Box 705 Cordova, Alaska 99574 (907) 424-5800 FAX 424-5820 Self	YES	-	NO
2. Brodie, Pamela 241 E. 5th Avenue, Suite 205 Anchorage, Alaska 99501 (907) 276-4048	<ul style="list-style-type: none"> • Environmental 	Sierra Club	Pam Miller The Wilderness Society 272-9453 Jack Hession Sierra Club 276-4048 Sue Libenson Alaska Center for the Environment 274-3621 Dorthy Smith Greenpeace 277-8234 Rex Blazer Northern Alaska Environmental Center 452-5021	YES	-	NO

EXXON VALDEZ OIL SPILL
PUBLIC ADVISORY GROUP
NOMINEES

NOMINEE	PRINCIPAL INTEREST AFFILIATIONS	NOMINATED/ENDORSED BY	INFO. COMPLETE YES/NO	IF NO, WHAT IS MISSING	ADDITIONAL INFO REQUESTED YES/NO
Brodie, Pamela (Cont.)		Dave Cline National Audubon Society 276-7034			
		Nina Faust Kachemak Bay Conservation Society 235-6262			
		Kristin Stahl-Johnson Kodiak Environmental Network 486-4684			
		Sarah Chasis Natural Resources Defense Council (212) 727-2700			
		Eric Jorgensen Sierra Club Legal Defense Fund 586-2751			
		Steve Wells Alaska Wildlife Alliance 277-0897			

**EXXON VALDEZ OIL SPILL
PUBLIC ADVISORY GROUP
NOMINEES**

NOMINEE	PRINCIPAL INTEREST	AFFILIATIONS	NOMINATED/ENDORSED BY	INFO. COMPLETE YES/NO	IF NO, WHAT IS MISSING	ADDITIONAL INFO REQUESTED YES/NO
3. Coughenower, D. Douglas Associate Professor, Fisheries Marine Advisory Program University of Alaska Fairbanks 4014 Lake St. Suite 201B Homer, Alaska 99603 (907) 235-5643	<ul style="list-style-type: none"> • Science/Academic • Aquaculture • Commercial Fishing • Commercial Tourism • Environmental • Recreation Users 	University of Alaska Marine Advisory Program Cook Inlet Regional Citizens Advisory Council, Environmental Monitoring Committee, Chairman	Self	YES	-	NO
4. Fox, Carl, Division Manager Holland America Line West 4th Avenue Anchorage, Alaska 99501 (907) 264-2102	<ul style="list-style-type: none"> • Commercial Tourism 	Holland America Line	Ms. Marilyn Heddell, Chair Prince William Sound Tourism Coalition PO Box 1477 Valdez, Alaska 99686	YES	-	NO
5. Diehl, James, Safety Officer Knik Canoers and Kayakers Box 868 Girdwood, Alaska 99587 (907) 783-2708	<ul style="list-style-type: none"> • Recreation Users • Environmental • Conservation • Public 	Knik Canoers and Kayakers	Board of Directors and President, Dave Blanchet, Knik Canoers and Kayakers Joyce Bamburger, Special Counsel to Walter Hickel Cliff Fox, Girdwood Forest Office Jack Hession, Past President, Sierra Club	YES	-	NO
6. Evanoff, Gail, Vice President of Operations Chenega Corporation P O Box 8060 Chenega, Alaska 99574 Wk(907) 573-5118 Hm 274-8052 FAX (907)573-5135	<ul style="list-style-type: none"> • Native Landowner • Forest Products • Conservation • Commercial Fishing • Local Government • Environmental • Subsistence • Science/Academic 		Mr. Tom Harris, CEO Tyonek Native Corporation 1689 C Street, Suite 219 Anchorage, Alaska 99501 (907) 272-0707	YES	-	NO

EXXON VALDEZ OIL SPILL
PUBLIC ADVISORY GROUP
NOMINEES

NOMINEE	PRINCIPAL INTEREST	AFFILIATIONS	NOMINATED/ENDORSED BY	INFO. COMPLETE YES/NO	IF NO, WHAT IS MISSING	ADDITIONAL INFO REQUESTED YES/NO
Evanoff, Gail (Cont.)			<p>Mr. Mark G. Huber, CEO Ouzinkie Native Corp. 3333 Denali, Suite 220-J Anchorage, Alaska 99503 (907) 276-3500 FAX 279-6862</p> <p>Mr. Fred H. Elvsaas, President Seldovia Village Tribe P O Drawer L Seldovia, Alaska 99663 (907) 234-7625 FAX 234-7637</p> <p>Mr. John L. Sturgeon, President Koncor Forest Products Co. 3501 Denali, Suit 202 Anchorage, Alaska 99503 (907) 562-3335 FAX 562-0599</p> <p>Mr. Fred H. Elvsaas, President Seldovia Native Association, Inc. P O Drawer L Seldovia, Alaska 99663 (907) 234-7625 or 234-7890</p> <p>Mr. Anthony Drabek, President Natives of Kodiak P O Box 164 Kodiak, Alaska 99615 (907) 486-3606</p>			

EXXON VALDEZ OIL SPILL
PUBLIC ADVISORY GROUP
NOMINEES

NOMINEE	PRINCIPAL INTEREST	AFFILIATIONS	NOMINATED/ENDORSED BY	INFO. COMPLETE YES/NO	IF NO, WHAT IS MISSING	ADDITIONAL INFO REQUESTED YES/NO
Evanoff, Gail (Cont.)			Mr. Lowell S. Petersen, President YAK-TAT KWAAN INC. P O Box 416 Yakutat, Alaska 99685 (907) 784-3335 or 784-3486			
7. Fischer, Donna, Member City of Valdez, City Council O Box 307 Valdez, Alaska 99686 (907) 835-4313 FAX 835-2992	<ul style="list-style-type: none"> • Local Government • Commercial Fishing • Commercial Tourism • Public 	City of Valdez	Resolution # 92-59	YES	-	NO
8. French, Dr. John Storrs Fishery Industrial Tech Center University of Alaska Fairbanks 900 Trident Way Kodiak, Alaska 99615 (907)486-1505 FAX 486-1540	<ul style="list-style-type: none"> • Science/Academic • Commercial Fishing • Environmental • Local Government • Recreation Users • Subsistence 	University of Alaska Fairbanks, School of Fisheries and Ocean Sciences Kodiak Island Borough Oil Spill Response Group	Dr. Vera Alexander, Dean School of Fisheries and Ocean Sciences University of Alaska Fairbanks Fairbanks, Alaska 99775-1080 Mr. Jerome M. Selby, Mayor Kodiak Island Borough 710 Mill Bay Rd. Kodiak, Alaska 99615-6340 (907) 486-5736	YES	-	NO
Heimbuch, Floyd E. O Box 3175 Soldotna, Alaska 99669 (907) 262-8563	<ul style="list-style-type: none"> • Aquaculture • Commercial Tourism • Environmental • Conservation • Recreation Users • Subsistence 		Self	YES	-	NO

**EXXON VALDEZ OIL SPILL
PUBLIC ADVISORY GROUP
NOMINEES**

NOMINEE	PRINCIPAL INTEREST	AFFILIATIONS	NOMINATED/ENDORSED BY	INFO. COMPLETE YES/NO	IF NO, WHAT IS MISSING	ADDITIONAL INFO REQUESTED YES/NO
Heimbuch, Floyd E. (Cont.)	<ul style="list-style-type: none"> • Science/Academic • Public 					
10. King, James G. 1700 Branta Road Juneau, Alaska 99801 (907) 789-7540	<ul style="list-style-type: none"> • Science/ Academic • Conservation • Environmental • Sport Hunting & Fishing • Recreation Users 		<p>Mr. Palmer C. Sekora, Chairman Pacific Seabird Group (503) 344-3680</p> <p>Mr. David Cline National Audubon Society (907) 276-7034</p> <p>Mr. Charles Hewlitt National Wildlife Refuge Assn. (303) 249-8717</p> <p>Mr. David Weaver Trumpetor Swan Society (703) 358-1784</p>	YES	-	NO
11. Knecht, Richard A., Dir. Alutiiq Culture Center Kodiak Area Native Assn. 402 Center Avenue Kodiak, Alaska 99615 Wk (907) 486-1992 Hm (907) 486-2598	<ul style="list-style-type: none"> • Science/Academic • Native Landowners • Subsistence • Aquaculture • Commercial Tourism 	Kodiak Area Native Assn.	<p>Ms. Rita Stevens, Vice President Kodiak Area Native Association 402 Center Avenue Kodiak Alaska 99615 (907) 486-5725</p> <p>Mr. Jerome M. Selby, Mayor Kodiak Island Borough 710 Mill Bay Rd. Kodiak, AK 99615-6340 486-5736</p>	YES	-	NO

**EXXON VALDEZ OIL SPILL
PUBLIC ADVISORY GROUP
NOMINEES**

NOMINEE	PRINCIPAL INTEREST	AFFILIATIONS	NOMINATED/ENDORSED BY	INFO. COMPLETE YES/NO	IF NO, WHAT IS MISSING	ADDITIONAL INFO REQUESTED YES/NO
12. Lensink, Dr. Calvin 13641 Jarvi Drive Anchorage, Alaska Hm(907)345-3096 Wk786-3509	<ul style="list-style-type: none"> • Science/Academic • Conservation • Recreation Users • Subsistence • Environmental • Sport Hunting & Fishing 	American Association for the Advancement of Science American Ornithologists Union American Society of Mammalogists Arctic Institute of North America Cooper Ornithological Society Pacific Seabird Group Western Bird Bonding Assn. Wildlife Society	Dr. G. L. Thomas, Director Prince William Sound Science Center P O Box 705 Cordova, Alaska 99574 (907) 424-5800 FAX 424-5820	YES	-	NO
13. Lethcoe, Dr. R. James P O Box 1313 Valdez, Alaska 99686 (907) 835-5175	<ul style="list-style-type: none"> • Commercial Tourism • Conservation • Recreation Users 	Alaska Visitors Association Prince William Sound Tourism Association Valdez Visitor and Convention Bureau Valdez Chamber of Commerce Alaska Wilderness Recreation and Tourism Association Prince William Sound Conservation Alliance	Mr. Wallace Cathcart III, President Cathcart Ltd. P O Box 190546 Anchorage, Alaska 99519 0546 Ph (907) 258-6240 FAX 258-2413 Mr. John D. Lyle P O Box 83715 Fairbanks, Alaska 99708 Mr. Kirk Hoessle, President Alaska Wildland Adventures HC 64 Box 26 Cooper Landing, Alaska 99572 (907) 595-1277 800-478-4100	YES	-	NO

EXXON VALDEZ OIL SPILL
PUBLIC ADVISORY GROUP
NOMINEES

NOMINEE	PRINCIPAL INTEREST	AFFILIATIONS	NOMINATED/ENDORSED BY	INFO. COMPLETE YES/NO	IF NO, WHAT IS MISSING	ADDITIONAL INFO REQUESTED YES/NO
Lethcoe, Dr. R. James (Cont.)			<p>Mr. Christopher Roosevelt Cruise Passenger Network 2001 West Main Street Suite 245 Samford, CT 06902 (203) 359-8626 FAX (203) 327-5062</p> <p>Ms. Maggie Kelly Kantishna Roadhouse P O Box 130 Denali National Park, AK 99755 (907) 733-2535</p> <p>Patience Wales, Editor SAIL Magazine 275 Washington Street Newton, MA 02158-1630 (617) 964-3030 FAX 964-8948</p> <p>Mr. Stan Stephens, Owner Stan Stephens Charters and Cruises P O Box 1297 Valdez, Alaska 99686 (907) 835-4731 FAX 835-3765</p>			

**EXXON VALDEZ OIL SPILL
PUBLIC ADVISORY GROUP
NOMINEES**

NOMINEE	PRINCIPAL INTEREST	AFFILIATIONS	NOMINATED/ENDORSED BY	INFO. COMPLETE YES/NO	IF NO, WHAT IS MISSING	ADDITIONAL INFO REQUESTED YES/NO
Lethcoe, Dr. R. James (Cont.)			Mr. Vince Kelly, President and MS. Marnie Gram, Librarian Asst. Prince William Sound Conservation Alliance P O Box 1697 Valdez, Alaska 99686 (907) 835-2799 FAX 835-5395			
N. Lord, Nancy PO Box 558 Homer, Alaska 99603 (907) 235-8252 FAX 235-8253	• Environmental	Kachemak Bay Conservation Society Beluga Wetlands Task Force Alaska Conservation Society Alaska Environmental Assembly Alaska Environmental Lobby Kachemak Bay State Park Citizens Advisory Board Bradly Lake Hydro Project Steering Committee Alaska Public Interest Research Group State Committee of the Alaska Humanities Forum	Pam Miller The Wilderness Society 272-9453 Jack Hession Sierra Club 276-4048 Sue Libenson Alaska Center for the Environment 274-3621 Dorothy Smith Greenpeace 277-8234 Rex Blazer Northern Alaska Environmental Center 452-5021	YES	-	NO

EXXON VALDEZ OIL SPILL
PUBLIC ADVISORY GROUP
NOMINEES

NOMINEE	PRINCIPAL INTEREST	AFFILIATIONS	NOMINATED/ENDORSED BY	INFO. COMPLETE YES/NO	IF NO, WHAT IS MISSING	ADDITIONAL INFO REQUESTED YES/NO
Lord, Nancy (Cont.)			Dave Cline National Audubon Society 276-7034			
			Nina Faust Kachemak Bay Conservation Society 235-6262			
			Kristin Stahl-Johnson Kodiak Environmental Network 486-4684			
			Sarah Chasis Natural Resources Defense Council (212) 727-2700			
			Eric Jorgensen Sierra Club Legal Defense Fund 586-2751			
			Steve Wells Alaska Wildlife Alliance 277-0897			

**EXXON VALDEZ OIL SPILL
PUBLIC ADVISORY GROUP
NOMINEES**

NOMINEE	PRINCIPAL INTEREST	AFFILIATIONS	NOMINATED/ENDORSED BY	INFO. COMPLETE YES/NO	IF NO, WHAT IS MISSING	ADDITIONAL INFO REQUESTED YES/NO
15. Matkin, Craig O. P O Box 15244 Homer, Alaska 99603 (907) 235-2133 or 235-6590	<ul style="list-style-type: none"> • Science/Academic • Commercial Fishing • Conservation • Environmental 	Prince William Sound Aquaculture Corp. Cordova District Fishermen United Kachemak Heritage Land Trust Center for Alaskan Coastal Studies Pratt Museum of Natural History Society for Marine Mammalogy American Cetacean Society The Nature Conservancy	Ms. Betsy Pitzman, Museum Director Homer Society of Natural History, Pratt Museum 3779 Bartlett St. Homer, Alaska 99603 (907) 235-8635 Self	YES	-	NO
16. McBride, Diane Kachemak Bay Wilderness Lodge P O Box 956 Homer, Alaska 99603 (907) 235-8910	<ul style="list-style-type: none"> • Commercial Tourism • Science/Academic • Public 	Kachemak Bay Citizens Coalition Alaska Visitors Association Alaska Coastal Studies	Mr. Mike Coumbe, Member Kachemak Bay Citizens Coalition (907) 277-2444	YES	-	NO
17. McCune, Gerald P O Box 372 Cordova, AK 99574 (907) 424-7488	<ul style="list-style-type: none"> • Commercial Fishing 	President, Cordova District Fishermen United United Fishermen of Alaska	Mr. Robert L VanBrocklin, Chairman Prince William Sound Aquaculture Corporation P O Box 1110 Cordova, Alaska 99501-3285 (907) 274-6066 or Cordova 424-7511 - FAX 274-1959 Prince William Sound Science Center Cordova District Fishermen United	YES	-	NO

EXXON VALDEZ OIL SPILL
PUBLIC ADVISORY GROUP
NOMINEES

NOMINEE	PRINCIPAL INTEREST	AFFILIATIONS	NOMINATED/ENDORSED BY	INFO. COMPLETE YES/NO	IF NO, WHAT IS MISSING	ADDITIONAL INFO REQUESTED YES/NO
18. McMullen, John P O Box 1110 Cordova, AK 99574 Wk (907) 424-7511	• Aquaculture	Prince William Sound Aquaculture Corporation	Mr. Thomas E. Mears, Director Cook Inlet Aquaculture Assn. HC 2, Box 849 Soldotna, Alaska 99669-9707 (907) 283-5761 Mr. Lawrence M. Malloy, Director Kodiak Regional Aquaculture Assn. P O Box 3407 Kodiak, Alaska 99615 (907) 486-6555 Prince William Sound Aquaculture Corp. P O Box 1110 Cordova, Alaska 99574-1110 (907) 424-7511 FAX 424-7514 Mr. Tom Johnson, President Cordova Aquatic Marketing Association, Inc. P O Box 359 Cordova, Alaska 99574 (907) 424-3458 Cordova City Council	YES	-	NO

EXXON VALDEZ OIL SPILL
PUBLIC ADVISORY GROUP
NOMINEES

NOMINEE	PRINCIPAL INTEREST	AFFILIATIONS	NOMINATED/ENDORSED BY	INFO. COMPLETE YES/NO	IF NO, WHAT IS MISSING	ADDITIONAL INFO REQUESTED YES/NO
19. Merrick, John W. 4300 B Street, Suite 407 Anchorage, Alaska 99503 (907) 561-2668	<ul style="list-style-type: none"> • Native Landowners • Forest Products • Recreation Users • Commercial Tourism • Sport Hunting & Fishing 	Manager, Lands and Resources, Koniag Inc.	<p>Mr. Uwe L. Gross, Chief Executive Officer, Koniag Inc. 4300 B St. Suite 407 Anchorage, Alaska 99503 (907) 561-2668 FAX 562-5258</p> <p>Mr. Jerome M. Selby, Mayor Kodiak Island Borough 710 Mill Bay Rd. Kodiak, AK 99610-6340 (907) 486-5736</p>	YES	-	NO
20. O'Callahan, Michael 1540 Medfra St. Anchorage, Alaska 99501 (907) 277-8889	<ul style="list-style-type: none"> • Aquaculture • Commercial Fishing • Environmental • Recreation Users • Sport Hunting & Fishing 		<p>Mr. John Grames P O Box 100827 Anchorage, Alaska 99510 (907) 274-6348</p>	YES	-	NO
21. Parker, Geoffrey Y., Attorney Adler, Jameson and Claravi 500 L St., Suite 502 Anchorage, Alaska 99501 (907) 272-9377 FAX 272-9319	<ul style="list-style-type: none"> • Sport Hunting & Fishing • Recreation Users • Conservation • Environmental 	<p>Alaska Sportfishing Assn.</p> <p>Trout Unlimited</p>	<p>Mr. Phil Cutler Alaska Sportfishing Assn</p> <p>Trout Unlimited</p> <p>Self</p>	YES	-	NO
22. Parker, Walter B., Pres. Parker and Associates, Inc. 3724 Campbell Airstrip Rd. Anchorage, AK 99504 Hm (907) 333-5189	<ul style="list-style-type: none"> • Public • Conservation • Recreation Users • Science/Academic 		<p>Mr. Harry Bader, Chairman Alaska Citizens Oversight Council on Oil and Other Hazardous Matls. (907) 474-6521</p>	YES	-	NO

**EXXON VALDEZ OIL SPILL
PUBLIC ADVISORY GROUP
NOMINEES**

NOMINEE	PRINCIPAL INTEREST	AFFILIATIONS	NOMINATED/ENDORSED BY	INFO. COMPLETE YES/NO	IF NO, WHAT IS MISSING	ADDITIONAL INFO REQUESTED YES/NO
Parker, Walter B. (Cont.) (907) 333-5189			Mr. Randall Weiner, Director Trustees for Alaska 725 Christensen Dr. Suite 4 Anchorage, Alaska (907) 276-4244 Mr. Alan Phipps Alaska Center for the Environment (907) 274-3721 Mr. Richard Feinberg (907) 733-1457			
23. Phillips, E. Bradford "Brad" PO Box 100034 Anchorage, Alaska 99510-0034 Ph 276-8023 FAX 276-5315	• Commercial Tourism • Environmental • Science/Academic • Local Government • Conservation	Phillips Cruises & Tours	Mr. Connel Murray, Director Alaska Dept. of Commerce and Econ. Development Division of Tourism P O Box 110801 Juneau, Alaska 99811-0801 (907) 465-2012 Mr. Bob Berto, President Alaska Visitors Association 501 West Northern Lights Suit 201 Anchorage, Alaska 99503 (907) 276-6663 FAX 258-4036	YES		NO

EXXON VALDEZ OIL SPILL
PUBLIC ADVISORY GROUP
NOMINEES

NOMINEE	PRINCIPAL INTEREST	AFFILIATIONS	NOMINATED/ENDORSED BY	INFO. COMPLETE YES/NO	IF NO, WHAT IS MISSING	ADDITIONAL INFO REQUESTED YES/NO
24. Phipps, Alan c/o Alaska Center for the Environment 519 W. 8th Ave., #201 Anchorage, Alaska 99501 (907) 274-3621	• Environmental	Alaska Center for the Environment	Pam Miller The Wilderness Society 272-9453 Jack Hession Sierra Club 276-4048 Sue Libenson Alaska Center for the Environment 274-362 Dorothy Smith Greenpeace 277-8234 Rex Blazer Northern Alaska Environmental Center 452-5021 Dave Cline National Audubon Society 276-7034 Nina Faust Kachemak Bay Conservation Society 235-6262	YES	-	NO

**EXXON VALDEZ OIL SPILL
PUBLIC ADVISORY GROUP
NOMINEES**

NOMINEE	PRINCIPAL INTEREST	AFFILIATIONS	NOMINATED/ENDORSED BY	INFO. COMPLETE YES/NO	IF NO, WHAT IS MISSING	ADDITIONAL INFO REQUESTED YES/NO
Phipps, Alan (Cont.)			Kristin Stahl-Johnson Kodiak Environmental Network 486-4684 Sarah Chasis Natural Resources Defense Council (212) 727-2700 Eric Jorgensen Sierra Club Legal Defense Fund 586-2751 Steve Wells Alaska Wildlife Alliance 277-0897			
25. Pulliam, Karl S. Box 31 Seldovia, Alaska 99663 (907) 234-7641	<ul style="list-style-type: none"> • Aquaculture • Commercial Fishing • Commercial Tourism • Environmental • Conservation • Local Government • Native Landowners • Recreation Users • Sport Hunting and Fishing • Subsistence • Science/Academic • Public 	Seldovia Oil Spill Team City of Seldovia, Member Cook Inlet Regional Citizens Advisory Council	Self Cook Inlet Regional Citizens Advisory Council (CIRCAC)	YES	-	NO

**EXXON VALDEZ OIL SPILL
PUBLIC ADVISORY GROUP
NOMINEES**

NOMINEE	PRINCIPAL INTEREST	AFFILIATIONS	NOMINATED/ENDORSED BY	INFO. COMPLETE YES/NO	IF NO, WHAT IS MISSING	ADDITIONAL INFO REQUESTED YES/NO
26. Selby, Jerome M., Mayor Kodiak Island Borough 710 Mill Bay Road Kodiak, Alaska 99615-6340 (907) 486-9301	<ul style="list-style-type: none"> • Local Government • Sport Hunting & Fishing • Recreation Users • Commercial Tourism 	Kodiak Island Borough	Self Kodiak Exxon Valdez Restoration Committee	YES	-	NO
27. Sturgeon, John L. Director Forest Products 1 Denali, Suite 202 Anchorage, Alaska 99503 Wk (907) 562-3335 Hm (907) 345-2299 FAX (907) 562-0599	<ul style="list-style-type: none"> • Forest Products 	Many (see packet)	Mr. D. L. Finney, Director Alaska Forest Association Inc. 111 Stedman Suite 200 Ketchikan, Alaska 99901-6114 (907) 225-6114 FAX (907) 225-5920 Mr. Anthony Drabek, President Natives of Kodiak P. O. Box 164 Kodiak, Alaska 99615 (907) 486-3606 Mr. Fred H. Elvsaaas, President Seldovia Native Association, Inc. P O Drawer L Seldovia, Alaska 99663 (907) 234-7625 or 234-7890	YES	-	NO

**EXXON VALDEZ OIL SPILL
PUBLIC ADVISORY GROUP
NOMINEES**

NOMINEE	PRINCIPAL INTEREST	AFFILIATIONS	NOMINATED/ENDORSED BY	INFO. COMPLETE YES/NO	IF NO, WHAT IS MISSING	ADDITIONAL INFO REQUESTED YES/NO
Sturgeon, John L. (Cont.)			<p>Ms. Susan L. Ruddy, Vice President and State Director The Nature Conservancy of Alaska 601 West Fifth Avenue, Suite 550 Anchorage, Alaska 99501-2226 (907) 276-3133 FAX 276-2584</p> <p>Mr. Mark G. Huber, CEO Ouzinkie Native Corporation 3333 Denali, Suite 220 J Anchorage, Alaska 99503 (907) 276-3500 FAX 279-6862</p> <p>Mr. Tom Harris, CEO Tyonek Native Corporation 1689 C Street, Suite 219 Anchorage, Alaska 99501 (907) 272-0707</p> <p>Ms. Debbie Reinwand, Act. Director Resource Development Council for Alaska, Inc. 121 West Fireweed Lane, Suite 250 Anchorage, Alaska 99503-2035 (907) 276-0700 FAX 276-3887</p>			

**EXXON VALDEZ OIL SPILL
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NOMINEES**

NOMINEE	PRINCIPAL INTEREST	AFFILIATIONS	NOMINATED/ENDORSED BY	INFO. COMPLETE YES/NO	IF NO, WHAT IS MISSING	ADDITIONAL INFO REQUESTED YES/NO
Sturgeon, John L. (Cont.)			<p>Ms. Gail K. Evanoff, President Chenega Corporation P O Box 8060 Chenega Bay, Alaska 99574-8060 (907) 573-5118</p> <p>Mr. Lowell S. Petersen, President YAK-TAT KWAAN INC. P O Box 416 Yakutat, Alaska 99689 (907) 784-3335 or 784-3488</p> <p>Mr. Ronald R. Wolfe, Chief Forester Klukwan Forest Products, Inc PO Box 34659 Juneau, Alaska 99803-4659 (907) 789-7104 FAX 789-0675</p>			
28. Tileston, Jules V. 4780 Cambridge Way Anchorage, Alaska 99503 Hm (907) 561-0540 Wk 561-5829	<ul style="list-style-type: none"> • Recreation Users • Commercial Tourism • Environmental • Conservation 	Alaska Wilderness Recreation and Tourism Association Whittier Small Boat Owners Association Sierra Club, Knick Chapter Alaska Center for the Environment Fairbanks Center for the Environment	<p>Mr. Wallace Cathcart III, President Cathcart Ltd. P O Box 190546 Anchorage, Alaska 99519 0546 Ph (907) 258-6240 FAX 258-2413</p> <p>Mr. John D. Lyle P O Box 83715 Fairbanks, Alaska 99708</p>	YES		NO

**EXXON VALDEZ OIL SPILL
PUBLIC ADVISORY GROUP
NOMINEES**

NOMINEE	PRINCIPAL INTEREST	AFFILIATIONS	NOMINATED/ENDORSED BY	INFO. COMPLETE YES/NO	IF NO, WHAT IS MISSING	ADDITIONAL INFO REQUESTED YES/NO
Tileston, Jules V. (Cont.)		Prince William Sound Conservation Alliance Wilderness Society Trustees for Alaska Alaska Conservation Foundation Alaska Assn. of Environmental Professionals Knik Canoers and Kayakers	Mr. Kirk Hoessle, President Alaska Wildland Adventures HC 64 Box 26 Cooper Landing, Alaska 99572 (907) 595-1277 *00-478-4100 Mr. Christopher Roosevelt Cruise Passenger Network 2001 West Main Street Suite 245 Stamford, CT 06902 (203) 359-8626 FAX (203) 327-506 Ms. Maggie Kelly Kantishna Roadhouse P O Box 130 Denali National Park, AK 99755 (907) 733-2535 Patience Wales, Editor SAIL Magazine 275 Washington Street Newton, MA 02158-1630 (617) 964-3030 FAX 964-8948 Board or Directors, Contact, Nancy Lethcoe Alaska Wilderness Recreation and Tourism Association (907) 835-5175			

**EXXON VALDEZ OIL SPILL
PUBLIC ADVISORY GROUP
NOMINEES**

NOMINEE	PRINCIPAL INTEREST	AFFILIATIONS	NOMINATED/ENDORSED BY	INFO. COMPLETE YES/NO	IF NO, WHAT IS MISSING	ADDITIONAL INFO REQUESTED YES/NO
Tileston, Jules V. (Cont.)			Mr. Walter Parker and MS Ester Wunnicke, Co-Chairs Former Alaska Oil Spill Commission (907) 333-5189 and 279-4496 Mr. Vince Kelly, President Prince William Sound Conservation Alliance P O Box 1697 Valdez, Alaska 99686 (907) 835-2799 FAX 835-5395			
29. Totemoff, Charles W., President Chenega Corp. P O Box 8060 Chenega Bay, Alaska 99574-8060 (907) 573-5118	<ul style="list-style-type: none"> • Native Landowners • Subsistence 	Chenega Corporation	Chenega Corporation P O Box 8060 Chenega Bay, Alaska 99574-8060 (907) 573-5118	YES	-	NO
30. Van Hyning, Dr. Jack M., President Aquabionics Inc. P O Box 80165 Fairbanks, Alaska 99708 (907) 479-2476	<ul style="list-style-type: none"> • Aquaculture • Commercial Fishing 	Aquabionics Inc.	Self	YES	-	NO
1. White, Lorne E. rea Biologist ADF&G 211 Mission Road Kodiak, Alaska 99615 (907) 486-1874 FAX 486-4969	<ul style="list-style-type: none"> • Aquaculture • Science/Academic • Conservation • Environmental 	Alaska Department of Fish and Game	Self Mr. Jerome Selby, Mayor Kodiak Island Bourough 710 Mill Bay Rd. Kodiak, AK 99610-6340	YES	-	NO

1992 WORK PLAN

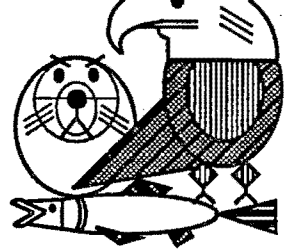
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Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 "G" Street, Anchorage, AK 99501

Phone: (907) 278-8012 Fax: (907) 276-7178



MEMORANDUM

To: Trustee Council

From: Dave Gibbons *dg*

Date: June 23, 1992

Subj: Editing of the 1992 Work Plan Response to Public Comment

Enclosed is a draft, unedited version of the response to public comments concerning the Draft 1992 Work Plan. This document has been given to an editor and a final edited copy will be available by the June 29th Trustee Council meeting. The editing will be limited to non-substantive editing to insure that the content is not changed.

June 23, 1992

To: Trustee Council
From: Restoration Team

Subject: Final Approval of 1992 Work Plan

Enclosed is the review of public comments on the 1992 Draft Work Plan which was out for public review from March 26 to June 4, 1992. Both a summary of the comments and an itemization of specific comments with responses are included.

Based on our review of the public comments, the Restoration Team recommends that the Trustee Council approve the 1992 Work Plan without modification or deletion of any projects.

DRAFT

PUBLIC COMMENTS ON 1992 WORK PLAN

EXECUTIVE SUMMARY

Public comments were received on the 1992 Work Plan between March 26 and June 8, 1992. Ninety eight individuals or organizations commented, 67 by mail and 31 at public meetings held during the May scoping process. Alaskans contributed 85% of the comments; 15% came from outside Alaska.

Comments received from the public were consistent with previous public testimony and ranged across a wide spectrum of issues. Differing views were presented on almost every issue, reinforcing the belief of the Trustee Council of the necessity of continuing dialogue with the public on numerous contentious issues. In the "Response to Public Comments" section that follows, these comments are summarized under the headings of: 1) Programmatic Issues; 2) Injury Assessment; and 3) Restoration.

"Programmatic Issues" relate to the approach to restoration that the Trustee Council has taken and suggest changes or modifications of the process. Some of the issues of concern included more immediate restoration activities, attention to National Park Lands, and suggestions on how the restoration money should be spent.

"Injury Assessment" comments addressed damage assessment closeout and continuation studies. Divergent views were expressed on whether they were needed or should be discontinued. Only a few project specific comments were made. Certain commenters requested better injury information. Injury to services was felt by some commenters to be a missing component of the study plan.

"Restoration Issues" received the bulk of the comments. Many commenters suggested additional projects for consideration in 1992. These suggestions ranged from additional projects on specific non-commercial species, additional or modified projects on commercial species, inclusion of pollution prevention and clean-up projects, suggestions on archeological projects, the need for subsistence studies, and the need for long-term monitoring of the ecosystem. Almost half the commenters, 46 of 98, addressed land acquisition; the majority of these (32) felt that land or habitat acquisition, including timber, was the best use of restoration funds.

The following document summarizes and responds to the comments received. A summary of public comments is presented for each of the three main "Issues" identified. Specific comments and their responses follow the summaries, and are organized into issue-specific sub-categories. At the end of the document is an appendix listing the commenters and providing a numerical key to the specific comments received by commenter.

The last part of this package is a decision document prepared for

the Trustee Council to approve or modify the 1992 Work Plan as a result of their review of the public comments.

RESPONSES TO PUBLIC COMMENT
ON THE
1992 DRAFT WORK PLAN

June 1992

EXXON VALDEZ TRUSTEE COUNCIL
ANCHORAGE, ALASKA

RESPONSE TO PUBLIC COMMENTS ON
THE 1992 DRAFT WORK PLAN

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APPENDIX: LIST OF COMMENTERS

I. INTRODUCTION

1.0 TRUSTEE COUNCIL APPROACH TO PUBLIC COMMENTS

We, the Exxon Valdez Trustee Council, want the public to have an opportunity to review each significant development in the course of injury assessment and restoration. These developments have included reviews of project budgets, review of the Restoration Framework document which is the first step toward development of a restoration plan, suggestions on development of a Public Advisory Group, and review of project descriptions such as those included in the 1992 Draft Work Plan. The 1992 Draft Work Plan was approved by the Trustee Council for public review and comment on March 26, 1992. Interim budgets were also approved at that time, with final funding decisions to be made after the Trustee Council reviewed public comment.

The process of review has included distribution of several thousand copies of the 1992 Draft Work Plan and a round of public meetings held in May, 1992, in Seldovia (teleconferenced to Port Graham), Homer, Kodiak, Juneau, Tatitlek, Valdez, Seward, Whittier, Chenega Bay, Anchorage, Cordova, and Fairbanks.

To compile this summary of comments, all comments were considered that were believed to be relevant to the 1992 Draft Work Plan, whether made in public testimony or in written correspondence received by the Oil Spill Restoration Office between the dates March 26 (release of document by Trustee Council) and June 8 (likely receipt date for letters postmarked by end of the public comment period, June 4). Some commenters did not make clear distinctions between comments on the 1992 Draft Work Plan and the Restoration Framework document, interpretations were made to which documents the particular comment was addressed. Comments which indicated that the actions they recommended should be taken immediately or very soon were interpreted as applying to the 1992 plan. Comments relevant to the 1993 Work Plan or the Restoration Framework document have been forwarded to the appropriate working groups, even if they have been responded to in this document. In instances where a project idea proposed for 1992 could not reasonably be considered this late in the year, that project will also be considered for inclusion in the 1993 Draft Work Plan. Comments of a more general nature will be used to develop the draft Restoration Plan, and are not addressed in this document.

2.0 COMPOSITION OF COMMENTERS

Ninety-eight individuals or organizations commented on the 1992 Draft Work Plan. Of these, fifteen came from outside the state of Alaska. Approximately one quarter of the commenters listed an affiliation and were presumably speaking for an institution or group or in an official capacity, such as city or borough mayor or president of a university. One third of the comments were

given in the round of public meetings held in May 1992.

II. RESPONSE TO PUBLIC COMMENT

1.0 PROGRAMMATIC ISSUES

Programmatic issues relate to the approach that the Trustee Council is taking in conducting the business of restoring the injured resources and services throughout the spill area. Commenters were interested in the process that the Trustee Council is using to make decisions, spend money, and include the public agencies in the process.

Commenters stressed their need to understand resources affected and what can be done to help recovery, through access to information released in reports, maps, prepared materials, or transcripts of Trustee Council meetings. Commenters expressed the desire to talk directly with Trustee Council or Restoration Team members about restoration ideas. Community members wanted to know their local knowledge and concerns would be involved to help build a cost-efficient, effective restoration program with a coordinated approach to the public involvement process.

Some commenters also noted that comments are due on 1993 and future work plans before the 1992 Work Plan and the Restoration Plan are finalized, and another pointed out that their documents were received late and a request for an extension on review time was denied.

Ten commenters pointed out the failure to release natural resource damage assessment studies in time for the public to read and understand them makes the current call for comments on more studies almost meaningless. One commenter noted that this is especially true for economic studies, which have not been released. Long-term research and monitoring program should not receive subsequent funding without data and progress reports available to public and peer reviewers, said two commenters.

Six commenters expressed concern that the Trustee Council was moving too slowly and not working together to achieve the goals of restoration. They believed the amount of time since the spill and subsequent settlement should have been sufficient for more active restoration within the injured areas.

There were nine commenters that expressed dismay that National Parks were being overlooked and were not being more fully restored, and that the National Park Service was not a more active participant in the restoration process. These commenters pointed out that several National Parks and over 900 miles of National Park shoreline were impacted and suggested that restoration of these areas to a pristine state should be a priority.

Many commenters addressed issues relating to how the restoration money should be managed including:

- use the money in conjunction with matching funds for grants in the spill area,
- prepare cost-benefit analyses on projects being considered,
- do not consider budget as a major reason to delete projects,
- place some or all of the money into an endowment fund,
- place none of the money into an endowment fund, and
- do not spend money on construction projects having little or no connection to the spill.

More specific ideas on how to spend restoration money can be found in Chapter II, sections 2.0 and 3.0.

Some commenters expressed general support for the program that the Trustee Council is proposing, while others believed that the program needed further refinement.

2.0 INJURY ASSESSMENT

Many commenters addressed the continuing injury or damage assessment studies that the Trustee Council proposed for the 1992 Work Plan. Divergent views were expressed ranging from support to no support of the proposed 1992 injury assessment and closeout activities. These programmatic issues were related to the Restoration Plan and not the 1992 Draft Work Plan. Therefore, they are not dealt with in this document, but will be used in developing the draft Restoration Plan.

Many commenters expressed concern that the studies may not be necessary for supporting restoration activities in the future. Seven commenters suggested that the studies were important and useful, but that they should be undertaken using existing agency funds. Other commenters believed that some of the injury assessment studies were focused on inconsequential levels of injuries.

Other commenters pointed out the following:

- the lack of injury information available to the public and the lack of baseline information, in general, made it difficult for the commenters to respond with meaningful comments;
- the injury information that is available should be summarized in a clearly understandable document;
- the monitoring projects contained in the 1992 Draft Work Plan should be evaluated based on the criteria in the Restoration Framework Plan; and
- the injury to services should also be evaluated.

Many comments in other sections also addressed issues relevant to injury assessment including monitoring, budgeting, and public input.

3.0 RESTORATION

The largest number of comments received by the Trustee Council had to do with restoration of the resources and services in the spill-affected area. Commenters in this category included people from all over the spill-affected area, as well as nationwide. Environmental organizations, local communities, oil companies, and others responded with suggestions and concerns.

Many commenters suggested additional projects that they would like the Trustee Council to fund in 1992. Divergent or opposite views were often expressed on the same issue by different commenters.

The eight individuals who commented on wildlife generally recommended that additional projects should be undertaken on:

- sea otters,
- bald eagles,
- seabirds,
- sea lions,
- Dall's porpoises, and
- deer.

However, one commenter believed that the abundance of birds in the spill area and the findings of the Food and Drug Administration and the Exxon Valdez Oil Spill Health Task Force concerning hydrocarbons remaining in the environment should lead to the conclusion that ongoing exposure is not a risk to wildlife living in the spill area.

Five of the comments on studies concerning fish and shellfish expressed concern about:

- the limited scope of the studies,
- the focus on commercial fish, and
- the potential for adversely affecting the genetic diversity of wild salmon stocks.

Five other commenters recommended the following studies be included in the 1992 Work Plan:

- wild fish stocks in Prince William Sound,
- sockeye salmon escapement needs to support wildlife in the Kodiak Archipelago,
- herring studies, and
- Kitoi and Red Lake mitigation.

Twelve commenters believed that restoration monies should be used

for pollution prevention and clean-up, including additional clean-up from the Exxon Valdez oil spill. The proposed projects in this category included:

- sewage treatment,
- storm-drain improvements,
- harbor pollution,
- oil and grease separators,
- recycling support,
- contingency planning,
- industry oversight capabilities, and
- pre-staging of response equipment for future spills.

Four commenters generally supported the need for an archaeological program, but also believed that there are needs to expand the program now and in future work plans. Suggestions on ways to minimize costs of archaeological projects were also provided.

Options for educational uses of restoration funds were suggested, including a Sea Life Center in Seward, a museum in Kodiak, and construction of a spill display in the Valdez museum (4).

The need for additional work on subsistence was addressed by three commenters. These comments expressed a need for the Trustee Council to more fully consider the concerns of the native villages and corporations, since they were adversely impacted more strongly than any other group in the state.

The importance of considering the spill area as an ecological unit was a theme brought forth in eleven comments on:

- long-term planning,
- monitoring,
- expansion of programs throughout the spill area and not just in Prince William Sound,
- food chain impacts,
- migration routes, and
- non-commercially important species.

The majority of commenters on the topic of restoration, forty-six in all, commented on the issue of land acquisition. Many commenters (32) felt that all, or most of the money should be spent on acquiring land or habitat, including timber. Conversely, several commenters believed that timber acquisition was a bad idea and that there would be adverse impacts of a major land acquisition program, including the need to compensate logging companies and their employees, and other economic losses resulting from land acquisition.

Four commenters were concerned that the Trustee Council was not moving fast enough because of a lack of commitment to the purchase of habitat and lands with the settlement funds. They stressed the need to move quickly on land acquisition and to

include land acquisition as a major component of the 1992 work plan.

Commenters asked the Trustee Council to consider the following factors when evaluating land and habitat acquisition needs:

- plan carefully, but do not delay;
- purchase large blocks of habitat;
- purchase selectively and focus on habitats directly related to injured species;
- consider acquisition of timber rights for only the period it will take injured resources to recover; and
- consider a variety of methods including fee simple, timber rights only, conservation easements, and others.

Some commenters generally specified the lands they hoped would be purchased including lands in Afognak, Prince William Sound, Kodiak, Kachemak Bay, and Shuyak Island.

III. CONCLUSIONS

All of the comments received reflect a keen interest on the part of the public in the effects of the oil spill and the activities of the Trustee Council. Suggestions on how to manage the settlement monies and other programmatic issues are still being considered. No final decision on these issues has been made.

Comments received from the public were consistent with previous public testimony and ranged across a wide spectrum of issues. Differing views were presented on almost every issue, reinforcing the belief of the Trustee Council of the necessity of continuing dialogue with the public on numerous contentious issues. Deliberative movement as opposed to precipitous action is much more apt to result in a restoration program that is acceptable to the largest number of people.

The comments concerning activities to take place as part of ongoing or annual work plans or ongoing injury assessment will generally be carried forward and given additional consideration in subsequent work plans. Commenters did not generally provide specific recommendations for changes to projects that were provided interim funding by the Trustee Council, therefore, those projects will continue and be completed as set out in the 1992 Work Plan.

Many commenters did make suggestions about additional studies which they wanted the Trustee Council to consider implementing as soon as possible. The Trustee Council believes that the best way to make use of these recommendations is to incorporate them into the recommendations currently being considered for the 1993 Work Plan. Those recommendations which the Trustee Council determines have potential for additional consideration will be incorporated

into a public review draft of the 1993 Work Plan due in fall of 1993. This decision was based on several factors including:

- the difficulty of getting additional projects into the field for the 1992 field season;
- the current lag time in accessing the joint fund for monies to conduct additional projects;
- the overall prioritization of projects;
- the ongoing review of projects for inclusion into the 1993 Draft Work Plan; and
- lead time necessary to develop contracts.

By far the majority of comments dealt with the issue of land and habitat acquisition. The Trustee Council concurs that this is an extremely important issue and are designing a systematic method of evaluating and acquiring land. The Trustee Council is proceeding to ensure that requirements of all six state and federal agencies are considered to ensure compliance with appropriate regulations and laws. In addition, the Trustee Council is determined that the decisions they make concerning specific habitat protection measures are made with the restoration of the injured resources and services as the paramount purpose.

The Trustee Council appreciates all the public comments and concerns that were expressed and continue to be expressed concerning this process. Many additional opportunities will be provided for the public to continue their involvement and influence on the restoration process for the Exxon Valdez oil spill.

IV. RESPONSE TO SPECIFIC COMMENTS

1. Specific Comments on Programmatic Issues

1.1 General

- 1.1.1 COMMENT: Commenters suggested that there be an analysis of the effects of the proposed actions as could be achieved through the federal National Environmental Policy Act (NEPA) process. (084, 114)

RESPONSE: The Restoration Team analyzed the 1992 Draft Work Plan projects and determined the projects had minor impacts both individually and collectively and could be categorically excluded from formal documentation in an environmental assessment or environmental impact statement. The Restoration Plan Environmental Impact Statement will analyze the cumulative effects of projected restoration projects and activities over the next ten years. Prior to Trustee Council approval of any project, appropriate environmental analysis and documentation will be conducted.

- 1.1.2 COMMENT: Many commenters suggested that more emphasis be placed on restoration in National Parks and that participation of the National Park Service in restoration should be increased. (19, 35, 36, 37, 58, 70, 71, 87, 89, 116, 125, 126, 129, 192) National Park System should be more involved in Geographic Information System projects. (129)

RESPONSE: The National Parks Service is represented by the Department of the Interior on the Trustee Council. Careful consideration will be given by the Trustee Council for restoration of all specifically designated lands, including National Parks.

- 1.1.3 COMMENT: Commenters suggested that money not be put into construction projects with little or no connection to the spill. (87, 90, 85, 26, 35, 126)

RESPONSE: The Exxon Valdez Oil Spill settlement specifies that restoration funds must be spent to restore natural resources and services injured by the Exxon Valdez Oil Spill. The Trustee Council proposes that evidence of consequential injury and the adequacy and rate of natural recovery must be considered in deciding whether it is appropriate to spend restoration money on a given resource or service. In the 1992 Draft Work Plan there are no construction projects funded.

- 1.1.4 COMMENT: Comments are due on 1993 and future work plans before the 1992 Work Plan and the Restoration Plan are finalized. (94) One comment said their documents were received late and a request to the office for an extension on time to review was denied. (79)

RESPONSE: There was an extremely tight timeframe involved with the mailing of the 1992 Draft Work Plan and Restoration Framework. In the future, steps will be taken to ensure that future mailings are received with adequate time remaining for public comment. The public will have additional opportunities to provide comments on the Restoration Plan and 1993 Work Plan in the fall of 1992, before the final documents are written for release in the spring of 1993.

1.2 Budget

- 1.2.1 COMMENT: Restoration funds should be used as matching funds for state and federal grants in the Spill area. These sources should be identified immediately. (114)

RESPONSE: Where appropriate the Trustee Council would consider leveraging settlement funds with matching monies. Currently, in the 1992 Draft Work Plan, many of the projects are being dually supported by other types of Agency monies. This reflects the Trustee Council's desire to obtain the maximum value of settlement monies.

- 1.2.2 COMMENT: Cost-benefit analysis should be done on the costly seabird studies so that less-expensive restoration projects for the resource may be considered. (92)

RESPONSE: The seabird studies are primarily limited monitoring projects designed to determine if more extensive restoration implementation actions are necessary or if natural recovery will suffice. These studies, like all the 1992 Work Plan projects, withstood numerous reviews and budget reductions prior to their inclusion in the 1992 Draft Work Plan. These reviews and reductions reflect the Trustee Council's commitment to a conservative approach to science. Additionally, the value of a resource and the extent of the injury, in relationship to the cost of the restoration action, is always considered in the review process.

- 1.2.3 COMMENT: Budget concerns should not be reason for

deletion or curtailment of studies. (103, 162)

RESPONSE: The Trustee Council is responsible for ensuring that the affected area recovers from the spill and intervention (i.e., restoration), if necessary, must be accomplished in the most cost-effective fashion. Therefore, it is inevitable that some proposed projects will either be eliminated or reduced in scope.

1.3 Trustee Council

- 1.3.1 COMMENT: One commenter supports the Trustee Council's disapproval of many manipulation/enhancement projects. (116)

RESPONSE: In the 1992 Draft Work Plan the Trustee Council chose to fund one manipulation/enhancement project, the Red Lake project. An increased number of these types of projects will be considered during development of the Restoration Plan and the Environmental Impact Statement on the Restoration Plan.

2. Specific Comments on Injury Assessment

2.1 General

- 2.1.1 COMMENT: Lack of baseline information on injured resources makes it difficult to determine how ecosystems are operating. At least the area of impact should be well defined and identified for each resource or service. (114)

RESPONSE: Baseline data for many species were limited prior to the oil spill and this made injury assessment projects more difficult. To the extent possible, projects have been designed which demonstrate that the injuries observed are due to oil rather than some other confounding environmental feature. Most commonly this has involved studying the same species or communities in nearby control areas, as well as in oil-affected areas.

As much as possible, we try to identify the impact area in our study plans. We will try to scrutinize our plans and reports in the future to be sure this is clear.

- 2.1.2 COMMENT: Continuing damage assessment should function only to support restoration projects which restore

service to the levels that the natural resources provided to the public prior to the spill. (78)

RESPONSE: We agree. We believe the program as designed meets this objective.

- 2.1.3 COMMENT: Results of the Natural Resources Damage Assessment studies should be synthesized and provided to the public in a clear manner. (104, 79, 156, 114, 45)

RESPONSE: A Trustee Council sponsored symposium is planned for early 1993 which will attempt to meet the goals of this comment. In the interim, reports are being released as soon as available. Contact the Oil Spill Public Information Center for information on obtaining a list of available reports. Further syntheses will be developed as information becomes available.

- 2.1.4 COMMENT: Studies may be interesting and useful information for other agency resource management purposes, but should not be funded from restoration money. (35, 71, 77, 105, 111, 114, 160)

RESPONSE: The Trustee Council has avoided supporting studies which are interesting but otherwise have no restoration value. However, resource management is recognized by the Trustee Council as a legitimate restoration tool and is being used where appropriate.

- 2.1.5 COMMENT: The failure to release natural resource damage assessment study findings in adequate time for the public to read and understand them makes current call for comments on more studies almost meaningless (92, 103, 129, 153, 155, 161, 162, 166, 177, 180). The Restoration Plan should be deferred until the public can review data from previous studies. (161)

RESPONSE: There was an updated summary of injuries included in the Restoration Framework document released together with the 1992 Work Plan. In the meantime, natural resource damage assessment study reports currently available were released to the public on June 1, 1992. Additional reports will be released as they are completed. Information on reports currently available can be obtained from the Oil Spill Public Information Center. The Draft Restoration Plan will be available for public comment in fall 1992, and the final Restoration Plan is not expected to be complete until spring 1993, allowing approximately six months for public scrutiny of the study reports and

opportunities to make comment on the findings for consideration by the Trustee Council as they draft the plan.

- 2.1.6 COMMENT: This is especially true for economic studies, which have not yet been released at all. (105,112,129)

RESPONSE: The natural resource damage assessment group did not complete any economic studies. The only economic studies conducted were sponsored by the Alaska Department of Law and the U.S. Department of Justice separately, in support of the criminal cases and litigation. Requests for these studies should be directed to those offices.

2.2 Support of Program

- 2.2.1 COMMENT: Some commenters generally support damage assessment closeout projects. (92, 116)

RESPONSE: We believe that it is important to provide the public, scientists, and managers with the information generated by these projects to support public knowledge and future restoration.

2.3. Studies Not Needed

- 2.3.1 COMMENT: Studies focused on inconsequential levels of injuries which are not having a significant effect on naturally occurring restoration, or are injuries related to an unproven or unlikely pathway to injury. (77, 78, 177, 116)

RESPONSE: Studies on injuries are necessary to understand and develop adequate restoration options. They are also necessary to determine if and when restoration activities are needed or can be effective. Based on the best available information the Trustee Council does not believe that studies on inconsequential injuries are currently being conducted. Previous damage assessment studies were halted when it appeared that there was no consequential injury.

- 2.3.2 COMMENT: Information from these studies are not necessary for restoration to go forward. (24, 73)

RESPONSE: It is true that some valid restoration projects would not necessarily depend on damage assessment studies for justification; however, many restoration projects are based upon information gathered in damage assessment projects (see comment 2.1.2). The Trustee Council believes that the best

understanding of the injuries incurred by each resource will help develop the most efficient means of restoring that resource. More restoration activities can be funded if their cost effectiveness can be estimated from the damage assessment studies.

2.4 Information Incomplete

- 2.4.1 COMMENT: No explanation of why studies were continued or deleted; also, peer review was not explained. (77, 168, 176, 178)

RESPONSE: The criteria used for identifying projects to continue in 1992 were evidence of continued injury and a compelling reason for the study to continue this year, i.e. loss of important information. The peer review process was established to ensure the high quality of studies being used for litigation and has continued following the settlement. The Chief Scientist established a roster of peer review scientists, noted experts in their fields, to review projects depending upon their area of expertise. Each project is reviewed by the Chief Scientist and at least one peer reviewer for technical and scientific merit and for its ability to meet damage assessment and restoration project objectives.

- 2.4.2 COMMENT: Maps which clarify injuries should be made public. A public Geographic Information System (GIS) repository should be established that is available to the public. (191, 116)

RESPONSE: On June 1, 1992, information collected by the damage assessment studies, including data presented graphically and through the use of maps, was released to the public through the Oil Spill Public Information Center. Contact staff at the Center for information on how to access that data.

2.5 Needs to be Added

- 2.5.1 COMMENT: Damage assessment has overlooked loss of "services" from injured resources. These should be assessed now to address these losses in restoration planning. (111)

RESPONSE: Information on loss of services has been a result of some damage assessment studies. Restoring services is a goal of many on-going restoration studies, of many of the restoration ideas for 1993, and of the Restoration Framework Document.

- 2.5.2 COMMENT: Future uses of studies should be justified before closeout funding is allocated. (129)

RESPONSE: The goal of all closeout studies, even those where no injuries were demonstrated, is to produce a final report. These reports will inform the public as well as scientists and managers, and will form the basis for future restoration efforts. The likelihood of injury was sufficiently large to justify funding these studies, these final reports will also provide a better basis for determining the need for similar studies following future oil spills.

- 2.5.3 COMMENT: Additional scientific studies should be considered on economic damage to recreation and tourism. (84, 166)

RESPONSE: This idea will be considered for inclusion in the 1993 Draft Work Plan.

3. Specific Comments on Restoration Projects

3.1 General

- 3.1.1 COMMENT: Not enough of the overall injury has been addressed. (176, 105)

RESPONSE: In the three years of study prior to the settlement, the Trustee Council conducted the largest damage assessment program in U. S. history. A broad range of studies were initiated addressing the potential injuries. Annual adjustments were made to the studies to reflect the results obtained.

- 3.1.2 COMMENT: It is important that restoration activities be considered at the ecosystem level, and not just focus on single species. (105, 116)

RESPONSE: Although individual projects in the 1992 Draft Work Plan generally focus on individual species, their relationship to each other and their function in the ecosystem were considered when projects were prioritized by the Trustee Council. In addition, some of the proposed restoration options in the Restoration Framework do address the concept of looking beyond individual species by examining their role in the ecosystem. For example, land acquisition and habitat protection of coastal upland habitats will be considered in option 25 of the Restoration Framework. This option allows for the recovery of a variety of species including harlequin ducks, marbled murrelets, river otters, anadromous fish, and bald eagles, as well

as the prey base for many of these species. If this restoration option is implemented, recreation, wilderness and intrinsic uses will also receive a certain amount of protection.

- 3.1.3 COMMENT: Restoration monies should not be used for recreation but rather for restoration of injured species. (153)

RESPONSE: The settlement terms would permit the restoration of injured resources and the services they provide.

- 3.1.4 COMMENT: Commenters suggested that there was not enough restoration work outside of Prince William Sound, (for example the outer coast of the Kenai Peninsula). (155)

RESPONSE: Damage assessment studies investigated injured species, habitats, resources and the services these resources provided. These studies investigated the services and resources throughout the spill impacted area including Prince William Sound, Kenai Peninsula, Alaska Peninsula and the Kodiak Archipelago. The restoration projects will consider addressing the resources and services determined to be injured in the entire spill impacted area.

- 3.1.5 COMMENT: Experts in environmental fields should be available throughout the recovery period. (101)

RESPONSE: The Trustee Council intends to maintain a staff of experienced scientists to monitor and study the recovery process and to assist in implementation of restoration activities in oil-impacted areas during the recovery period.

- 3.1.6 COMMENT: Additional scientific studies should be considered on terrestrial plant life (113).

RESPONSE: The only terrestrial plants studied were those on the beach such as beach rye grass. It was determined that recovery of terrestrial plants would be allowed to progress naturally. If injuries to other upland plant species become evident, further investigation of these species will be considered.

- 3.1.7 COMMENT: Additional scientific studies should be considered on hydrocarbon effects on plankton growth. (93)

RESPONSE: Literature indicates effects on plankton by

petroleum hydrocarbons are usually short-lived. Impacted plankton probably recovered soon after the spilled oil had passed.

- 3.1.8 COMMENT: Commenters suggested that restoration efforts be broad and encompass a variety of activities such as research, enhancement, acquisition, and other appropriate actions. (94)

RESPONSE: We agree. The 1992 Draft Work Plan encompasses a variety of activities including projects for identifying upland habitats. The Restoration Framework (Chapter VII) embraces the use of a variety of activities including research, enhancement, and land acquisition in an attempt to restore the health of the injured ecosystem and allowing, ultimately, for its long-term health. In addition the Trustee Council is developing a process for habitat protection.

- 3.1.9 COMMENT: Concern is expressed about the bias of the Work Plan toward management and manipulation activities, rather than land acquisition. (129, 116)

RESPONSE: See Section 3.4 (below) for discussion of habitat protection. The Restoration Framework (Chapter VII) recognizes a variety of restoration options including habitat protection. Before land can be protected, additional information must be gathered on habitats relevant to injured resources and services. This information will be integrated into the Trustee Council's overall effort to restore the injured resources and services.

- 3.1.10 COMMENT: A volunteer work force should be organized to assist in restoration activities. (182)

RESPONSE: Though it is possible volunteer efforts may be used to assist with restoration projects in the future, the program is not at that stage yet. Volunteers have already contributed to some of the studies.

3.2 Archaeology

- 3.2.1 COMMENT: One commenter expressed concern that the estimated budget for cultural resources projects was lower than the actual cost and also suggested funding archeology graduate students to conduct damage assessment rather than contract personnel. (113)

RESPONSE: The Trustee Council believes that funding is

appropriate for this year and will be considered for expansion in future years. Graduate students have been and will continue to be used as appropriate.

- 3.2.2 COMMENT: Site stewardship programs may not provide the service the Trustee Council needs for the protection of archaeological sites. (113)

RESPONSE: Coordinators of existing volunteer programs in Arizona, Arkansas, Texas and British Columbia believe them to be a cost effective and efficient means of reducing impacts from vandalism on sites. They have also proven to be valuable supplements to agency data collection and public education efforts.

- 3.2.3 COMMENT: One commenter expressed concern that archaeological sites were not surveyed until two years after the spill. (113)

RESPONSE: State and Federal land managers, Native corporations and Exxon all had archaeologists working on site identification within a few weeks of the oil spill area.

- 3.2.4 COMMENT: Protection of archaeological resources is important (156), especially in National Parks (71, 126). Particular concern was expressed over data recovery or relocation of damaged burials (113).

RESPONSE: The Trustee Council agree with the need for protection of archaeological resources. During cleanup all burial finds were immediately reported to the appropriate land manager and the concerned Native Corporation. In the rare cases of burial disturbance the remains were returned to the appropriate Native Village.

- 3.2.5 COMMENT: Additional studies should be undertaken throughout the Kodiak Island Archipelago to continue survey and monitoring work of archaeological sites and add interpretive programs at parks. (58)

RESPONSE: The Trustee Council continues to solicit ideas for restoration projects including additional archaeological work in the oil-impacted area. Proposals from individuals and groups have been received on archaeological topics and will be considered for inclusion in the 1993 Work Plan.

3.3 Fish

- 3.3.1 COMMENT: Chum salmon studies should be expanded to

include the outer coast. (155)

RESPONSE: Outer Kenai Peninsula chum salmon were studied in Fish/Shellfish Studies 7A and 7B. Field sampling was concluded in 1990 when injuries were not demonstrated. Chums from Port Dick and Island Creek, in particular, were studied.

- 3.3.2 COMMENT: The commenters expressed concern about protecting the genetic diversity of wild salmon stocks and opposed actions which may cause problems with wild stock. (116, 129)

RESPONSE: All projects, regardless of sponsoring agency must follow applicable laws and regulations. Fish transport is regulated under Alaska Administrative Code Chapter 41. Fish Transport Permit applications are reviewed for a variety of potential effects including adverse genetic impacts.

- 3.3.3 COMMENT: Shellfish have not received adequate attention in Prince William Sound. (172)

RESPONSE: Several studies investigated crab and other shellfish in the spill area. Some of these studies were discontinued as a result of lack of injury resulting from the oil spill. Additional shellfish studies, where there is an indicated injury, will be considered in 1993 and beyond.

- 3.3.4 COMMENT: The commenter would like the Trustee Council to reconsider some fisheries studies that were not recommended to be carried forward in the 1992 work plan, particularly the Kitoi and Red Lake Mitigation (157), and the herring studies (176).

RESPONSE: Projects deferred in 1992, including the two mentioned, will be reconsidered for 1993.

- 3.3.5 COMMENT: Some commenters support restoration science projects focused on wild fish stocks in Prince William Sound. (53, 56)

RESPONSE: The state and federal governments are mandated to protect the wild stocks they are responsible for managing. Restoration of wild stocks has fundamental value, as it is essential to ensure the future viability of the species.

- 3.3.6 COMMENT: Focus on commercial fish is of concern, particularly as it relates to Fish/Shellfish Study #27. (129)

RESPONSE: Protection and restoration of sockeye stocks is the focus of Fish/Shellfish Study #27. These fish support important commercial and sport fisheries, but current study results indicate a strong likelihood that the fisheries for these affected stocks will be closed for several years to allow the stocks to recover. The resource agencies have responsibility for restoring affected stocks and species whether or not they supported commercial, sport, or subsistence fisheries. Secondary to restoring the stock, but also important and a valid restoration activity, is restoration of the services that those resources provided the oil spill.

- 3.3.7 COMMENT: Additional studies should be undertaken throughout the Kodiak Island Archipelago, such as identifying the minimum sockeye salmon needed to support brown bear within the Kodiak Wildlife Refuge and evaluation of escapement on the Uganik River. (58)

RESPONSE: These projects have been submitted as ideas for the 1993 Work Plan and will be considered.

3.4 Lands/Habitat Protection

- 3.4.1 COMMENT: Habitat acquisition should have been in this year's plan. Spend restoration money only on this approach. Don't waste money on any other costs (e.g. lawyers, clean-up, science studies). Habitat acquisition should be the priority use for this money. Spend 80% of the total settlement on habitat acquisition. (2, 3, 10, 11, 12, 17, 24, 26, 35, 38, 68, 70, 72, 81, 82, 83, 85, 87, 88, 90, 95, 107, 110, 114, 116, 126, 127, 159, 160, 179, 181, 190)

Other comments included:

Commenters expressed concern that the Trustee Council is not interested in habitat protection and is not being honest in their interest in buying land (177,160). Buying timber is a bad idea (174). Acquire rights for the period it would take for a cut over area to recover from logging (114). Does not support use of settlement money for manipulation which only benefits commercial users (129). Look at options other than land acquisition (180). Land acquisition should be considered not only for habitat, but also for recreational use. Therefore, land which does not support essential habitat for injured species should still be considered since it provides other uses such as recreational uses (84). If you spend money from this fund on educational programs, don't build facilities. Teach in the habitats you acquire (88).

Maximizing restoration through careful planning is a worthy objective, but it should not delay acquisitions which need to happen now (103). Do assessments for land acquisition carefully. Habitat acquisition group needs to do a lot of work (160, 166). Habitat acquisition will be the most effective means of restoration (73) because it is most long term (81). Purchase large blocks of habitat (29). Acquisition should be a secondary method of restoration; purchase selectively only those habitats directly related to oil spill-injured species or populations (106). Purchase in a specific area, eg. Afognak, in Prince William Sound, Kachemak Bay, Kodiak and Shuyak Islands. (many comments) Acquire recreation sites or improve programs offered at sites as compensation for the lost "services" from oiled resources (105). Fourteen specific sites or projects were suggested by Kodiak Parks Board (58). Use a variety of methods to protect habitat - fee simple acquisition, purchase of timber rights only, conservation easements, moratorium (105) on timber harvest. Focus on affected shorelines (109). Prohibit wildlife harvest in these areas for the Actions period of time it would take populations to recover (113). Compensate logging company employees for losses due to purchase of land or timber rights. Compensate for net secondary economic gain lost because of acquisitions (114).

RESPONSE: Habitat Protection and Acquisition as presented in the Restoration Framework document is an alternative that: ...includes changes in management practices on public or private lands and creation of "protected" areas on existing public lands in order to prevent further damage to resources injured by the Exxon Valdez oil spill. Going beyond land management practices, there also are options that involve the acquisition of property rights, short of title, or habitats, by public agencies to protect strategic wildlife, fisheries or recreations sites.

Another potential restoration alternative that involves habitat protection and acquisition is the Acquisition of Equivalent Resources. The Restoration Framework defines this alternative to mean: ...compensation for an injured, lost, or destroyed resource by substituting another resource that provides the same or substantially similar services as the injured resource (56 Federal Register 8899 (March 1, 1991). Restoration approaches, such as the manipulation of resources and habitat protection and acquisition, can be implemented on an equivalent-resource basis.

The goal of these alternatives is to identify and protect strategic wildlife and fisheries habitats and recreation sites and to prevent further potential environmental damages to resources injured by the Exxon Valdez oil spill. In order to achieve this goal, the Trustee Council is developing an evaluation process to be used for habitat protection as well as an imminent threat protection process designed to respond to any imminent development threats to habitats linked to recovery of injured resources or services. These evaluation processes will be submitted to the public for review in the very near future. They both contain criteria that insure that a potential acquisition is linked to an injury or loss of services that resulted from the Exxon Valdez Oil Spill. The proposed processes also insure that lands under consideration for acquisition contain habitats, the protection of which will facilitate recovery of injured resources or services. Furthermore, these proposed processes will be included in the draft Restoration Plan, which will also undergo public reviews.

3.5 Monitoring

- 3.5.1 COMMENT: Research and monitoring proposals should be evaluated against an approved scientific design and fit the framework of a Restoration Plan. (114)

RESPONSE: It is the intent of the Trustee Council to evaluate, research and monitoring proposals utilizing input from scientists and peer reviewers, and to insure the restoration activities conform to the Restoration Plan. In addition, experts will be contracted to assist in the planning effort to develop a comprehensive monitoring program.

- 3.5.2 COMMENT: Additional scientific studies should be considered on long-term monitoring of hydrocarbons around Kodiak and PRINCE WILLIAM SOUND (93, 106).

RESPONSE: (Revised Response - Restoration Planning includes a long-term monitoring strategy that is being developed for the Restoration Plan. Long-term monitoring of hydrocarbons is one component of monitoring that will be considered under this strategy).

- 3.5.3 COMMENT: The Kodiak Borough should be provided funds for baseline sampling and analysis. (58)

RESPONSE: This idea will be considered as part of the 1993 Draft Work Plan.

3.5.4 COMMENT: A comprehensive monitoring program should be implemented which focuses on injured species including noncommercial species (85, 106, 116, 126, 73, 129, 110, 171).

RESPONSE: The Trustee Council is developing a comprehensive monitoring plan as part of the draft Restoration Plan. This proposed monitoring program (option 31 in the Restoration Framework) will address commercial and noncommercial species.

3.5.5 COMMENT: The needs for baseline data were recognized by several commenters. One commenter suggested that additional post-spill studies will need to be undertaken to allow for the lack of pre-spill baseline data. (113)

RESPONSE: A comprehensive monitoring program could determine if and when injured resources have been restored to their pre-spill baseline conditions. Additional data needs may become obvious when attempting to meet this objective. At that time the induction of additional studies will be considered.

3.5.6 COMMENT: Long-term research and monitoring programs should not get subsequent funding without data and progress reports available to public and peer reviewers. (85,114)

RESPONSE: Reports on monitoring activities conducted to date have been and as of June 1, 1992 are available to the public at Oil Spill Public Information Center. Through each stage of the natural resource damage assessment studies, interim and final reports received careful scientific peer review. Now that the studies have been made public, the scientists conducting the injury assessment studies can present their findings in scientific journals, conferences and the press.

3.6 Native Issues

3.6.1 COMMENT: Needs of native villages or corporations are not being addressed. (156, 174)

RESPONSE: The Trustees are aware of the needs of the various Native communities that have been impacted by the oil spill and have tried through public meetings and public comments to identify issues of particular concern to those communities that can be appropriately addressed in the future.

- 3.6.2 COMMENT: Additional studies on subsistence use should be included in the Work Plan (162, 174) and the needs of subsistence users should be more clearly considered as they were adversely impacted more strongly than any other group in the state (162). Clam areas which are important for subsistence are not being addressed. (156)

RESPONSE: The Trustees are aware of the importance of subsistence to the Native communities impacted by the oil spill. The Trustee Council will be considering for implementation in 1993, subsistence-related studies. In addition, the Federal government, through the Chenega Bay Settlement, is committed to conducting a joint study of the impact of the spill on subsistence activities. This study will be conducted in 1993.

3.7 Oil Spill Prevention and Cleanup

- 3.7.1 COMMENT: No more clean-up should be conducted (83) because it might be more damaging to the environment. (87)

RESPONSE: Oversight of cleanup through 1992 has been the responsibility of the Coast Guard and the Department of Environmental Conservation. A primary criterion for approving an individual cleanup action has been that the action must be of net environmental benefit. Any action that the Trustee Council would undertake in the future would need to meet this same criterion.

- 3.7.2 COMMENT: Commenters suggested that restoration funds be used for pre-staging of response related materials. (115)

RESPONSE: The Memorandum of Agreement requires that settlement funds be used for restoring, replacing, enhancing, rehabilitating, or acquiring the equivalent of natural resources injured as a result of the oil spill and the lost services provided by those resources. The Division of Emergency Services in the Alaska Department of Military and Veterans Affairs is responsible for maintaining emergency response depots in areas at risk from potential oil and hazardous substance releases. These response depots are supported by the State's Oil and Hazardous Substance Release Fund. Additional pre-staging of response-related materials may be supported by criminal settlement monies, which total \$50 million for the State and \$50 million for the Federal governments.

3.7.3

COMMENT: Commenters suggested that restoration funds be used for funding locally initiated oil spill prevention and response projects including providing assistance to local governments for oversight of the oil and gas industry operating within its jurisdiction. (52)

RESPONSE: The Memorandum of Agreement requires that settlement funds be used for restoring, replacing, enhancing, rehabilitating, or acquiring the equivalent of natural resources injured as a result of the oil spill and the lost services provided by those resources. The State Emergency Response Commission is responsible for establishing local emergency planning committees to develop local emergency response plans. Local plans must inventory facilities and activities that may release hazardous substances and plan for emergency response actions in the event of a hazardous substance release. Local emergency response planning activities are funded by State Oil and Hazardous Substance Release Response funds. Additional pre-staging of response-related materials may be supported by criminal settlement monies, which total \$50 million for the State and \$50 million for the Federal governments.

3.7.4

COMMENT: Restoration funds should be used to train emergency personnel in firefighting, oil spill response, and others; also provide for public health facilities to assure that personnel involved in the oil industry are healthy and well-cared for. (52)

RESPONSE: The Memorandum of Agreement requires that settlement funds be used for restoring, replacing, enhancing, rehabilitating, or acquiring the equivalent of natural resources injured as a result of the oil spill and the lost services provided by those resources. State Oil and Hazardous Substance Release Response funds are used to "conduct training, response exercises, inspections, and tests in order to verify equipment inventories and ability to prevent and respond to oil and hazardous substance release emergencies." The Response Fund is also used by the Department of Environmental Conservation to train expert state oil and hazardous spill response personnel, and by the Division of Emergency Services to register and train a volunteer response corps for oil and hazardous substance spill containment and cleanup. Additional pre-staging of response-related materials may be supported by criminal settlement monies, which total \$50 million for the State and \$50 million for the Federal governments.

3.8 Recreation

- 3.8.1 COMMENT: Recreational opportunities should be increased in Prince William Sound including sport fishing, marine parks etc. (52)

RESPONSE: No recreation projects were proposed by the Trustee Council for implementation in 1992. However, recreation projects throughout the spill area will be considered in the 1993 and subsequent work plans.

3.9 Wildlife

- 3.9.1 COMMENT: Additional studies should be undertaken throughout the Kodiak Island Archipelago to inventory sea otters along the coast. (58)

RESPONSE: No studies on sea otters were proposed by the Trustee Council for implementation in 1992 because such studies could be deferred without loss of essential data. However, sea otter studies throughout the spill area will be considered in the 1993 and subsequent work plans.

- 3.9.2 COMMENT: One commenter supports all the bird projects that were proposed in the 1992 Work Plan. (92)

RESPONSE: Support is acknowledged.

- 3.9.3 COMMENT: Additional studies should be undertaken throughout the Kodiak Island Archipelago to evaluate productivity of bald eagles. (58)

RESPONSE: No studies on bald eagles were proposed by the Trustee Council for implementation in 1992 because such studies could be deferred without loss of essential data. However, bald eagle studies will be considered in the 1993 and subsequent work plans.

- 3.9.4 COMMENT: Abundance of birds illustrates the recovery of the spill area. (77)

RESPONSE: Much of the information collected on birds since the spill indicates that some species continue to exhibit low numbers or low productivity. The perceived abundance of birds in the Sound is due to naturally occurring large numbers of migratory birds. The overall numbers of birds throughout the spill area is still large, though reduced for certain species from pre-spill population levels.

- 3.9.5 COMMENT: Concerned that project recommended for the

removal of foxes and other introduced predators from seabird islands was denied by the Trustee Council. This project should go forward in 1992. (92)

RESPONSE: The Trustee Council determined that this project could be deferred and will be considered in subsequent years.

3.9.6 COMMENT: Additional scientific studies should be considered on species that were threatened by the spill (169).

RESPONSE: The Trustee Council has approved many studies on species that were affected by the spill including pink, sockeye and chum salmon, marbled murrelets, murres, harlequin ducks, black oystercatchers, harbor seals and river otters. Additional studies on species that were threatened by the spill will be considered in subsequent years.

3.9.7 COMMENT: Sea lions and their food supply should be studied. (153).

RESPONSE: Results of the Steller sea lion injury assessment study were inconclusive. Several sea lions were observed with oiled pelts, and petroleum hydrocarbons were found in some tissues. Determining if there was an effect of the spill on the sea lion population was complicated by seasonal movements of sea lions in and out of the spill area, and an ongoing population decline and a pre-existing problem with premature pupping.

The Alaska Department of Fish and Game and National Marine Fisheries Service are cooperating in a major research effort to investigate the decline of the Steller sea lion population in the Gulf of Alaska. This project is funded independently from the Exxon Valdez oil spill damage assessment and restoration program.

3.9.8 COMMENT: Additional scientific studies should be considered on Dall's porpoises (166, 105)

RESPONSE: Dall's porpoise are not one of the species studied in the 1992 Draft Work Plan nor were they studied during the damage assessment phase. There was no direct evidence of injury to Dall's porpoise. If information becomes available linking small cetaceans to the oil spill, consideration of further investigations may be warranted.

3.9.9 COMMENT: Additional scientific studies should be considered on impacts to the food chain (113).

RESPONSE: Studies investigating the impacts to the food chain are under consideration. Restoration study number 103 is investigating oiled mussel beds in Prince William Sound, and their impact on higher organisms including harlequin ducks, black oystercatchers and river otters. Additional studies are investigating the impacts to the food chain in the intertidal zone.

3.9.10 COMMENT: Additional scientific studies should be considered on deer (162).

RESPONSE: Intensive searches of beaches in Prince William Sound following the oil spill revealed no Sitka black-tailed deer whose deaths could be attributed to the spill. However, deer taken for the purposes of testing for human consumption (not part of damage assessment) were found to have slightly elevated concentrations of petroleum hydrocarbons in tissues in some individuals that may have fed on contaminated kelp in the intertidal areas. It was determined that recovery of Sitka black-tailed deer would be allowed to progress naturally. If injury to deer becomes apparent due to the oil spill, further investigation of this species will be considered.

3.10 Public Education

- 3.10.1 COMMENT: The public needs to understand what happened and what can be done to help recovery. Therefore, public education should be an important component of the restoration process (85). In addition, a brochure on minimizing disturbance to wildlife should be developed. (166)

RESPONSE: Public education proposals, including brochures, will be considered for inclusion in the 1993 Draft Work Plan. Additionally, the Trustee Council makes public information and education a high priority. All Trustee Council meetings are open to the public and members of the press. On June 1, the Trustee Council released the natural resource damage assessment studies to the public, and the Trustee Council approved planning for a public symposium regarding the damage studies in early 1993. In addition, the Oil Spill Public Information Center continues to serve as an important resource to assist members of the public in obtaining information about effects of the oil spill and the restoration program.

- 3.10.2 COMMENT: The public should be better informed about the resources that were impacted, distribution of impact, and how areas to be considered for restoration are being defined. (114)

RESPONSE: The Summary of Injury - Chapter 4 in the Restoration Framework - outlines species known to be affected, degree of injury, and the geographic areas involved. Copies of the Summary or the entire Framework can be obtained by contacting the Oil Spill Public Information Center. In addition, on June 1, 1992, damage assessment reports were released to the public through the Oil Spill Public Information Center. Additional reports will be released on a monthly basis as they are completed. Contact staff at the Center for information on how to access study report.

- 3.10.3 COMMENT: A Sea Life Center in Seward would be a valuable use of the restoration funds. (58, 170, 171) Restoration funds should be used to fund a museum in the Kodiak region. (58) Restoration funds should be used to fund the construction of a maritime wing dedicated to the spill in the Valdez Museum. (52)

RESPONSE: The Trustee Council is evaluating a number of educational proposals as restoration options and will consider all such proposals carefully in developing an overall restoration plan.

A DIX
KEY TO RESPONDERS

COMMENT #	NAME	AFFILIATION	COMMENT #	NAME	AFFILIATION
2	DeBusman	None	110	Kozie, Rوتا	None
8	Karcz	OSEI	111	Parker	Adler, Jameson & Claraval Attorneys
10	van den Berg	None	112	Chasis	Natural Resources Defense Council
11	Chenier	None	113	Morgan	Arizona State University
14	Bronson	None	114	Tileston	None
17	Nowicki	None	115	Joyce	None
19	Provenzo	None	116	Miller	The Wilderness Society
24	Frick	None	125	Parker	Adler, Jameson & Claraval
26	Powell	None	126	Rock	None
29	McKay	None	127	Hammer	None
35	Olson	None	129	Grisco	National Parks and Conservation Assn.
36	Booher	None	153	Chartier	None
37	Jennings	None	154	Malchoff	None
38	Murray	None	155	Castner	None
45	Carlisle	Mayor City of Whittier	156	Milligan	None
50	Griffin	Mayor City of Valdez	157	Selby	Kodiak Island Borough
52	Walker	Hughes Thorsness Gantz Powell & Brundin	158	Raft	None
53	McMullin	Prince William Sound/Copper Rvr Reg. Salmon Planning Team	159	Petrich	Kodiak Audubon
55	Harris	Mayor City of Valdez	160	Thoma	None
56	Weaverling	Mayor City of Cordova	161	Rainery	None
58	Otto	NOAA-Alaska Fisheries Science Center	162	Kompkoff	None
68	Gardner	None	163	Kitagawa	None
70	Kuizenga	None	164	Griffin	None
71	Brookman	None	165	Lethcoe	None
72	Bisco	None	166	Lethcoe	None
73	Brunetti	None	167	Kelly	None
77	Lock	Exxon Company USA	168	Gates	None
78	Frick	American Petroleum Institute	169	Dunham	None
79	Bishop & Baker	Copper River Delta Institute	170	Castellina	None
81	Charlesdottir	None	171	Stone	None
82	Hillstrand	None	172	Miller	None
83	Rott	None	173	Lakosh	None
84	Lethcoe	AK Wilderness Recreation & Tourism Association	174	Totemoff	None
85	Janka	Prince William Sound Conservation Alliance	175	Schwar	None
87	Faust	None	176	McBurney	Cordova Fishermen United
88	Brainard	None	177	Steiner	None
89	Osborn	None	178	Torgerson	None
90	Latimer	None	179	Bird	None
92	Harrison	Pacific Seabird Group	180	Sharr	None
93	Kroll	None	181	Weaverling	None
94	Sturgulewski	Alaska State Legislature	182	Waters	None
95	Strassenburgh	None	183	Kendziorrek	None
96	Nowicki	None	190	Nowicki	None
101	Komisar	University of Alaska	191	Hagenstein	Prince William Sound Science Center
103	Miller	National Wildlife Federation	192	Eilers	None
104	Ott	Oil Reform Alliance	199	None	City of Valdez
105	Phipps	Alaska Center for the Environment	200	Harrison	Pacific Seabird Group
106	Sargent	None	217	Elvsaaas	Seldovia Native Association, Inc.
107	Tschersich	None			
109	Booher	None			

TRUSTEE COUNCIL DECISION DOCUMENT
1992 WORK PLAN

On June 29, 1992, the Exxon Valdez Trustee Council approves the following:

_____ Final Approval of 1992 Work Plan without modification

_____ Final Approval of 1992 Work Plan with modification

_____ Modify the following existing projects

_____ Add the following new projects

_____ Delete the following projects

Additional actions to be taken on Public comments;

_____ Forward new project ideas to 1993 Work Plan Group

_____ Forward Habitat Protection/Acquisition comments to the
Habitat Protection Working Group

1993 WORK PLAN

11.1.9 E

TO: Trustee Council
EXXON Valdez Restoration
Program

DATE: June 22, 1992

FROM: Restoration Team *J. Montague* SUBJECT: 1993 Work Plan
Jerome Montague
Chair
1993 Work Plan Work Group

Attached are the proposed assumptions and procedures for development of the 1993 Work Plan. They are provided here for your review and acceptance or revision. This packet is composed of the following elements:

	<u>PAGE</u>
1. Draft 1993 Work Plan Assumptions.	1
2. 1993 Work Plan Development Schedule.	4
3. Project Evaluation Factors.	10
4. Project Selection Process.	17
5. Lead Agency Selection Process.	20
6. Format for Project Descriptions.	23

Attachment

DRAFT ASSUMPTIONS FOR SCHEDULING AND PREPARING THE DRAFT 1993 WORK PLAN

1. It is necessary to have a budget prepared for all Federal Fiscal Year 1993 activities no later than August 31, 1992, to get it to the Federal Office of Management and Budget 30 days prior to 1 October. To prepare a suitable budget with an appropriate degree of accuracy, it will be necessary to have at least an approved draft 1993 Work Plan.
2. Since the Restoration Plan will only be completed in draft form before the 1993 Work Plan is finalized it seems advisable to take a conservative approach to the scope of the 1993 program. Nevertheless process should not become more important than the goals of restoration, hence a program is anticipated with important projects in all categories of damage assessment, restoration and technical support projects. Preliminary review of public and agency ideas for the 1993 Work Plan indicate interest in all the subject areas listed above.

3. We anticipate the following emphasis in selecting projects for 1993:

Damage Assessment: Damage assessment closeout projects should remain the highest priority as we continue toward completion of this stage of the process. New and continued damage assessment projects should again be limited to further evaluating injury that is not understood to a degree necessary to provide restorative action or to document new injury. The number of projects in this category should be greatly reduced as compared to that in the 1992 Work Plan.

Restoration Monitoring: Since many projects in this category were deferred from 1992 to 1993 or later years, it is possible that more projects would be conducted in 1993 than the four in 1992.

Restoration Manipulation and/or Enhancement: We assume there will be more projects in this category than the one proposed in the 1992 plan.

Restoration Habitat Protection and/or Acquisition: We anticipate continuation or wrap-up of the three 1992 information gathering projects, if they have not already been completed. Identifying important habitats and habitat-related services will be a high priority for 1993 and new projects are anticipated. There were no acquisition projects in 1992. Although there is much public support for habitat acquisition projects, we are proposing a pragmatic approach to fully develop the process in 1993, but not to acquire any habitats except perhaps those facing imminent threat.

Restoration Management Actions: This was the largest category of restoration projects in 1992. We believe it will also be a major component of the restoration portion of the 1993 plan.

Technical Support: We anticipate that there will be projects in this category with the number and scope being in direct proportion to the number and scope of all other categories.

4. The greater demands and restoration needs in 1993 could well result in a program of broader scope than last year.

5. The 1993 draft work plan and estimated budget will include all projects including the Restoration Team, Administrative Director etc.

1993 Work Plan Development Schedule

<u>DATE</u>	<u>MILESTONE AND/OR ACTIVITY</u>
Apr 92	Restoration Team develops format for project ideas from public; Restoration Team reviews 1993 planning outline.
27 Apr 92	Trustee Council approves project idea format; Trustee Council approves schedule for 1993 Work Plan through June 30.
1 May 92	Send letter to the public requesting project ideas. Request project ideas from agencies.
May-Jun 92	Develop factors for ranking 1993 projects and develop procedures for choosing lead agency.
May-Sep 92	Preparation of draft 1993 Work Plan.
May 92	Request project ideas from public during scoping meetings.
15 Jun 92	Finalize factors for ranking 1993 projects; finalize brief project description format. Deadline for receipt of ideas from the public and agencies. Lead agencies begin writing brief project descriptions for high-priority projects at their discretion.
15 Jun- 2 Jul 92	Public and agency project ideas sorted and coded; unsolicited proposals sorted and coded as project ideas, undergo critical factor evaluation to eliminate fatally flawed projects. Lead agencies identified.
22 Jun 92	Approach to unsolicited proposals developed.
29 Jun 92	Present 1993 Work Plan development assumptions, procedures, and brief project description format to Trustee Council.
1 Jul 92	Restoration Team begins preparing Administrative Director and Restoration Team budgets.
2 Jul 92	Technical Review Committees formed.
6-21 Jul 92	Write brief project descriptions (lead agencies) and evaluate environmental compliance needs for each project.
10 Jul 92	Update on 1993 work plan (spreadsheet) distributed to Finance Committee, Restoration Team, and Trustee Council.
15 Jul 92	Finalize format for detailed project descriptions and proposals written in response to requests for proposals.
20 Jul 92	Trustee Council teleconference to discuss spreadsheet (continuation of June 29 meeting).

22-28 Jul 92	Technical review to rank projects for 1993 Work Plan.
28 Jul 92	Restoration Team meets to provide guidance to 1993 Work Plan Work Group on ranking projects across categories.
29 Jul 92- 3 Aug 92	1993 Work Plan Work Group compiles rough draft 1993 Work Plan including Administrative Director and Restoration Team budgets which are provided to the Restoration Team and Finance Committee.
5-7 Aug 92	Restoration Team meets to make final adjustments to the rough draft 1993 Work Plan. Restoration Team and Finance Committee meet briefly on the 5th to discuss budgets.
10-14 Aug 92	Complete proposed draft of 1993 Work Plan and estimated budget in response to guidance from the Restoration Team and deliver to Restoration Team.
17 Aug 92	Restoration Team reviews and approves draft plan.
18 Aug 92	Restoration Team delivers draft plan to Trustee Council.
25 Aug 92	Trustee Council meeting to approve draft 1993 Work Plan and estimated budget for 30 day public review.
31 Aug 92	Draft 1993 Work Plan and estimated budget completed incorporating changes from Trustee Council. Budget estimate is sent to State and Federal Offices of Management and Budget.
1 Oct 92	Draft 1993 Work Plan released for public comment. Ensure 1992 preliminary results are incorporated into the decision process.
1 Oct 92- 1 Jan 93	Lead agencies prepare requests-for-proposals for work to be contracted; prepare detailed work plans for projects to be done by agencies.
1 Nov 92	Comments (public, 1992 principal investigators, and agency) on draft 1993 Work Plan due.
1 Dec 92	Trustee Council determines 1993 Work Plan modifications. Agencies begin procurement for approved projects to be contracted. Request 1993 project funds from court.
15 Jan 93	Receive funds from court.
Jan-Jun 93	Project implementation by lead agencies.
1 Feb 94	Draft 1993 final reports due. Draft reports sent out for review.
1 Mar 94	Review comments returned to principal investigators.
1 Apr 94	Final and annual reports of 1993 projects due.

**TRUSTEE COUNCIL RECOMMENDATIONS ON THE SCHEDULE FOR PREPARATION
OF THE 1993 WORK PLAN**

1. Approves schedule and assumptions.
2. Approves schedule and assumptions with the following changes:
3. Does not approve schedule.

1993 PROJECT EVALUATION FACTORS

Critical Factors

Potential projects must meet all of the following to be considered further. Check the blank for "yes", "no", or "unknown".

YES NO UNKNOWN

- | | |
|-------|---|
| — — — | 1. Linkage to resources and/or services injured by the <u>Exxon Valdez</u> oil spill. |
| — — — | 2. Technical feasibility.* |
| — — — | 3. Consistency with applicable Federal and State laws and policies.* |

Comments:

* Restoration Framework, 1992, pp 43-44.

1993 PROJECT EVALUATION FACTORS

Damage Assessment

These factors will be considered when applying best professional judgement to evaluate these projects. The purpose is to simply rank the project into categories of "high", "medium" and "low" priority.

1. The effects of any other actual or planned restoration actions.*
2. Potential to improve the rate or degree of recovery.*
3. Potential adverse effects on human health and safety.*
4. Relationship of expected costs of the proposed actions to the expected benefits.*
5. Cost effectiveness.*
6. Potential for additional injury resulting from proposed actions, including long-term and indirect impacts.*
7. Importance of starting the project within the next year.*
8. There is reason to believe that there is continuing injury to the resource and/or service, but the extent and/or mechanism is not understood.**

RANK: __ HIGH __ MEDIUM __ LOW

Comments:

* Restoration Framework, 1992, pp 43-44.

** The 1991 State/Federal Natural Resources Damage Assessment and Restoration Plan for the Exxon Valdez Oil Spill, 1991, vol. 1, p.1 (paraphrased).

1993 PROJECT EVALUATION FACTORS

Restoration Manipulation and/or Enhancement

These factors will be considered when applying best professional judgement to evaluate these projects. The purpose is to simply rank the project into categories of "high", "medium" and "low" priority.

1. The effects of any other actual or planned restoration actions.*
2. Potential to improve the rate or degree of recovery.*
3. Potential adverse effects on human health and safety.*
4. Relationship of expected costs of the proposed actions to the expected benefits.*
5. Cost effectiveness.*
6. Potential for additional injury resulting from proposed actions, including long-term and indirect impacts.*
7. Importance of starting the project within the next year.*
8. Potential for additional injury resulting from proposed actions, including long-term and indirect impacts.*
9. Degree to which the proposed action enhances the resource or service.*
10. Degree to which the proposed action benefits more than one resource or service.*

RANK: ☐ HIGH ☐ MEDIUM ☐ LOW

Comments:

* Restoration Framework, 1992, pp 43-44.

1993 PROJECT SCORING SHEET

Restoration Management Actions

These factors will be considered when applying best professional judgement to evaluate these projects. The purpose is to simply rank the project into categories of "high", "medium" and "low" priority.

1. The effects of any other actual or planned restoration actions.*
2. Potential to improve the rate or degree of recovery.*
3. Potential adverse effects on human health and safety.*
4. Relationship of expected costs of the proposed actions to the expected benefits.*
5. Cost effectiveness.*
6. Potential for additional injury resulting from proposed actions, including long-term and indirect impact.*
7. Importance of starting the project within the next year.*
8. Potential for additional injury resulting from proposed actions, including long-term and indirect impacts.*
9. Degree to which the proposed action enhances the resource or service.*
10. Degree to which the proposed action benefits more than one resource or service.*

RANK: ☐ HIGH ☐ MEDIUM ☐ LOW

Comments:

* Restoration Framework, 1992, pp 43-44.

1993 PROJECT EVALUATION FACTORS

Restoration Monitoring

These factors will be considered when applying best professional judgement to evaluate these projects. The purpose is to simply rank the project into categories of "high", "medium" and "low" priority.

1. The effects of any other actual or planned restoration actions.*
2. Potential to improve the rate or degree of recovery.*
3. Potential adverse effects on human health and safety.*
4. Relationship of expected costs of the proposed actions to the expected benefits.*
5. Cost effectiveness.*
6. Potential for additional injury resulting from proposed actions, including long-term and indirect impacts.*
7. Importance of starting the project within the next year.*
8. There is reason to believe that the injury to the resource and/or service is not restored, but the rate, and extent, and/or mechanisms are not yet understood.**

RANK: __ HIGH __ MEDIUM __ LOW

Comments:

* Restoration Framework, 1992, pp 43-44.

** The 1991 State/Federal Natural Resources Damage Assessment and Restoration Plan for the Exxon Valdez Oil Spill, 1991, vol. 1, p.1 (paraphrased).

1993 PROJECT EVALUATION FACTORS

Technical Support

These factors will be considered when applying best professional judgement to evaluate these projects. The purpose is to simply rank the project into categories of "high", "medium" and "low" priority.

1. The effects of any other actual or planned restoration actions.*
2. Potential to improve the rate or degree of recovery.*
3. Potential adverse effects on human health and safety.*
4. Relationship of expected costs of the proposed actions to the expected benefits.*
5. Cost effectiveness.*
6. Potential for additional injury resulting from proposed actions, including long-term and indirect impacts.*
7. Importance of starting the project within the next year.*
8. The project provides essential support to restoration, monitoring, and/or damage assessment projects.

RANK: ☐ HIGH ☐ MEDIUM ☐ LOW

Comments:

* Restoration Framework, 1992, pp 43-44.

1993 Project Selection Process

Exxon Valdez Oil Spill Restoration

I. Receipt of ideas (by 6-15-92)

A. Ideas are received and stored at Simpson Building. Sources:

1. One-page idea forms sent by agencies and public by 6-15-92.
2. Written suggestions sent in response to 1992 Work Plan and Restoration Framework, or in general correspondence.
3. Unsolicited proposals sent by 6-15-92.

II. Sorting and grouping of ideas (by 7-2-92)

A. Ideas received are sorted by category:

1. Damage Assessment
2. Restoration Monitoring
3. Restoration Manipulation and/or Enhancement
4. Restoration Habitat Protection and/or Acquisition
5. Restoration Management Actions
6. Technical Support

B. Similar and related ideas are grouped together, as appropriate, into one idea form.

III. Critical factors applied to ideas (by 7-2-92)

A. The ideas are examined by the 1993 Work Plan Work Group and compared to the Critical Factors--the ideas will either be rejected or accepted for further evaluation by technical committees (see below).

IV. Lead Agencies designated (by 7-2-92)

A. Lead Agencies are designated for each idea (see Lead Agency guidelines).

B. Acquisition ideas are designated for the Habitat Protection Work Group.

V. Update on 1993 Work Plan (by 7-10-92)

A. 1993 Work Plan Work Group prepares a brief status report and a summary spreadsheet of accepted and rejected ideas and sends to the Restoration Team for review and comment; modifications are made, if required.

VI. Brief project descriptions and budgets prepared (by 7-21-92)

A. Ideas are sent to the Lead Agency or Habitat Protection Work Group (for habitat-

related projects) for further refinement and preparation of a brief project description (see project description format).

- B. The Environmental Compliance Work Group assists Lead Agencies, if required, in preparing the environmental compliance section of the project description. The Environmental Compliance Work Group reviews environmental compliance sections for adequacy.
- C. Lead Agencies and Habitat Protection Work Group send completed project descriptions to the 1993 Work Plan Work Group, which sends them to the Technical Review Committees.

VII. Ranking of project descriptions (7-28-92)

- A. A Technical Review Committee for each category (see II. A.) is convened:
 - 1. 1993 Work Plan Work Group member(s)--designated as Chair
 - 2. A Restoration Team member
 - 3. The Chief Scientist and/or appropriate Peer Reviewer(s)
 - 4. Other qualified Trustee agency persons
- B. Technical Review Committees use best professional judgement to rank projects.
- C. Recommendations for the relative ranking of projects within categories are sent to the 1993 Work Plan Work Group.
- D. Restoration Team meeting to provide guidance to 1993 Work Plan Work Group in preparing first draft of the 1993 Work Plan.

VIII. 1993 Work Plan drafted (by 8-18-92)

- A. The 1993 Work Plan Work Group takes Trustee Council and Restoration Team guidance and information and combines with project descriptions into the draft 1993 Work Plan. Projects will be included as follows:
 - 1. Recommended project descriptions will be in the body of the plan.
 - 2. Project descriptions not recommended will be included as an appendix.
 - 3. Rejected ideas will be listed as an appendix.
- B. The draft 1993 Work Plan is sent to the Finance Committee for review and comment.
- C. The draft 1993 Work Plan is sent to the Restoration Team for review and comment.
- D. Modifications, if required, are made to the draft 1993 Work Plan.

IX. 1993 Work Plan finalized (by 12-1-92)

- A. The draft 1993 Work Plan is sent to the Trustee Council for review and authorization to go out for public review.

- B. The draft 1993 Work Plan is sent out for 30-day public review.
- C. Modifications and a final review by the Restoration Team, if required, are made and the 1993 Work Plan is submitted to the Trustee Council for approval.

Guidelines for Selecting Lead Agencies

Exxon Valdez Oil Spill Restoration

Lead Agencies will be identified to conduct or manage each project undertaken in the annual Work Plan. Based upon the ideas submitted, each assigned Lead Agency will be responsible for preparing the project description which will be used for the Work Plan. The Lead Agency will also be responsible for preparing the detailed project plan and/or request for proposals for approved projects.

Lead Agencies will be selected based upon: 1) existing trustee or management authorities, 2) expertise and precedent in the subject area, 3) willingness to serve as the Lead Agency, and 4) capability of successfully completing or overseeing the project. The list below identifies current Lead Agency responsibilities. The Work Plan Work Group will assign Lead Agencies to ideas based upon this process and in consultation with the proposed Lead Agency. Any conflicts arising in the selection of a Lead Agency will be resolved by the Restoration Team, or if it cannot be resolved there, by the Trustee Council.

Note: multiple authorities, habitat management versus biology, cooperative agreements, and other considerations affect the designation process.

Subject Area	Lead Agency
Anadromous fish: --salmon --trout --char --Dolly Varden	ADF&G (or USFS or NOAA)
Archeology	ADNR (or NPS or FWS or USFS)
Bald Eagles	FWS (or USFS)
Benthic communities	ADF&G (or NOAA)
Bottom fish	ADF&G (or NOAA)
Contaminants	ADEC (or ADF&G)
Database management	Varies depending on subject matter
Geographic Information Systems	ADNR (or FWS or USFS)

Subject Area	Lead Agency
Habitats: --National Parks & Monuments --National Forests --State lands --National Wildlife Refuges --State Wildlife Refuges --Public Lands	--NPS --USFS --ADNR --FWS --ADF&G --BLM
Harbor seals	NOAA (or ADF&G)
Harlequin ducks	ADF&G (or FWS or USFS)
Herring	ADF&G (or NOAA)
Hydrocarbon analysis	NOAA (or ADEC or FWS)
Land/habitat acquisition	Acquisition Work Group
Marine habitat	NOAA
Migratory birds	FWS (or USFS)
Recreational services	NPS (or ADNR or USFS)
River otters	ADF&G (or USFS)
Sea ducks	ADF&G
Sea otters	FWS (or USFS)
Shellfish	ADF&G (or NOAA)
Shorebirds	FWS (or USFS)
Shrimp	ADF&G
Subsistence uses	FWS (or ADF&G or USFS or NPS)
Tissue analysis	NOAA
Terrestrial mammals	ADF&G
Whales	NOAA (or ADF&G)
Marine birds	FWS

EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL

645 G Street
Anchorage, Alaska 99501
907/278-8012

BRIEF PROJECT DESCRIPTIONS **Instructions and Forms**

Complete the attached project description form (instructions below). Be brief--only present enough information so that decisions can be made on the merit of the project--the project description cannot be longer than three pages in length, excluding cost forms. The accepted project descriptions will be used, as presented, in the Annual Work Plan, which will be available for public review. Camera-ready project descriptions, therefore, are requested. Use WordPerfect 5.1, Universal (scalable) font, 11 point. The cost forms are in Excel. These forms can be submitted in on an IBM-compatible 3.25" high-density diskette. A diskette containing these forms is available from the Restoration Team.

NOTE: Proprietary information should not be divulged unless the person or organization submitting information desires to make it public.

I. TRANSMITTAL

Affix a transmittal letter to the front of the project description and include the name, affiliation, address, and telephone number of the person who may be contacted regarding the project.

II. BASIC INFORMATION

Project Source--leave blank.

Project Number--leave blank.

Project Title--concise descriptive name of the project.

Project Category--the project should fall into one of these categories: damage assessment, management actions, restoration manipulation and enhancement, restoration monitoring, habitat protection and acquisition, or technical support.

Lead Agency--name of the lead State or Federal agency submitting or sponsoring the project (if unknown, leave blank).

Cooperating Agencies--name of any State or Federal agencies cooperating in the project (if unknown, leave blank).

Project Term--the start date and estimated finish date of the project.

III. INTRODUCTION

- A. **Background on the Resource/Service**--Briefly describe the resource/service targeted by this project.
- B. **Summary of Injury**--Describe the nature of the injury to the resource/service caused by the *T/V Exxon Valdez* oil spill.
- C. **Location**--Identify where the project will be undertaken and where the project's benefits will be realized. Identify areas or communities that may be affected by the project.

IV. WHAT

- A. **Goal**--Define the overall purpose (goal) of the project.
- B. **Objectives**--List the specific objectives of the project. These should be concise statements of measurable results that will achieve the stated goal. If more than one organization is to be funded for work on the project, identify the objectives for each participant.

V. WHY

- A. **Benefit to Injured Resources/Services**--Describe why this project is beneficial to the restoration of injured resources/services and how the project will help restore, enhance, replace, or provide a substitute for these resources/services.
- B. **Relationship to Restoration Goals**--Explain why the Trustees should fund this project. (When the Restoration Plan is completed, explain how this project will help to meet one or more of the stated goals. See Restoration Framework for further information.)

VI. HOW

- A. **Methodology**--Describe how this project will achieve its stated results. Describe the study methods and data analysis processes and the tasks of each participant. Enough detail must be given on methodology so that informed reviewers can evaluate this proposal.
- B. **Coordination with Other Efforts**--Explain how this project will relate to previous or other efforts of a similar nature or in the area of interest.

VII. ENVIRONMENTAL COMPLIANCE

All projects must comply with the requirements of the National Environmental Policy Act. There are three possible categories to be determined by the Lead Agency or the Environmental Compliance Working Group: 1) the proposed project qualifies for a categorical exclusion; 2) an environmental assessment is required, which may result in a "finding of no significant impact"; or an environmental impact statement is required. The environmental assessment may be included here, or it and/or the environmental impact statement may be scheduled and budgeted for as part of the project proposal. (Refer to the programmatic environmental impact statement for the Restoration Plan, when completed.) Other Federal and State environmental laws, such as the Endangered Species Act or Alaska Coastal Management Act, may need to be addressed for approval of the project.

VIII. WHEN

Outline the project's proposed schedule of major events and milestones, the time involved, and the completion date of each stage, including environmental compliance.

IX. COST

For the funds requested from the Trustee Council, complete the attached budget forms for the project. On a separate sheet, note the total amount to be spent if other funding is being supplied or sought, and what the source of the other funding is. Every project requires completion of Forms 2A and 2B. Include amounts for each budget category for the next two fiscal years of the project (FY93 and FY94), and estimate total amounts for each of the following years, if this is a multi-year project. If the project funding will be allocated among different organizations, then Forms 3A and 3B must be used for each organization's portion of the project funding, the total for the project is then described in Forms 2A and 2B. The categories used in the forms are described below:

Personnel--Salaries, benefits and related costs for personnel.

Travel--Transportation (ground, air, water) and per diem.

Contractual--Subcontracts with other organizations/vendors, office/lab equipment rental, telephone/fax, computer processing.

Commodities--Office and lab supplies, postal expenses, books and publications.

Equipment--Property such as lab equipment, computers, machinery (personal property).

Capital Outlay--Acquisition of land or buildings (real property).

General Administration--Overhead or indirect costs, such as office space, office utilities, fixed telephone charges, and all normal organization services for administering procurement, personnel, payroll, accounting, auditing and so on. There are two types of general administration costs that may be incorporated into project budgets:

- (1) For agencies: 15 percent of the project's direct personnel cost, not to exceed a total of \$50,000 for all an agency's projects.
- (2) For contracts: Up to 7 percent of the first \$250,000 of the project's contract costs, plus 2 percent of project contract costs in excess of \$250,000.

Full Time Equivalents--One person full time for 12 months equals 1 FTE, one person full time for 6 months equals .5 FTE, etc.

Fiscal Year--The fiscal year is October 1 through September 30 of the year ending in the designated FY number (for example, FY94 starts October 1, 1993 and ends September 30, 1994).

Form 2A, Project Detail

Prepare a brief project description. If the project was funded in FY92, indicate those amounts in the first two columns. Itemize expenses by budget category for the upcoming two years (FY93 and FY94). If the project will continue past FY94, include estimated totals for each subsequent year (FY95-FY97). If the project will continue past the years identified on the form, put the subtotal for all other out-years (FY98-FY01) in the last column. Identify the positions to be funded.

Form 2A, Project Detail (Narrative)

Provide a brief narrative explanation of the items included in each budget category for FY93. Identify any contracts to be issued and their estimated amounts.

Form 3A, Sub-Project Detail

Same as 2A, but complete a form for each individual organization receiving funding for this project, if more than one.

Form 3A, Sub-Project Detail (Narrative)

Same as 2B, but complete a form for each individual organization receiving funding for this project, if more than one.

EXXON VALDEZ OIL SPILL BRIEF PROJECT DESCRIPTION

Project Number:

Project Source:

Project Title:

Project Category:

Lead Agency:

Cooperating Agencies:

Project Term:	Start Date:	Finish Date:
	(day/month/year)	(day/month/year)

INTRODUCTION:

Project Number:

WHAT:

WHY:

Project Number:

HOW:

ENVIRONMENTAL COMPLIANCE:

WHEN:

Project Description:

Budget Category	1992 Original Authorized	Increase/ Decrease	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
Personnel								
Travel								
Contractual								
Commodities								
Equipment								
Capital Outlay								
Sub-total								
General Administration								
Project Total								
Full-time Equivalents (FTE)								

Budget Year Proposed Personnel:

Position Title	Months Budgeted	Cost	Comment
-------------------	--------------------	------	---------

5-May-92

1993

page ____ of ____

Project Number:
Project Title:
Agency:

FORM 2A
PROJECT
DETAIL

Travel:

Contractual:

Commodities:

Equipment:

Capital Outlay:

5-May-92

1993

page ____ of ____

Project Number:
Project Title:
Agency:

**FORM 2B
PROJECT
DETAIL**

	Project Description:

Budget Category	1992 Original Authorized	Increase/ Decrease	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
Personnel								
Travel								
Contractual								
Commodities								
Equipment								
Capital Outlay								
Sub-total								
General Administration								
Project Total								
Full-Time Equivalents (FTE)								

[illegible]

5-May-92

1993

page _____ of _____

Project Number:
Project Title:
Agency:

Project Title:

Agency:

**FORM 3A
SUB-PROJECT
DETAIL**

Travel:

Contractual:

Commodities:

Equipment:

Capital Outlay:

5-May-92

1993

page ____ of ____

Project Number:
Project Title:
Agency:

FORM 3B
SUB-PROJECT
DETAIL

Oil Spill Symposium Progress Report

At the April 27 Trustee Council meeting, approval was given to organize an Oil Spill Symposium and Proceedings, and the amount of \$25,000 was approved by the Trustee Council for this effort. The Trustee Council instructed the Restoration Team to come back with greater detail on organization, cost estimates, and a timeline at the next Trustee Council meeting. The Trustee Council also instructed the Restoration Team to include non-NRDA sponsored science in the Symposium, and to seek a contractor or co-sponsor (partner) for organizing the Symposium (Alaska Sea Grant was a suggestion).

The Restoration Team is pleased to report that substantial progress has been made on all these items.

1. Symposium Planning Committee

The Restoration Team established a Symposium Planning Committee composed of several Trustee Agency representatives. This committee has and intends to function voluntarily and does not need a support budget. The Committee has met several times to scope out further details of the Symposium planning, and make recommendations to the Restoration Team.

2. Editorial Committee

An Editorial Committee (refer to June 16 memorandum from Dr. Robert Spies) is proposed to deal with the selection of papers for presentation at the Symposium, technical review of Abstracts for the Symposium, and following the Symposium, will arrange peer review of papers for the Proceedings. Costs associated with this effort for this year are included within the existing budgets for the Chief Scientist and for peer review. It is felt that these tasks are within the present scope of duties for reviewing final reports, and no additional funding is required. Within the existing budgets, the estimated costs are \$XX for the Chief Scientist's time, and \$XX for peer reviewers.

3. Symposium Organizer/Co-sponsor

Alaska Sea Grant has expressed genuine interest in as serving as a co-sponsor and organizer for the Symposium (reference attached letters from Brenda Baxter dated June 11 and June 23, 1992). They have indicated that as a co-sponsor, they will assume a portion of the costs of organizing the Symposium. In return, they would become a member of the Symposium Planning Committee. It is the recommendation of the Planning Committee and the Restoration Team that Alaska Sea Grant be asked to co-sponsor the

Symposium, and will be invited to do so immediately.

Who Is Alaska Sea Grant? You have in your package brochures describing Alaska Sea Grants origin and purpose. Briefly, Sea Grant is a federal-state-industry partnership which fosters the wise development, use, and conservation of marine and coastal resources through research, education, and public service. Sea Grant is a national program (based on the Land Grant College concept) that was authorized by Congress in 1966. Alaska Sea Grant was initiated in 1970. Sea Grant is housed within the School of Fisheries and Ocean Sciences at the University of Alaska Fairbanks campus. The fund university-based scientific research projects, education and training projects, and public service projects. Sea Grant is funded by Federal/State matching grants on a \$2 for \$1 basis.

Sea Grant has two major public service activities. One is the Marine Advisory Program with offices currently located in Petersburg, Sitka, Cordova, Kodiak, Homer, and Dillingham. Their other public service function is the Public Information Services project, located in Fairbanks, which provides conference and workshop development and coordination, as well as publications production and distribution, media relations, and special projects.

Since 1975, Sea Grant has coordinated meetings to inform and educate residents of Alaska, the region, and the nation on marine and coastal resource issues. Their objective is to provide expert information on important marine and coastal resources through conferences, workshops, and symposia, and to document these activities in a useful and lasting format.

The expertise of Alaska Sea Grant is ideally suited to co-sponsorship and organization of the Oil Spill Symposium. They have offered to assume the role of organizing the Symposium and in return would receive recognition in part for the scientific and educational value of the Symposium. They are willing to assume some of the costs of the Symposium: i.e., salaries that are required of Sea Grant as co-sponsor and organizer would be Sea Grant's basic contribution and would not be asked for reimbursement.

4. Scope of The Symposium

The Symposium intends to present the scientific results of studies conducted after the oil spill from the areas of natural resource damage assessment, response, and independent science. Participation would not be limited by affiliation, but only by scientific merit. Within existing time scheduling constraints, the scientific presentations of highest merit would be selected first.

5. Symposium Budget Estimates

The following estimates are based on Alaska Sea Grant acceptance as a co-sponsor and contributing partner to the costs of the Symposium. Sea Grant has developed most of the cost estimates for us.

Convention Center Rental (2/2 - 2/5/93)	\$ 6,000
4 days @ \$1500/day	
Extended Abstract	
1000 copies @ 400 pages	\$13,000
Conference Organization	
Sea Grant estimates	
Salaries and Wages	
Coordinator, 1 mo.	\$ 7,200*
Publications Technician, 0.5 mo.	\$ 1,521*
Services - Sea Grant provides**	
Production of Announcements, Advertisements, Brochures and Programs	\$ 1,275
Printing of Announcements, Brochures, Programs	\$ 1,800
Mailing Costs, 3 mailings @ \$1050 per	\$ 3,150
Telephone	\$ 200
Supplies	\$ 200
Total Estimated Cost of Symposium	\$34,346

* Sea Grant contribution

** Negotiable costs for additional Sea Grant contribution

We estimate attendance at 1,000 registrations. A registration fee of \$35/person should cover all basic costs of the Symposium. The registration fee can be adjusted as further budget detail requires, but we do not anticipate any additional costs that could not be fully supported by a modest registration fee. Additional costs that may accrue include invited travel (to be held to a minimum, if any), and refreshments (we propose to seek a donor for refreshments).

6. Tentative Symposium Schedule

The Symposium is on a tight timeframe. The Symposium will be planned and conducted independent of publishing the Proceedings, but will require coordination. The Proceeding will be prepared after the Symposium, but extended abstracts of presentations and papers will be required for the Symposium. The following tentative schedule is proposed:

Define the scope of symposium	July 1
Identify speakers to be invited	July 15
Produce call for papers	July 20 (mail Aug 5)
Produce Symposium Announcement	July 20 (mail Aug 5)
Invite Speakers	Aug 1
Produce Advertisements	Aug 15
Arrange Catering	Sept
Develop Registration Fee	Sept
Abstracts due	Oct 1
Produce Registration Brochure	Oct 15 (mail Nov 1)
Review Abstracts	Oct 16
Accept Abstracts	Oct 30
Finalize symposium program	Nov 15
Produce abstract book	Jan 4 (to printer)
Produce program brochure	Jan 11 (to printer)
Hold symposium	Feb 2-5

Specific Answers to RT Questions of Yesterday that I do not propose to include in the Progress Report to the TC -

What do we get? A willing conference organizer and their labor costs for doing so.

What do they get? Recognition and an honest educational and scientific experience for the public.

How do we fund Sea Grant? Two ways known:

1. Pass through from NOAA (slow, considerable paperwork)
2. RSA with a State agency (easy)

Justify how we can sole source. Either of above is established mechanism.

Revised letter from Sea Grant with costs of being co-sponsor and being contractor - Could not get letter because of lack of time and other commitments. Had lengthy telephone conversation with Brenda Baxter this AM. As Co-sponsor, Sea Grant, as a minimum, would donate salaries, and is willing to consider picking up some of the direct costs. The estimate \$10,000 as within their ability to assume (including salaries). As contractor, total costs would be the same but they would expect reimbursement of salaries. See above budget for more detail. I have tried to build this information into the Progress Report.

What does Sea Grant expect (what is their role) as co-sponsor? Sea Grant expects the symposium to be a public educational experience. If they co-sponsor and provide organization, they expect recognition in return. Totally straightforward. they expect membership on the Planning Committee so they can be sure they know what is planned and that they can accomplish it. They will contribute organization experience to the planning.

We want them to cooperate and not control - They have no intention or interest in control. Their service is to help the TC hold the symposium. They have no technical interest in reviewing abstracts, selecting papers, etc. One person would represent Sea Grant on the Planning Committee.

What areas do they want to participate in, such as being a member of the Editorial Committee? They are willing to provide a University scientist to the Editorial Committee, if desired, but otherwise have no technical interest in being on the Committee, and do not want to be. They need to coordinate with the Editorial Committee on production of the Abstract Book when appropriate.

Would they be willing to only take part in setting up the Symposium and not be part of the Editorial Committee? Yes, organizing and co-sponsoring the Symposium only.

Need to make sure Sea Grant includes the costs of mass mailings.
Included in Budget above.

Editorial Committee budget. I have included, but am waiting for
Spies to provide numbers.

Need to have budget for Symposium. The above budget is a close
as I can get at present. Registration fees should cover all.
Sea Grant donated costs can be reduced from registration fees, as
can our Convention Center rent, to further reduce registration
costs.

11.1.7 D

EIS OPTIONS

June 22, 1992

OPTIONS FOR COMPLETING ENVIRONMENTAL IMPACT STATEMENT FOR RESTORATION PLAN

The Restoration Team has analyzed several options for assuring timely completion of an EIS in conjunction with the Restoration Plan. Each option has advantages and disadvantages spelled out below. All options assume the Restoration Planning Work Group is responsible for fully developing all alternatives that would be displayed in the Restoration Plan and EIS. All options assume the Environmental Compliance Working Group would have the major responsibility in guiding the development of the EIS.

The Restoration Team reviewed options that require the Restoration Planning Work Group to play a significant role in development of the EIS but felt that they would delay completion of the Restoration Plan and should not be pursued. The options displayed below put a minimum burden on the Restoration Planning Work Group and the Restoration Team would like to pursue these options. All three of these options will require Trustee Council approval of additional funds beyond the \$100,000 approved for the Environmental Compliance Working Group to complete the task. Options 1 and 2 would require additional funding for fy 1992.

The Restoration Team is researching options 2 and 3 and will provide a final recommendation on June 29, 1992.

1. Competative Contract for Entire EIS Analysis and Writing

This option would contract the entire task of analyzing and writing the draft and final EIS with a private contractor.

Advantages:

- Removes all of the burden of analyzing impacts from the RPWG.
- Could require contractor to meet our time frames which should cut down on time delays.
- Frees up RPWG to concentrate fully on Restoration Plan.

Disadvantages:

- Would cost considerably more than funds identified. Total cost would probably be around \$300,000 to \$400,000.
- Additional funding beyond the Environmental Compliance Working Group approved budget would need to be approved before an RFP could be issued.

- Would require considerable Contracting Officer Representative time commitments to administer contract and liaison with RPWG.
- Would require close coordination to assure that Restoration Plan information was made available to contractor in timely manner.
- Would require development of RFP which may take 90-120 days to the point of a contract.
- An out of state firm could receive the contract creating coordination difficulties.

2. Contract EIS with Walcoff and Associates

This option would contract the entire development and writing of the EIS with Walcoff and Associates.

Advantages:

- Removes all of the burden of analyzing impacts from the RPWG.
- Could require contractor to meet our time frames which should cut down on time delays.
- Frees up RPWG to concentrate fully on Restoration Plan.
- Sufficient funds exist from Federal economic studies to cover contract costs.
- Walcoff people that would work on the EIS are very familiar with the Exxon Valdez oil spill and EIS requirements.

Disadvantages:

- Would require considerable time commitment on the part of the Environmental Compliance Working Group to assure significant effects are being analyzed and to liaison with RPWG.
- Would require close coordination to assure that Restoration Plan information was made available to contractor in timely manner.
- Would require modification of agency agreements with Justice Department to authorize Walcoff to spend money on EIS.
- Federal agencies that provided the money for the economic studies may not agree to spending appropriated money on an

EIS and may elect to have unspent money returned to the agency.

- Walcoff's estimated cost of preparing the draft and final EIS is \$292,600
- The work would be done out of state creating coordination difficulties.

3. Enlarge the Environmental Compliance Working Group

This option would have a team of 3-4 EIS experts from Interior and/or the Forest Service become part of the Environmental Compliance Working Group to analyze the impacts and write the EIS. This could be an existing agency team or an interagency team.

Advantages:

- Removes the burden of analyzing impacts and writing the EIS from RPWG.
- Offers experienced agency skills in EIS preparation.
- Additional funding for fy 1992 would not be required.
- The estimated cost of a 3-4 person team for 10 months to write the EIS is \$219,000. This estimate does not include office space. Printing costs are already included in the Administrative Director's budget.

Disadvantages:

- Would require close coordination between EIS team and the Restoration Planning Work Group.
- Additional funds to pay salaries of team would be requested from the court in FY 93 budget.
- All skills to complete EIS may not be readily available from federal agencies.
- May require finding office space for the team, especially if it is an interagency team.
- Additional funding beyond the approved Environmental Compliance Working Group budget for fy 1992 would be necessary.

FINANCIAL OPERATING
PROCEDURES

|

11.1.7C

EXXON VALDEZ OIL SPILL RESTORATION PROGRAM

FINANCIAL OPERATING PROCEDURES

PREFACE

The objective of the Financial Operating Procedures is to ensure public trust and accountability while maximizing the Trustees' ability to use Exxon settlement funds for approved restoration activities. A flow chart of the Financial Operating Procedures is included as Appendix A. The principles and processes stated herein are based on the authorities conveyed by the Exxon Valdez Consent Decrees and all memoranda of agreement between the State and Federal governments. Financial management of Exxon settlement funds will be accomplished based on the following principles.

Maximum use will be made of existing agency administrative structures. Each of the Trustee agencies has established administrative, personnel and financial management systems that will be used to the maximum extent possible. In addition to these procedures, activities carried out by a State or Federal agency will be conducted in accordance with existing agency operating procedures. Detailed Federal procedures are contained in Appendix G.

Federal and State agencies will use their administrative structures and process in support of the Administrative Director's office. These administrative services include such functions as contracting for office space, personnel services, payment of utilities, purchasing, and so on. Memoranda of agreement will be established, as necessary, between State and Federal agencies to ensure support is provided without interruption to the office of the Administrative Director. Additional memoranda for other purposes will be negotiated when necessary.

General administration expenses will be kept to a minimum and applied in a consistent manner by the Trustee agencies.

ANNUAL BUDGET

The Trustee Council will annually prepare and approve a current-year budget based on the Federal fiscal year (October 1-September 30). It is recognized that the 1992 expenditure work plan is a transition to the federal fiscal year; it is intended that budget decisions will conform to the federal fiscal year beginning October 1, 1992.

The following constitutes the annual Trustee Council expenditure work plan:

a) A budget for the office of the Administrative Director that includes salaries, benefits, travel, office space, supplies and materials, contractual services, utilities, general administration expenses, and such other items as may be necessary for the efficient operation of the Trustee Council, and the Restoration Team and its working groups. The proposed budget will be presented on the same budget forms as those used by any other project (for example, Forms 2A and 2B, shown in Appendix B).

b) A budget for the Restoration Team and all working groups will be presented as one project. Under that project, the Restoration Team and each standing working group will be budgeted as sub-projects. Each sub-project will show the cost of personnel, travel, contractual services, commodities, equipment, and general administration expenses. Authorized personnel will be identified by position title, the number of months budgeted, and the total salary and benefit costs for those months budgeted. In addition, a budget for the Finance Committee will be prepared separate from the Restoration Team and its working groups. The proposed budgets will be presented on the same budget forms as those used by any other project (shown in Appendix B).

c) A budget for each field project will be summarized on budget forms shown in Appendix B.

While some projects may be completed in one year, others require funding over multiple years. Information must be provided on budget forms showing total estimated costs for completing the project. Expenditures are authorized by the Trustee Council annually. Funding a project for one year does not obligate the Trustee Council to provide funding for the same project in future years.

Instructions will be prepared by the Finance Committee for distribution to State and Federal agencies involved in developing project budgets explaining how to complete the budget forms. These forms are intended to collect information necessary for the Trustee Council and staff members to evaluate all funding proposals, and to meet standards of accountability customary to the State and Federal governments during and after implementation of the proposed project.

CALCULATION OF PROJECT COSTS

Proposals for expenditure made to the Trustee Council will be presented on the budget forms established by the Finance Committee, including budgets for the Administrative Director, the Restoration Team and its working groups, and all other projects.

General administration costs may be included for all separate budgets funded through the Trustee Council. There are two types of general administration costs that may be incorporated into project budgets:

- (1) 15 percent of each project's direct personnel cost. If, for a Trustee agency, the

percentages indicated in this paragraph and (2) immediately below are applied to all approved projects for that agency and do not result in a total of \$50,000, then the agency may choose to receive \$50,000. In this case, the agency would budget the 15% for all approved projects but receive additional funds in a separate budget to reach \$50,000.

- (2) Up to 7 percent of the first \$250,000 of each project's contract costs, plus 2 percent of project contract costs in excess of \$250,000.

These general administration funds are intended to pay indirect costs, such as office space, office utilities, fixed telephone charges, and all normal agency services for administering procurement, personnel, payroll, accounting, auditing and so on. A rate is used because measuring specific use of these services is expensive.

Regarding the rates stated above, the 15% rate is intended to be low, given that the average rate for State agencies, as determined by Federal auditors for Federal grants, averages approximately 20%. The \$50,000 minimum is an amount negotiated among the six Trustee agencies, determined to be the base level of support for a Trustee agency regardless of the number of projects or other funding the agency may be allocated by the Trustee Council. The rates for contracts relate to the costs for monitoring and supervising contractors, a cost that does not increase proportionally with the size of the contract. These rates are somewhat less than normal for Federal agencies.

In addition, project budgets may include proposed expenditures in the specific line items: personnel, travel, contractual, commodities/supplies, equipment and capital outlay. The Trustee Council may provide funds for such expenses if they are directly tied to the execution of the project and are costs that would not otherwise be incurred by the agency. All budgets, including those for the Restoration Team and its working groups, may have such costs. The Restoration Team, working in conjunction with the Finance Committee, will evaluate each budget proposal to determine if the expenditures listed in the specific line items are acceptable in nature and in amount.

ANNUAL BUDGET FORMULATION PROCESS

Formal proposals for funding must be made in the following manner. Forms 2A and 2B must be used to describe the costs associated with a proposed project. If more than one agency is involved, or if there are distinct sub-projects (such as working groups associated with the Restoration Team), then a 2A form must be used (excluding the detailed position information) to summarize the project costs, and the 3A and 3B form must be used to describe the portion of the project assigned to each agency or to each sub-project. Such detail is essential for financial accountability.

The standards and format for justifying a project are the responsibility of the Restoration Team,

working in conjunction with the Finance Committee. Such information must be attached behind the budget forms. Project plans supporting project budgets should include appropriate measures of performance to ensure intended results are achieved.

Each agency shall prepare budget documents for all spending for which it will be responsible. This includes projects or sub-projects related to field projects; the Administrative Director and associated staff, and any means for providing support for the Administrative Director or the Trustee Council; the Restoration Team and its working groups; and the Finance Committee. These rules also apply when a project is proposed by a member of the public.

The Finance Committee, in conjunction with the Restoration Team, will review projects proposed for funding. The Finance Committee will submit comments to the Restoration Team and the Trustee Council.

In a public meeting, the Trustee Council will consider the projects proposed for funding by the Restoration Team, and reviewed by the Finance Committee, and will issue a draft annual work plan for public review and comment. After the public review period expires, the Trustee Council will again, in an open meeting with opportunity for public comment, review the tentative work plan, make changes as appropriate, and approve a final plan. Budgets approved by the Trustee Council will be subject to appropriate State and Federal notification, review and approval procedures.

Upon final approval of the annual budget by the Trustee Council, approved budget documents will be available to the public through the offices of the Administrative Director. Approved budget information will also be available as part of the review and notification procedures adopted by the State and Federal governments.

BUDGET IMPLEMENTATION

Both the State and Federal governments allow for certain adjustments in funding amounts during the budget period. The Trustee Council agrees that a certain amount of funding flexibility is necessary when projects are being carried out, and that limited amount of funding transfers between projects may be appropriate. The rules governing transfers are as follows:

- a) The Trustee Council authorizes agencies to transfer funds between projects up to the cumulative amount of \$25,000 or up to 10% of the annual spending level for each affected project, whichever is less. Calculation of these limits is based on the amounts authorized by the Trustee Council. The limits on funding transfers are set with the understanding that such transfers will not alter the underlying scope or objectives of the project, and apply to both increasing and decreasing project funding. In addition, it is the responsibility of each agency, for future verification and audit, to record authorization to make such transfers and the purpose of each funding change.

For multi-agency projects, the concurrence of the lead agency must be obtained before moving funding into or out of a sub-project. Funding may be moved among the three State agencies and the three Federal agencies, and between State and Federal agencies, according to the limits shown above, if agencies responsible for projects gaining and losing funds agree to the transfer. Changes in authorized funding for each project must be reported on the next quarterly expenditure report, using Form 4 shown in Appendix B.

b) The Trustee Council may approve transfers in amounts greater than that authorized in a) above, without public notification other than a general agenda item in its public meetings, so long as such transfers do not change the scope or objectives of the projects. Transfers are subject to current State or Federal financial operating procedures and laws. Agencies must send requests for such transfers, using Form 5, shown in Appendix B, to the Administrative Director for submission to the next Trustee Council meeting. Approval must be obtained before the transfer is made.

c) The Trustee Council may increase or decrease the funding for an approved project that changes the scope or objective of that project, create a new project, or terminate an approved project during the budget year only after public notification of the proposed changes prior to the meeting. Such decisions by the Trustee Council will be made in a public meeting after giving the public an opportunity to comment on proposed changes, both at the meeting and through written comments submitted prior to the meeting. Public notification of the meeting will include a brief description of the project and the proposed change.

d) Project managers may transfer, within a single project, budgeted funds between object classes (such as personnel, travel, and contractual costs), and may change detailed items of expenditure, including specific personnel, to accommodate circumstances encountered during budget implementation. Such transfers are reported by agencies in the quarterly expenditure reports, simply by recording expenditures in the object classes where each expenditure was actually made. However, agencies are subject to normal budget and administrative procedures regarding transfers established by the State or Federal government.

TRANSFER OF EXXON SETTLEMENT FUNDS FROM THE COURT REGISTRY

Upon completion of public notification, and public review and comment on the annual budget, Federal agencies will forward the approved budget to the Federal Office of Management and Budget. Upon notification of Federal Executive Branch approval, the Trustee Council will request the State of Alaska Department of Law and the U.S. Department of Justice to petition the Court for the release of settlement funds (see Appendix B) and their transfer to the U.S. Department of the Interior Resource Damage Assessment and Restoration (NRDA&R) Fund and to an account to be designated by the State of Alaska.

When calculating the amount of funds requested from the Court, interest previously earned from settlement funds held by the Federal and State governments and unobligated balances will be subtracted from the spending plans approved by the Trustee Council.

ACCOUNTING AND REPORTING

Trustee agencies will maintain accountability for the expenditure of Exxon settlement funds using generally accepted accounting principles and Federal and State accounting procedures. As a minimum, these procedures will identify expenditures as approved in the annual work plan with supporting documentation. State and Federal agencies shall account separately for their respective portions of each project.

Within thirty days following the end of each calendar quarter, State and Federal agencies will report expenditures and obligations recorded at the end of the quarter to the Administrative Director. Agencies will submit expenditure/obligation reports (Form 4, shown in Appendix B) to the Administrative Director's office (where multi-agency or multi-subprojects will be consolidated) for review by the Finance Committee. Following review and approval by the Finance Committee, the Administrative Director will submit this information to the Trustee Council at its next meeting. The first report should be for the quarter ending September 30, 1992.

By November 30 of each year, agencies will report to the Administrative Director expenditures/obligations for the twelve month period ending September 30. The expenditure report should be generated from normal computerized accounting reports and must include at least the same level of detail as provided on the budget forms 2A and 2B. This requirement is in addition to the audit requirements described below. If an agency is responsible for a portion of a project, it will report on the sub-project assigned to it.

The Administrative Director, with the assistance of the Restoration Team and the Finance Committee, will submit to the Trustee Council by December 31 an annual accomplishment and expenditure report; reports of cash balances as of September 30 of the NRDA&R Fund, Federal agency and equivalent State accounts; and interest earned for the Federal fiscal year from funds contained within those accounts. In addition, the Finance Committee will report the September 30 balance of the Federal/State of Alaska Joint Fund held by the Registry of the Court.

The Federal government will adopt internal reporting rules governing the information required to transfer cash received from the Court Registry, through the NRDA&R Fund, to Federal agencies incurring expenditures. The estimated expenditures will provide the basis for transfer of Exxon settlement funds from the NRDA&R Fund to the appropriate agency accounts. Monies held in the NRDA&R Fund will earn, and retain, interest. The procedures for such transfers are contained in Appendix F.

State agencies, operating under a unified accounting system, will draw from the account

containing funds transferred from the Court Registry. Quarterly disbursements will not be necessary, and all unexpended funds received from the Court will earn interest and be retained in the fund established to account for the settlement funds.

AUDITS

Accountability for the expenditure of settlement funds is of critical importance to maintaining public trust and confidence. Each Federal agency and the State of Alaska have Federally- and State-approved audit functions, respectively. Periodic audits of Exxon settlement expenditures and financial controls will be conducted in accordance with established policy. The Finance Committee will report to the Trustee Council an annual schedule of audits, and any complaints by auditors of lack of cooperation from agencies being audited. The Finance Committee will recommend audits be performed by private accounting firms, when necessary. Further, the Finance Committee will review completed audits to bring significant issues, or the absence of such issues, to the attention of the Trustee Council. The Finance Committee will deliver at least one copy of all completed audits to the Administrative Director's office, which will be available to the public. Additional Federal procedures are contained in Appendix G.

MANAGEMENT OF EQUIPMENT

Generally, all equipment purchased with Exxon Valdez settlement funds, at a cost of \$500 or more, and other sensitive items as defined by State and Federal procedures, will be used for purposes directed by the Trustee Council.

Agencies shall use normal agency procedures for identifying and accounting for equipment. By December 31 of each year, agencies must report to the Administrative Director all such equipment which is still functioning or has value. Agencies must also report all such equipment which during the previous fiscal year ceased to function or have value. These pieces of equipment need not be reported in future years.

Pending legal consultation, additional detailed provisions governing the use and disposal of such equipment will be forthcoming.

FINANCE COMMITTEE CHARTER

Membership is composed of three State representatives, three Federal representatives, and the Administrative Director (ex officio). A representative is appointed by each Trustee Council member.

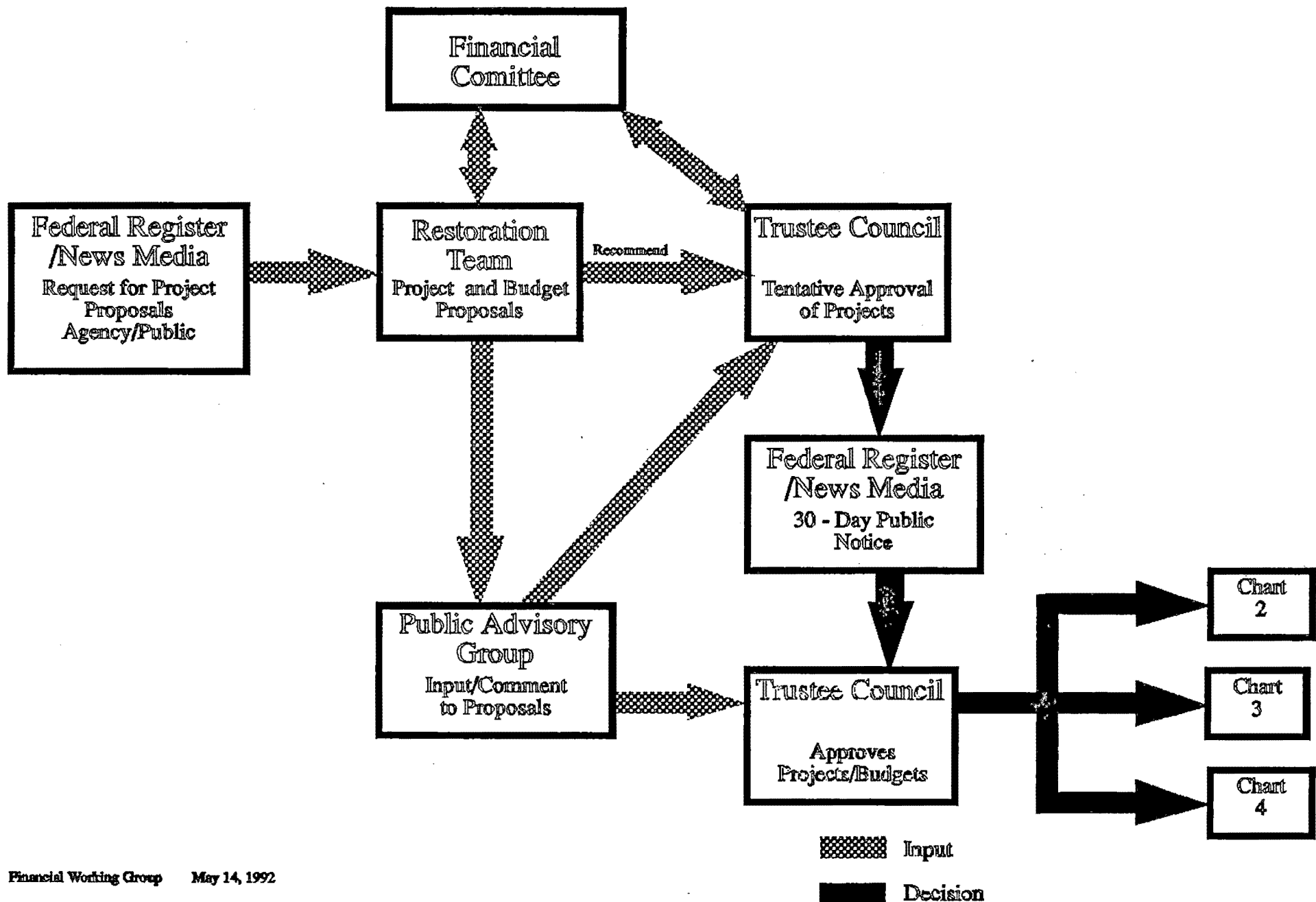
The Finance Committee reports to the Trustee Council. The Finance Committee is to develop necessary financial procedures, enforce adherence to those procedures adopted by the Trustee Council, and insure that specific actions of the Administrative Director, Restoration Team and its working groups, and State and Federal agencies conducting activities funded through the Trustee Council, meet or exceed financial management standards for accountability, efficiency and effectiveness. Such standards may be customary or specifically established by the Trustee Council, but must be sufficient to maintain public trust.

It is in the best interest of the Trustee Council that the Finance Committee, though independent of the Restoration Team, work cooperatively with the Restoration Team. The Restoration Team, whenever appropriate, will be informed of Finance Committee concerns and will be involved in remedying conditions giving rise to those concerns.

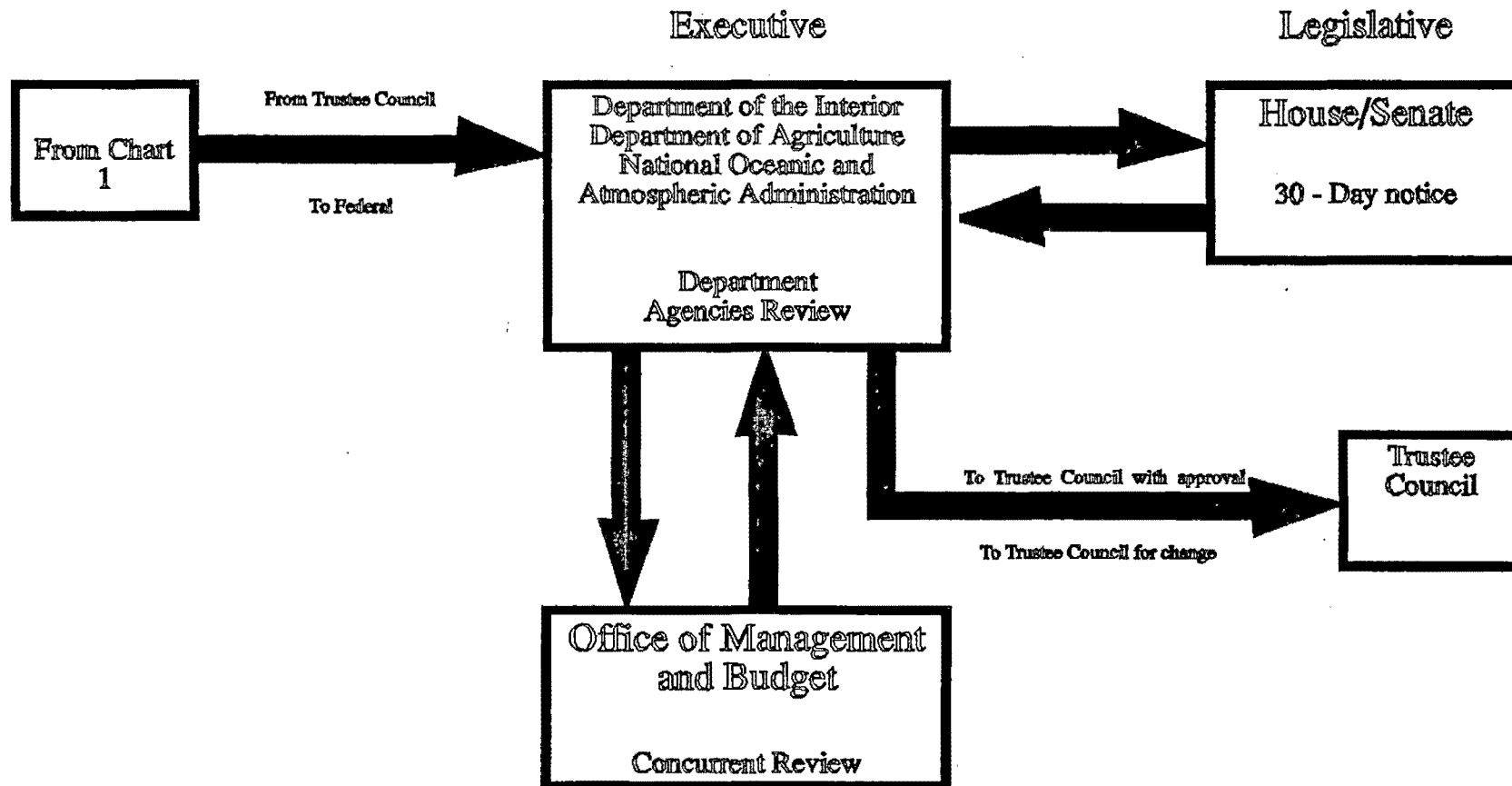
The Finance Committee is responsible for reporting directly to the Trustee Council on the following issues:

<u>Issue</u>	<u>When</u>
1. Recommend audits for scheduling, present a schedule of audits, report presence or absence of problems warranting Trustee Council attention.	Annually, by December 31
2. Ensure the proposed annual budget, information and documentation are reasonably complete, and agencies can reasonably carry out financial management of the project.	Annually, at the same time as the Restoration Team presents the proposed budget
3. Ensure expenditure reporting is occurring as required, and there are no obvious discrepancies or difficulties with project implementation.	Quarterly, and annually
4. Report interest earned in NRDA&R Fund and State accounts.	Annually by Dec 31, and when funds are requested from the Court
5. Propose amounts agencies should be reimbursed for past oil spill related costs, and required documentation on those costs.	1992

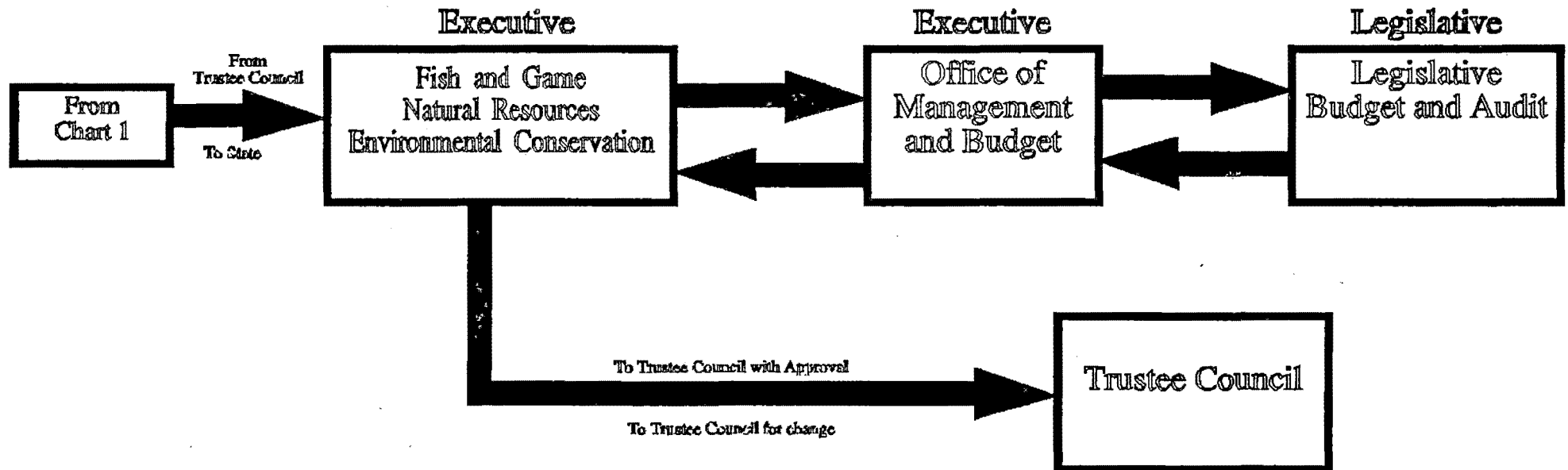
APPI X A FINANCIAL OPERATING PROCEDURES (CHART 1)



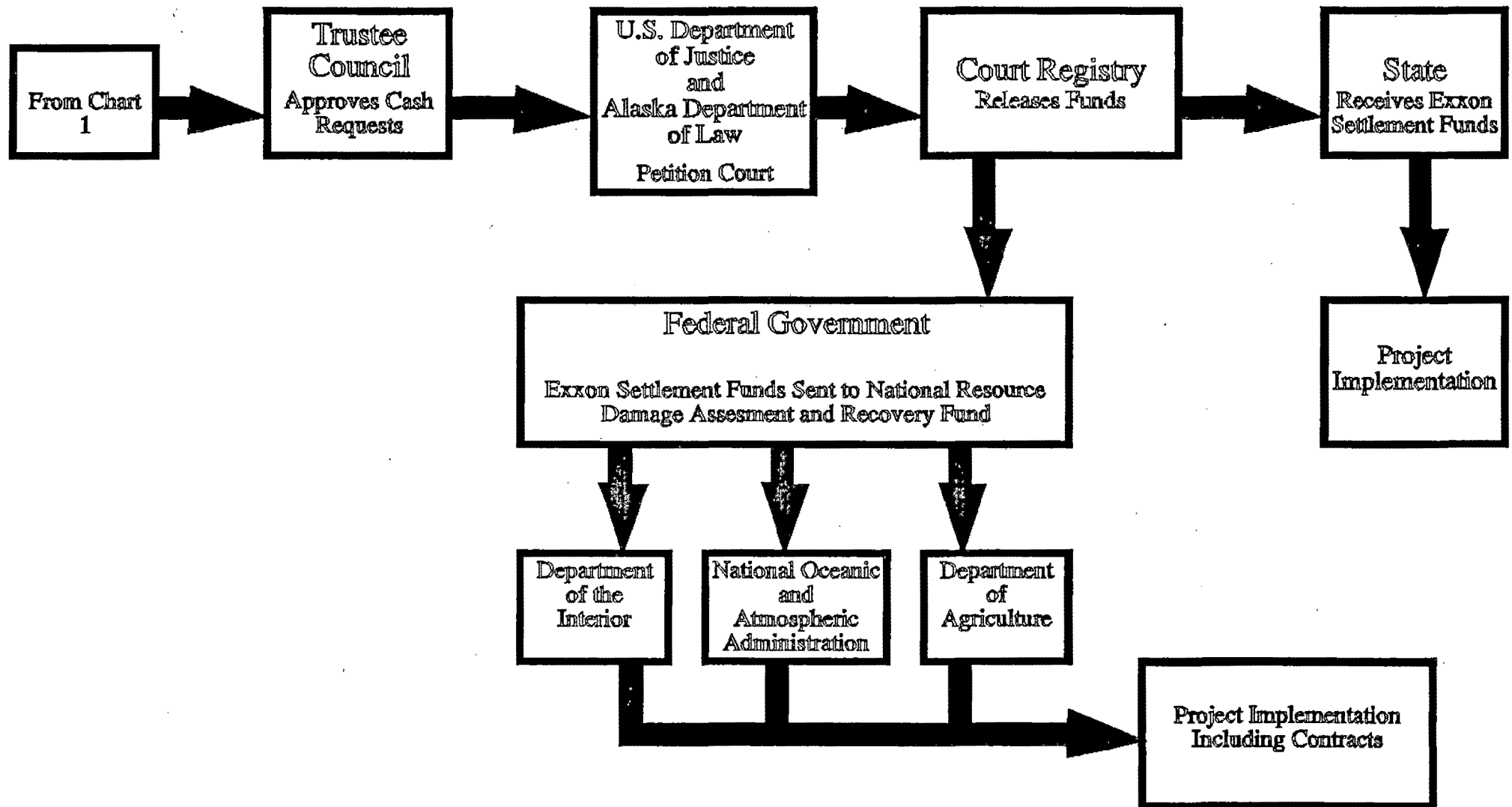
APPI X A
FINANCIAL OPERATING PROCEDURES: FEDERAL PROCESS
(CHART 2)



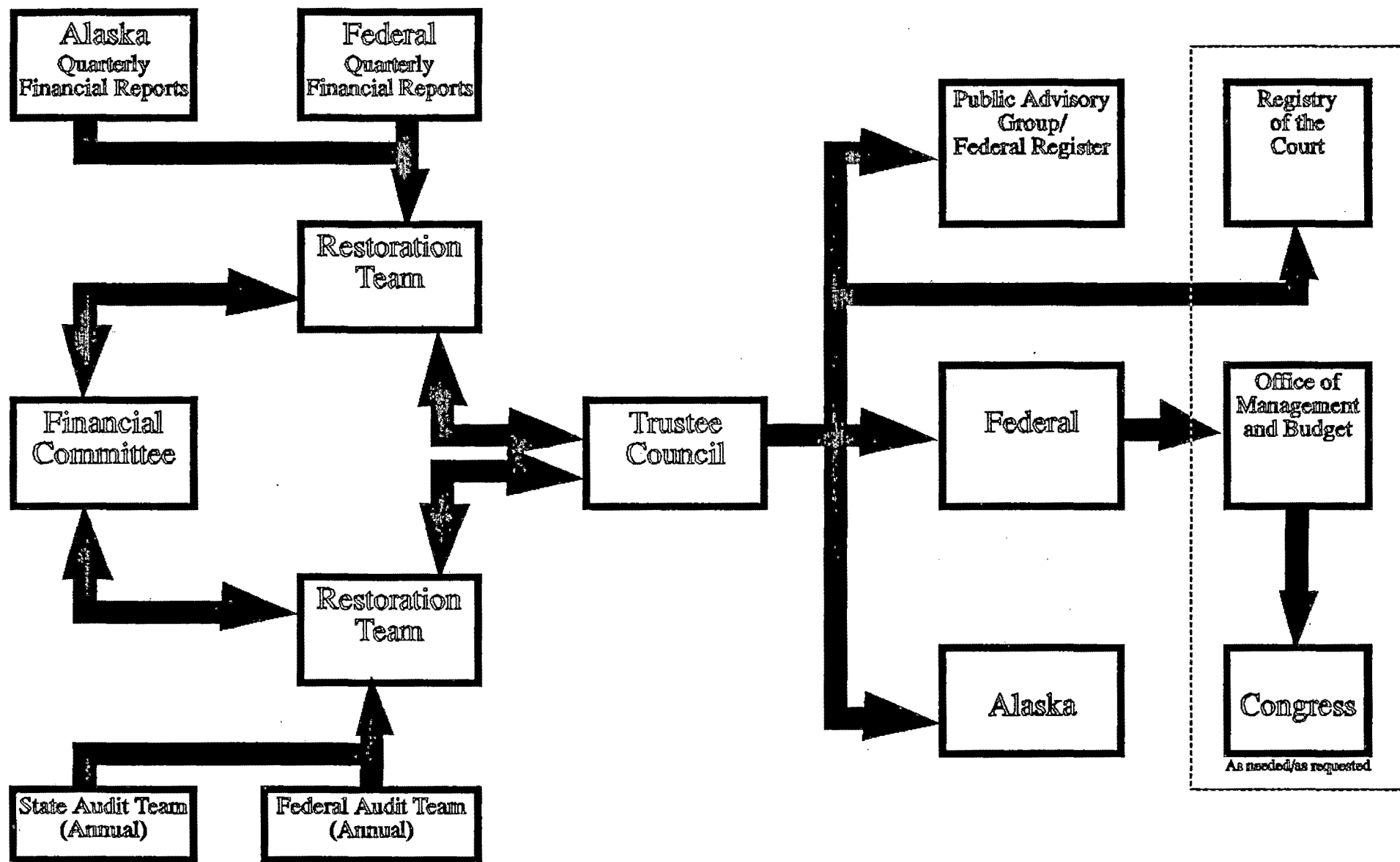
APPENDIX A
FINANCIAL OPERATING PROCEDURES: STATE PROCESS
(CHART 3)



APPEND A
FINANCIAL OPERATING PROCEDURES
(CHART 4)



APPEND C ACCOUNTING AND REPORTING PROCEDURES



APPENDIX B

BUDGET FORMS

Budget forms, which will be used to display information for all projects proposed for funding through the Trustee Council, are shown on the following pages. Appropriate technical adjustments will be made every year.

EXXON VALDEZ TRUSTEE COUNCIL

Project Number	Project Title	Agency	Prior Year Actual Exp.	Current Year Original Authorized	Current Year Revised Authorized	Budget Year Proposed

3-May-92

1992

page ____ of ____

FORM 1A
PROJECT SUMMARY

EXXON VALDEZ TRUSTEE COUNCIL

Agency	Project Number	Project Title	Prior Year Actual Exp.	Current Year Original Authorized	Current Year Revised Authorized	Budget Year Proposed

5-May-92

1992

page ____ of ____

FORM 1B
AGENCY SUMMARY

EXXON VALDEZ TRUSTEE COUNCIL

Project Description:																				
Budget Category	Proposed 1-Mar-1992 28-Feb-1993	FY 94	FY 95	FY 96	FY 97	FY 98	FY 99	Sum of FY 2000 and beyond												
Personnel Travel Contractual Commodities Equipment Capital Outlay Sub-total General Administration Project Total Full-time Equivalents (FTE)																				
Budget Year Proposed Personnel:																				
<div style="background-color: #cccccc; padding: 5px;"> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20%;">Position</td> <td style="width: 20%;">Rate</td> <td style="width: 20%;">Monthly</td> <td style="width: 20%;">Quarterly</td> <td style="width: 20%;">Semi-Annual</td> <td style="width: 20%;">Annual</td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </table> </div>									Position	Rate	Monthly	Quarterly	Semi-Annual	Annual						
Position	Rate	Monthly	Quarterly	Semi-Annual	Annual															

1-May-92

1992

page ____ of ____

Project Number: Project Title: Agency:

**FORM 2A
PROJECT
DETAIL**

1992

5-May-92

Page _____ of _____

Project Number:
Project Title:
Agency:

FORM 28
PROJECT DETAIL

Capital Outlay:

Equipment:

Construction:

Contractors:

Travel:

EXXON VALDEZ TRUSTEE COUNCIL

Project Description:								
Budget Category	Proposed 1-Mar-1992 28-Feb-1993	FY 94	FY 95	FY 96	FY 97	FY 98	FY 99	Sum of FY 2000 and beyond
Personnel								
Travel								
Contractual								
Commodities								
Equipment								
Capital Outlay								
Sub-total								
General Administration								
Project Total								
Full-Time Equivalents (FTE)								

Budget Year Proposed Personnel:

Personnel	Position	Grade	Rate	Comments

5-May-92

1992

page ____ of ____

Project Number:
Project Title:
Sub-project Title:
Agency:

**FORM 3A
SUB-PROJECT
DETAIL**

EXXON VALDEZ TRUSTEE COUNCIL

Travel:

Contractual:

Commodities:

Equipment:

Capital Outlay:

5-May-92

1992

page ____ of ____

Project Number:
Project Title:
Sub-project Title:
Agency:

FORM 3B
SUB-PROJECT
DETAIL

EXXON VALDEZ TRUSTEE COUNCIL

Project Number	Project Title	Original Authorized	Current Revised Authorized	Percentage Spent by End of Quarter	Comment

5-May-92

1992

page ____ of ____

Finance Representative:
Restoration Team Member:
Quarter:
Agency:

**FORM 4
QUARTERLY
REPORT**

EXXON VALDEZ TRUSTEE COUNCIL

Project Number	Project Title	Original Authorized	Current Revised Authorized	Proposed Change	Explanation	Trustees Approve? Yes/No

S-Msy-92

1992

page ____ of ____

Project Manager:
Restoration Team Member:
Agency:
Date:

**FORM 5
TRANSFER REQUEST -
TRUSTEES**

APPENDIX C

STATE OF ALASKA PROCEDURES FOR PUBLIC NOTIFICATION AND REVIEW OF ANNUAL BUDGET

The State of Alaska adheres to an annual budget process, with the Governor required to release a draft annual budget plan on December 15 preceding the beginning of the fiscal year on July 1. Since the Trustee Council will approve projects for the period October 1 to September 30, the State will include in its budget process three months of one Federal fiscal year (July 1 to September) and nine months of the second Federal fiscal year (October 1 to June 30).

State of Alaska institutions are involved in the operations of the Trustee Council and the spending of settlement funds in three respects. First, heads of three executive branch agencies serve on the six-member Trustee Council. Second, members of the Alaska State Legislature have an interest in particular projects proposed for funding by the Trustee Council. Third, the Alaska State Legislature, in practice, authorizes all spending made by an executive branch agency, regardless of the source of the funds. The following process relates to the third aspect only.

After the Trustee Council makes its final budget decisions, the Alaska Office of Management and Budget will prepare, assisted if necessary by State agencies, documents reflecting Trustee Council approved spending plans for projects or sub-projects to be carried out by State agencies. These documents will include a project description, line-item proposed expenditures, and information on state employees to be paid from the project. No projects to be carried out by Federal agencies will be subject to the State review and notification process.

The budget documents will be submitted for approval to the Legislative Budget and Audit Committee, as prescribed in Alaska Statute 37.07.080 (h). Authorization to spend will be recorded in the Alaska State Accounting System. Accounting documents establishing authorization to spend will be prepared by the State agency responsible for carrying out the project or sub-project, and approved by the Office of Management and Budget.

Data on expenditures made in the prior budget year, the current year authorization to spend, and spending approved by the Trustee Council for the upcoming budget year will be provided to the Alaska State Legislature, for information, through the normal budget process. Normal budget documents will identify such past and proposed expenditures with a unique funding source code, and State employees to be paid from settlement funds will be identified along with the amount they will be paid from the settlement funds. Budget structure changes, such as new budget request units or budget components, may be created with approval from the Office of Management and Budget to consolidate Trustee Council projects and sub-projects.

APPENDIX D

FEDERAL GOVERNMENT PROCEDURES FOR PUBLIC NOTIFICATION AND REVIEW OF ANNUAL BUDGET

During budget formulation, the President establishes general budget guidelines (OMB annual guidance) and fiscal policy guidelines. Under a multi-year planning system, policy guidance and planning ceilings are given to agencies for both the upcoming budget year and for the four following years. The budget guidelines also provide the initial guidelines for preparation of agency budget requests.

ANNUAL BUDGET FORMULATION PROCESS

As a subset of this procedure, the Restoration Team will provide budget/program recommendations to the Trustee Council for consideration that will reflect the requirements for the upcoming fiscal year. (For the 1994 Federal budget, it is expected that budgetary information will be received from the Trustee Council beginning in June 1992.) These recommendations will include for each agency, a list of projects and their associated project numbers and costs, including multi-year costs. The project list will be used by the Restoration Team in making recommendations to the Trustee Council.

Upon approval of the projects by the Trustee Council, the Financial Committee will ensure that the preparation and submission of all Federal budget estimates are in accordance with OMB Circular A-11.

PRESENTATION

Presentation of the annual budget request should be consistent across Federal Trustee Agencies and in accordance with OMB Circular A-11. A new title and code will be established within the Departments of Agriculture, Commerce, and Interior. These title and code designations (referred to as "Budget Activity") will be solely dedicated to Exxon Valdez oil spill assessment and restoration activities.

The Budget Activity will have three sub-activities that will provide detailed justification required by OMB for inclusion in the Congressional budget submission. Exxon Valdez oil spill budgetary requirements will be displayed by the Federal Trustee Agencies in the budget justification materials as follows:

- * Activity: Exxon Valdez Restoration Program
- * Subactivity: Damage Assessment Program
- * Subactivity: Restoration Program
- * Subactivity: Administration

TRANSFER OF EXXON SETTLEMENT FUNDS FROM THE COURT REGISTRY

Federal funds from the Court Registry will initially be transferred to and deposited in the Department of the Interior's (DOI) Natural Resource Damage Assessment and Restoration (NRDA&R) Fund. Therefore, the DOI annual budget estimate will reflect all Federal budgetary requirements anticipated at the time of submission for continuing activities, new activities, amounts necessary to meet specific financial liabilities imposed by law, and amounts to be transferred to Federal Trustees for Exxon Valdez oil spill-related program activities. The Federal Trustees will reflect in their individual budgets, the amount of the transfer from the NRDA&R Fund account, and will submit all required budget justification materials to OMB for clearance prior to transmittal to Congress.

CONTENT

Required budget materials for the initial and subsequent budget submissions are listed in OMB Circular A-11. These materials will be submitted in accordance with the detailed instructions in the sections indicated and the arrangements made by OMB representatives. OMB guidelines specify requirements that apply only to certain Federal Agencies or under certain circumstances.

FORMAT

As a general rule, approval for changes in budget structure should be requested by October 1, unless OMB specifies an earlier date. Changes in budget structure include establishment of new accounts, changes in account titles, account mergers, changes in the sequence of existing accounts, and new methods of financing. Specific information and format requirements will be determined in consultation with OMB representatives. Advance approval must be obtained before modifications are made to the standard justification material requirements used to present program and financial information.

CONGRESSIONAL NOTIFICATION

According to Public Law 102-229, which is dated December 12, 1991, "Making dire emergency supplemental appropriations...", among other provisions, provided "...That, for fiscal year 1992, the Federal Trustees shall provide written notification of the proposed transfer of such amounts to the Appropriations Committees of the House of Representatives and the Senate thirty days prior to the actual transfer of such amounts..."

"Such amounts" refers to amounts received by the United States for restitution and future restoration in settlement of *United States v. Exxon Corporation and Exxon Shipping Company* and deposited into the NRDA&R Fund prior to the transfer of funds to the other Federal Trustees and notice to OMB. Congressional notification will be by letter from the Federal Trustees to the Chairpersons of the House and Senate Appropriations Committees.

The notification will include, in summary form, an estimate of the Exxon settlement funds that are to be expended from the NRDA&R Fund by the Federal Trustees and the projects and activities for which the funds are to be used.

PL 102-229 also required "...That, for fiscal 1993 and thereafter, the Federal Trustees shall submit in the President Budget for each fiscal year the proposed use of such amounts."

Because this requirement was not incorporated into the President's 1993 Budget, due to time constraints, it is anticipated that the same requirement that was made for the Federal Trustees in 1992 will also be required by the Congress in 1993.

APPENDIX E

PROCEDURE FOR REQUESTING MONEY FROM THE COURT REGISTRY

The memorandum of agreement between the State and Federal governments requires a joint application to the Court for funds. The U.S. Department of Justice and the Alaska Department of Law will make the application upon authorization to do so by a unanimous vote of the Trustee Council. The Trustee Council will specify, in its vote, the amount to request from the Court for deposit in the Natural Resource Damage Assessment and Recovery (NRDA&R) Fund and the fund established by the State of Alaska. The Court will be asked to deliver monies separately to the two governments.

The Administrative Director shall assist, if necessary, the Department of Justice and the Department of Law prepare documents (primarily those concerning project descriptions) comprising the application for funds.

The Resolution Form (w/blanks) developed by State and Federal Attorneys is as follows:

RESOLUTION OF THE EXXON VALDEZ SETTLEMENT TRUSTEE COUNCIL

We, the undersigned, duly authorized members of the Exxon Valdez Settlement Trustee Council do hereby certify that, in accordance with the Memorandum of Agreement and Consent Decree entered as settlement of United States of America v. State of Alaska, No. A91-081 Civil, U.S. District Court for the District of Alaska, and after numerous public meetings, unanimous agreement has been reached to expend funds received in settlement of United States of America v. Exxon Corporation, et al., No. A91-082 Civil, U.S. District Court for the District of Alaska, and State of Alaska v. Exxon Corporation, et al., No. A91-083 Civil, U.S. District Court for the District of Alaska, for necessary natural resource damage assessment, restoration activities and administration from _____ to _____, according to the budgets appended hereto and totalling \$ _____. The moneys are to be distributed to the Trustee agencies according to the following schedule:

June 23, 1992

Alaska Department of Fish and Game	\$
Alaska Department of Natural Resources	
Alaska Department of Environmental Conservation	_____
SUBTOTAL TO STATE OF ALASKA	\$
U.S. Department of Agriculture	\$
U.S. Department of the Interior	
U.S. National Oceanic and Atmospheric Administration	_____
SUBTOTAL TO UNITED STATES OF AMERICA	\$
TOTAL BUDGET _____ to _____	

We further certify that, by unanimous consent, we have requested the Attorney General of the State of Alaska and the Assistant Attorney General of the Environmental and Natural Resources Division of the United States Department of Justice to petition the United States District Court for the District of Alaska for withdrawal of the sum of \$ _____ from the Court Registry account established as a result of the governments' settlement with the Exxon companies.

MICHAEL A. BARTON
 Regional Forester
 Alaska Region
 USDA Forest Service

CHARLES E. COLE
 Attorney General
 State of Alaska

CURTIS V. McVEE
 Special Assistant
 U.S. Department of the Interior

STEVEN PENOYER
 Director, Alaska Region
 National Marine Fisheries Service

CARL L. ROSIER
 Commissioner
 Alaska Department of Fish and Game

JOHN A. SANDOR
 Commissioner
 Alaska Department of Environmental
 Conservation

June 23, 1992

APPENDIX F

PROCEDURE FOR TRANSFERRING FUNDS FROM THE U.S. DEPARTMENT OF THE INTERIOR NATURAL RESOURCE DAMAGE ASSESSMENT AND RECOVERY FUND TO APPROPRIATE FEDERAL AGENCY ACCOUNTS

This appendix provides general guidance to Federal agencies, bureaus, and offices in transferring funds from the U.S. Department of the Interior's (DOI) Natural Resource Damage Assessment and Restoration (NRDA&R) Fund for Exxon Valdez Oil Spill Restoration work approved by the Trustee Council and performed by its representatives. More specific procedures and contacts for the transfer of funds are under development by the Federal agencies involved and will become part of this appendix upon completion. The detailed process will not, in any way, alter the basic structural transfer procedures as outlined in this appendix.

Establishment of the Fund provides authority for DOI to receive payments as offsetting collections into the Fund which would otherwise be paid to the Treasury of the United States. Payments are credited to the Fund as offsetting collections, as required by the Office of Management and Budget. Offsetting collection disbursements to other agencies and bureaus require Memoranda of Agreement (MOA) for fiscal accountability.

The payment of funds from the NRDA&R Fund will be made as expenditure transfers to the Department of Commerce, National Oceanic and Atmospheric Administration (NOAA); Department of Agriculture, U.S. Forest Service (USFS); and appropriate DOI bureaus and offices based upon MOAs which are to include financial work plans for projects, reporting requirements as necessary, and administrative costs. These plans (format under development) will include a schedule of estimated expenditures through completion of the project. As an example, payments can be made in total for simple projects, or can be made periodically over the life of a large or complex project.

The following points summarize the procedure:

- 1) Budget and Finance Officers of the Fish and Wildlife Service (FWS) - - the DOI bureau administering the Fund -- will be provided by the Trustee Council with the authority to spend. Documentation granting such authority to the FWS will include a MOA with the attached project plan and identification of each agency budget as approved by the Trustee Council. To properly allocate and track funding by project as provided to the FWS Division of Budget for allocation and the assignment of project numbers. For purposes of this procedure, an "agency" is NOAA, USFS and a bureau or office of DOI.
- 2) To maximize interest earned in the NRDA&R Fund, payments for Trustee Council approved budgets may be made on a quarterly basis for large projects.
- 3) To use the existing Federal System, DOI will process payments to agencies, bureaus

and offices through an electronic Treasury Online Payment and Collection (OPAC) system or by other means as necessary. The account designation, project number as assigned by FWS Division of Budget and contact person for each transfer should be provided on each OPAC or other billing to the FWS.

4) No backup documentation is required by the FWS to support the OPAC billing, however, it will remain the responsibility of the Federal agency, bureau, or office to whom the payment is made to provide the necessary supporting documents in the event of an audit or upon request by the Trustee Council.

Because DOI, through FWS, will be investing all collections until they are needed, expenditure estimates for the Trustee Council-approved budgets are to be submitted to:

Department of the Interior
Office of Budget
1849 C Street, NW
Washington, DC 20240

Attn: Robert Baldauf, Room 4125
Phone: 202-208-3288
FAX: 202-208-3911

Prior to any disbursement for actual restoration activities, a budget approved by the Trustee Council and an expenditure plan must be provided to the FWS.

APPENDIX G

ADDITIONAL FINANCIAL POLICIES AND PROCEDURES PERTAINING TO THE FEDERAL TRUSTEE DEPARTMENTS AND AGENCIES

As a result of differing financial/accounting policies and procedures utilized by the Federal and State governments, these additional policies set forth in this appendix apply solely to the Federal Trustee departments and agencies.

ANNUAL CERTIFICATION

Financial operating procedures and controls will be certified annually, similar to the process required by the Federal manager's Financial Integrity Act, the OMB Circular on Internal Control Systems. All Federal agencies and bureaus utilizing settlement funds will certify as of September 30, that such agency has operated in accordance with the financial operating procedures and that related controls have been implemented, and that based upon testing performed, the agency can provide reasonable assurance that financial operating procedures and controls are being complied with and are functioning as intended. This report will be completed annually, by October 31st. Such certification will take the form of a memorandum or letter, from each agency, to the Administrative Director for presentation to the Trustee Council and is available for public inspection.

BUDGET IMPLEMENTATION

For Federal agencies, the authority to move funds between object classes within a project is limited to a cumulative amount of \$25,000 or up to 10% of the annual spending level for that project. For amounts of greater value, the procedures for approval by the Trustee Council shall apply (see paragraphs b) and c) at page 4).

AUDITS

An important objective of the Federal Chief Financial Officers Act is the identification of performance measures and the systematic measurement and reporting of performance in each project or activity undertaken. Therefore, project plans are periodically assessed. Then, the project managers should self-certify that the results were achieved.

Finally, when audits of projects are conducted specific procedures, to be recommended by the Finance Committee, should be incorporated in the audit program to review and express an opinion on the accuracy of certified performance. All Federal agencies using settlement funds will self-certify projects (for its files only) at the end of each fiscal year.

11.2B

RESTORATION TEAM WORKING GROUP

A. RESTORATION PLANNING WORKING GROUP

Tasks:

1. Develop Restoration Framework
2. Coordinate public comments on the Restoration Framework
3. Develop Draft Restoration Plan
4. Coordinate public comments on Draft Restoration Plan
5. Develop final Restoration Plan

Personnel Needs (March 1, 1992 - February 28, 1993):
118.5 Months

Stan Senner (ADF&G)--12 mo co-Chair
John Strand (NOAA)--12 mo co-Chair
Ray Thompson (USFS)--12 mo
Sandy Rabinowitch (NPS)--6 mo
Carol Gorbics (FWS)--6 mo
ADEC--9 mo
Art Weiner (ADNR)--12 mo

SUPPORT STAFF

Karen Klinge--12 mo (natural resource specialist/biologist)
Jim Slocomb--3 mo (computer)
Nadeem Siddiqui--8 mo (computer)
Chris Swenson--11 mo (habitat)
Economist--2.5 mo
Writer Editor/Desk Top Publishing--10 mo
Clerk Typist/NOAA--3 mo

B. GEOGRAPHIC INFORMATION SYSTEM (GIS) WORKING GROUP

Tasks:

1. Review and approve requests for data sets and GIS products
2. Provide oversight or GIS projects and products

**Personnel Needs (March 1, 1992 - February 28, 1993):
5 Months**

Mark Brodersen (ADEC)--1 mo Chair
Doug Mutter (DOI)--1 mo
Mark Fraker (ADF&G)--1 mo
Marty Rutherford (ADNR)--1 mo
Bruce Williams (USFS)--1 mo

C. PUBLIC PARTICIPATION WORKING GROUP

Tasks:

1. Review and analysis public comments on the Public Advisory Group (PAG)
2. Develop draft generic PAG charter
3. Ensure that PAG structure and membership options are consistent with Federal Advisory Committee Act
4. Develop draft detailed PAG structure and membership options
5. Identify processes for nominating PAG members
6. Develop draft PAG budget options
7. Develop draft guidelines for PAG operations

Personnel Needs (March 1, 1992 - August 31, 1992):
10 Months

Marty Rutherford (ADNR)--2 mo Chair
Peg Kehrer (ADF&G)--2 mo
Ken Rice (USFS)--2 mo
Sandy Rabinowitch (DOI)-- 2 mo
Tim Steele (NOAA)--2 mo

Com. 100
D. FINANCIAL WORKING GROUP

Tasks:

1. Obtain consensus on agency overhead costs: project/program
2. Obtain consensus on EVOS budget cycles (State/Federal timeline)
3. Develop consistent State/Federal budget accounting/reporting procedures
4. Participate in quarterly/annual budget preparation
5. Develop auditing procedures
6. Develop budget/accounting procedures for non-Trustee agency work
7. Identify the mechanism for obtaining money from the Joint Fund
8. Identify members of Standing Finance Committee and associated budget

**Personnel Needs (March 1, 1992 - February 28, 1993):
14 Months**

David Gentry (State OMB)--2 mo Chair
David Bruce (ADEC)--2 mo
Joe Henderson (NOAA)--2 mo
ADNR--2 mo
Ron McCoy (DOI)--2 mo
Walt Sheridan (USFS)--2 mo
Mike Dean (ADF&G)--2 mo

FINANCIAL COMMITTEE

ADNR -

ADEC -

ADF&G -

USDA -

USDI -

NOAA -

Membership to this standing committee needs to be officially designated. The Trustee Council initially specified a four member committee. The draft Financial Operating Procedures specify a six member committee.

E. PROCESS WORKING GROUP

Tasks:

1. Establish a procedure for maintaining administrative record of the damage assessment and restoration process
2. Compile historic administrative record
3. Develop and implement tracking procedures for incoming public correspondence and ongoing responses
4. Establish procedures for implementing Administrative Director's budget

Personnel Needs (March 1, 1992 - February 28, 1992):
9 Months

Dave Gibbons (USFS)--1 mo Chair
Doug Mutter (DOI)--2 mo
Byron Morris (NOAA)--1 mo
David Bruce (ADEC)--2 mo
ADNR--1 mo
Jim Slocomb (ADNR)--2 mo

F. 1992 WORK PLAN WORKING GROUP

Tasks:

1. Develop procedure for distributing Trustee Council recommended studies/projects to the public for review and collating the resulting comments
2. Ensure that study/project budgets are developed in accordance with guidelines established by the Financial Working Group
3. Prepare draft 1992 Work Plan with detailed study/project descriptions and associated budgets
4. Submit final 1992 Work Plan recommendations to the Trustee Council

Personnel Needs (March 1, 1992 - July 31, 1992):
14 Months

Bryon Morris (NOAA)--3 mo Chair
Carol Gorbics (FWS)--2 mo
Mark Fraker (ADF&G)--2 mo
Jim Slocomb (ADNR)--1 mo
Joe Sullivan (ADF&G)--2 mo
Peg Kehrer (ADF&G)--2 mo
Annette Untalasco (USFS)--1 mo
Ken Rice (USFS)--1 mo
Jerome Montague (ADF&G)--1 mo

G. 1993 WORK PLAN WORKING GROUP

Tasks:

1. Identify studies/projects needed for 1993 under the Framework Document
2. Coordinate public comments on identified study/project needs
3. Prepare Requests For Proposals for appropriate studies/projects
4. Collect, collate, and screen proposals received
5. Evaluate studies/projects
6. Prepare draft 1993 Work Plan with detailed study/project descriptions and associated budgets
7. Coordinate public comments on the 1993 Work Plan
8. Submit final 1993 Work Plan recommendation to the Trustee Council

Personnel Needs (March 1, 1992 - February 28, 1993):
41 months

Jerome Montague (ADF&G)--5 mo Chair
Doug Mutter (DOI)--4 mo
Mark Fraker (ADF&G)--4 mo
Jim Slocomb (ADNR)--3 mo
Peg Kehrer (ADF&G)--4 mo
Ken Holbrook (USFS)--5 mo
ADNR--4 mo
David Bruce (ADEC)--4 mo
Bryon Morris (NOAA)--4 mo
Tim Steele (NOAA)--4 mo

H. CULTURAL RESOURCES WORKING GROUP

Tasks:

1. Review and screen 1992 and 1993 study/project proposals to ensure Section compliance
2. Provide 1993 Work Plan Working Group with proposed cultural resource restoration studies/projects

**Personnel Needs (March 1, 1992 - February 28, 1993):
4 Months**

Pamela Bergmann (DOI)--1 mo Chair
Judy Bittner (ADNR)--1 mo
Ted Birkedal (NPS)--0.5 mo
Chuck Ditters (FWS)--0.5 mo
John Mattson (USFS)--1 mo

I. ENVIRONMENTAL COMPLIANCE WORKING GROUP

Tasks:

1. Review proposed 1992 and 1993 projects/studies to ensure compliance with the National Environmental Policy Act (NEPA) and the Alaska Coastal Zone Management Act and other applicable laws and regulations
2. Advise lead agency of need for environmental compliance as appropriate
3. Provide oversight and advice on completion of required environmental compliance documentation
4. Draft Notice of Intent for draft Restoration Plan Environmental Impact Statement (EIS)
5. Manage the NEPA analysis of the draft Restoration Plan
6. Draft the Record of Decision for the Restoration Plan

Personnel Needs (March 1, 1992 - February 28, 1993):
9 Months

Ken Rice (USFS)--3 mo Chair
Mark Fraker (ADF&G)--3 mo
Doug Mutter (DOI)--3 mo

J. LAND/HABITAT PROTECTION WORKING GROUP

Tasks:

1. Develop objectives for land/habitat protection
2. Develop criteria for selecting and evaluating land nominated for protection
3. Identify technical experts to provide assistance in acquiring land
4. Determine experts needed to identify injured species habitat and manage the identification process
5. Write the RFP for nomination
6. Review proposals and nominations, analyze public comments on criteria and nomination list, and apply the criteria to lands nominated for protection
7. Determine information management needs
8. Manage the negotiations and acquisition process

Personnel Needs (March 1, 1992 - February 28, 1993):
35 months

Dave Gibbons (USFS)--4 mo co-Chair
Marty Rutherford (ADNR)--4 mo co-Chair
Mark Brodersen (ADEC)--4 mo
Sandy Dunn (DOI)--4 mo
NOAA--3 mo
ADNR--4 mo
Jim Slocomb (ADNR)--3 mo
Kim Sunberg (ADF&G)--4 mo
Walt Sheridan (USFS)--3 mo
John Harmoning (USFS)--1 mo
Tim Steele (NOAA)--1 mo
Mark Fraker (ADF&G)--1 mo