

I. Introduction

Background

Over twenty years ago, on March 24th, 1989, the tanker *Exxon Valdez* ran aground on Bligh Reef in Prince William Sound, Alaska, causing the largest tanker oil spill in U.S. history. Approximately 11 million gallons of North Slope crude oil subsequently moved through southwestern Prince William Sound and along the western coast of the Gulf of Alaska, causing injury to both natural resources and services (human uses) in the area. By the middle of May 1989, some 470 miles of shoreline had been oiled, including parts of Prince William Sound, the Kenai Peninsula, the Kodiak Archipelago, and the Alaska Peninsula. During the summer of 1989, oil from the spill was found as far away as 600 miles from Bligh Reef, the site of the grounding.

The State of Alaska and the United States brought claims against Exxon Mobil Corporation for the natural resources damage resulting from the spill and the resolution of the civil claims resulted in a \$900 million civil settlement. The *Exxon Valdez* Oil Spill Trustee Council (Council) was formed in 1992 to oversee the use of these funds to work to restore the natural resources and ecosystem damaged by the 1989 spill. The Council consists of three state and three federal trustees (or their designees) and is advised by members of the public and by members of the scientific community. As part of their efforts, the Council adopted a Restoration Plan (Plan) in 1994 to guide restoration through research and monitoring, habitat protection and general restoration.

Proposed Action

Of the approximately \$780 million of joint trust funds initially funding the Council, over \$180 million has been used for research, monitoring and general restoration and over \$375 million has funded habitat protection. Council annual program development, implementation and administration have cost over \$45 million dollars. Approximately \$76 million remains available for research, monitoring and general restoration and \$24 million remains available for habitat acquisition and protection. Recognizing that funding for future restoration is limited and that it is becoming increasingly difficult to distinguish between spill impacts and other effects in measuring recovery, the Council is considering an organized and strategic transition to a modest program which would focus the remaining funds on a few specific programs and habitat protection.

Long-term management of species and resources initially injured by the spill lies with the agencies and entities that have the mandate and resources to pursue these long-term goals. To support natural restoration and to enable management consistent with this long-term restoration, the Council has increasingly directed funds toward research that provides information that is critical to monitor and support the healthy functioning of the spill ecosystem.

Building on its past efforts, the Council has identified five areas of focus for its remaining work: (1) herring; (2) lingering oil; (3) long-term monitoring of marine conditions; (4) harbor protection and marine restoration; and (5) habitat acquisition and protection.

Action Area

The EVOS area is located in southcentral Alaska, including the northern and western portions of the Gulf of Alaska, and encompasses a surface area of approximately 75,000 square miles. The EVOS area is divided into four regions; the Prince William Sound, the Cook Inlet/Kenai Peninsula, the Kodiak Archipelago, and the Alaska Peninsula regions.

II. Public Participation Process

Notice of Intent and Scoping Process

As part of the process to develop the Draft SEIS, NOAA, on behalf of the EVOS Trustee Council, solicited the input of stakeholders and the public on the scope and scale of the Draft SEIS. NOAA began the formal scoping process by publishing a Notice of Intent in the *Federal Register* on Friday January 22, 2010 (75 FR 3706). NOAA also released public notices about the scheduling of six public meetings in February and March 2010 in the following locations;

February 16, 2010 - Homer, Alaska

6:00 PM - 8:00 PM

Alaska Islands and Oceans Visitor Center
95 Sterling Highway
Homer, AK 99603

February 17, 2010 - Anchorage, Alaska

6:00 PM - 8:00 PM

Dena'ina Civic & Convention Center- Kahtnu Room #1
600 West 7th Ave.
Anchorage, AK 99501

February 18, 2010 - Cordova, Alaska

7:00 PM - 9:00 PM

Cordova Public Library
622 First Street
Cordova, AK 99574

March 16, 2010 - Seward, Alaska

6:00 PM - 8:00 PM

K.M. Rae Building
125 Third Avenue
Seward, AK 99664

March 17, 2010 - Valdez, Alaska

6:00 PM - 8:00 PM
Valdez Civic Center
110 Clifton Drive
Valdez, AK 99686

March 18, 2010 - Kodiak, Alaska

6:00 PM - 8:00 PM
Kodiak Refuge Visitor Center
402 Center Street
Kodiak, AK 99615

These notices were sent through email distribution lists, posted on the EVOS website, mailed to municipalities and tribal governments, and published in local and state newspapers. Both through the Notice of Intent, and the public meetings, NOAA requested written comments from the public regarding potential environmental concerns or impacts, additional categories of impacts to be considered, measures to avoid or lessen impacts, and suggestions on restoration priorities and projects.

At the six public meetings NOAA, as the Lead Administrative Trustee, gave an overview of the NEPA process and discussed the direction the Council plans to take with regard to a streamlining of the administrative structure. The EVOS website was updated so that it contained much of the same information released through the Notice of Intent and the public meetings.

III. Summary of Restoration Alternatives and Issues Identified

Overview

NOAA received comments from 89 people during the scoping process, while some people commented on one aspect others gave comment on several aspects. In addition, NOAA used the public meeting as a forum to collect comments and questions from the public about the NOI as well as EVOS in general. Below is a summary of the written and oral comments collected through the Notice of Intent announcement and public meetings. The comments have been grouped into categories. Where a commenter has an affiliation to EVOSTC or is from a government agency, their name has been listed by their respective comment(s). To read all the submitted scoping comments and to listen to audio of the public meetings, go to the EVOS website.

General Content and Process

- Understands that the TC seeks a more efficient funding mechanism. Encourages the TC to spend considerable time in developing the funding structure as they have in outlining the five focus areas. (*Tara Jones, Alaska SeaLife Center*)
- The future distribution of EVOS funds must be done in a competitive manner and suggests that EVOS research funds should be distributed to an organization such

as NPRB, which has a successful and well-respected record of administering research funding.

- Consider a new focus area besides the five listed in the NOI - a consideration of the marine/spatial planning and marine protected areas would be appropriate.
- EVOSTC admin costs are too high and there are other worthy ways to spend the money. The TC should be phased out and a new entity created or adopted to manage the on-going restoration needs.
- Chugach strongly objects to the proposed narrowing of the scope of the Council's restoration efforts in that it excludes mitigation of the Spill's continuing adverse social and economic impacts on Alaska Natives, and in that it includes further acquisitions of Native Lands. (*Sheri Buretta, Chairman Chugach Alaska Corporation*)
- The TC could adopt the fiscal agent model of the NPRB under which the Alaska SeaLife Center acts as the Board's grant administration agent. In addition, an alternative need that is not addressed in this notice but which is critical in enabling improved response to future spills is for better understanding of local effects of oil in harbors within the spill affected area, response to animal strandings, education, and shared science networks. (*Todd Allen, Chairman Alaska SeaLife Center and Ian Dutton, President and CEO, Alaska SeaLife Center*)
- Urge the Council to remain flexible in allocating habitat acquisition investments. We suggest seeking the largest marine-coastal ecosystem benefits per dollar invested and utilizing both fee acquisition and conservation easement tools in accomplishing your objectives. (*William Chandler, Marine Conservation Biology Institute*)
- Would like to see the species of concern remain a priority and a focal point of future RFP's (Murrelets, cutthroat trout, subtidal communities, and rockfish). (*Tom Haluska, tribal biologist, Native Village of Eyak (NVE)*)
- Issues such as the decline in herring, harbor seals, shellfish, and lingering oil are all still important to the Chugach communities, and it is recommended that research continue in these areas. (*Patty Brown-Schwalenberg, Executive Director, Chugach Regional Resources Commission*)

Long-term monitoring

- Research and monitoring is a legacy of EVOS and wonders if the TC could transfer or link an EVOSTC allocation to the Gulf of Alaska integrated ecosystem research program (IERP) as a way to continue understanding marine ecosystems. (*Clarence Pautzke, North Pacific Research Board*)
- Hopes the TC understands the importance of coordinated marine research, long term monitoring, and education in spill-affected communities. (10 comments) (*Dr. Thomas Weingartner, Professor of Marine Science, UA Fairbanks, Eva Saulitis, EVOSTC funded researcher, Tom Haluska, tribal biologist, Native Village of Eyak (NVE), Dr. Russell Hopcroft, Associate Professor, UA Fairbanks, and Rob Campbell, current principal investigator*)

- Near shore and intertidal habitats should be the overwhelming focus of long-term monitoring. (2 comments) (*Sue Masica, Regional Director, National Parks Service*)
- Need to support oceanographic mooring buoys as they are a source of information that is very unique.
- Urge the TC to consider funding an extended oceanographic measurement program. A worthwhile measurement program could take on many forms, including an ambitious 25 year effort that spends all available funds. Alternately, a more modest program could be endowed such that the measurements are spent below the inflation rate and the program could be carried out on a 100+ year time frame. (*Seth Danielson, Institute of Marine Science, UA Fairbanks*)
- In order to insure the long-term viability of the marine-debris monitoring project, the Council should include funding for marine-debris monitoring under the proposed Long-term Monitoring of Marine Conditions project. (*Chris Pallister, Gulf of Alaska Keeper*)
- I would also urge you to consider using AOOS in some way as a framework for future EVOS-funded monitoring. (*Molly McCammon, ED, AOOS*)

Habitat acquisition

- Encourage EVOSTC to fund the purchase of a 44-acre parcel along the lower Kenai River. It is one of the largest tracts of private land remaining on the Kenai River and encompasses approximately 1/4 mile of river frontage and a variety of wetland and upland habitats. Please support this purchase. (2 comments) (*Dwight Kramer, Kenai Area Fisherman's Coalition and Kathy East, Keen-Eye Birders Club*)
- Please continue to support habitat restoration through the parcels acquisition program. (8 comments) (*Jeff Mow, National Park Service, Kenai Fjords National Park, Glenn Ellison, Alaska State Director, The Conservation Fund, Dominick DellaSala, President and Chief Scientist, National Center for Conservation Science and Policy, Tim Richardson, American Wildlife Conservation Partners and American Land Conservancy, and Gary Wheeler, USFWS, Kodiak National Wildlife Refuge*)
- Encourage and support the TC's use of EVOS funds to purchase land and/or easements along that Kodiak road system that will allow the public to recreate, specifically interested in preserving public use on the American and Olds Rivers which are popular fishing spots. (6 comments) (*Judy Kidder, Kodiak Sportfishing Association, Kevin Brennan, Executive Director, Kodiak Regional Aquaculture Association, and Debora King, Executive Director, Kodiak Chamber of Commerce*)
- Supports land acquisition for habitat preservation as well as purchasing easements to maintain trail and access to lands used for recreation. Supports public access for land use by the public. Both Termination Point and Long Island on Kodiak Island are jewels and worthy of being preserved. (16 comments) (*Stacy Studebaker, Kodiak Audubon, Jerome Selby, Mayor, Kodiak Island Borough, and Mike Sirofchuck, Chair, Kodiak State Parks Citizens Advisory Board*)

- Understands that the TC front-end loaded the available funds to support habitat acquisition. This meant that funds would be available later for long-term science and monitoring. Now feels that somewhere along the way was sold out by the TC, as the TC accepted the federal law that designated part of the reserve for habitat acquisition. Felt that we had agreed on a third of all funds to habitat and more is being spent in that category. (*John French, PAC member*)
- Information concerning the mandated/legislated habitat acquisition and protection program should be disseminated and public comment sought again.
- Funding for coastal and marine spatial planning and consideration of Marine Protected Areas in the spill-affected area should be above and beyond the proposed funding as that component is legislatively limited. (*Sue Masica, Regional Director, National Parks Service*)
- The conservation easements at Sitkilidak and Lesnoi seem to be illegal as they are partially on private property and prevent full public access.
- In order to more fully realize the goals and objectives of the habitat protection program and reduce administrative costs, we urge the Trustee Council to consider a program administered by a non-profit through a contract arrangement following an open RFP and selection process. (*Glenn Elison, Alaska State Director, The Conservation Fund*)

Marine debris/harbor protection/marine restoration

- Sees marine debris removal/harbor protection/marine restoration as important avenues to pursue. (4 comments) (*Ted Raynor, Gulf of Alaska Keeper, Jennifer Gibbons, PAC member, and Kari Anderson, Seward Harbormaster*)
- The City of Seward is hopeful that the Trustees will open solicitation for projects addressing harbor-related storm water management projects. The Alaska DEC, Division of Water would seem to be an appropriate state entity to evaluate proposals or partner with the EVOS Trustee Council in this process. (*Kari Anderson, Seward Harbormaster*)

Lingering Oil

- The problem of lingering oil needs to be solved. Would like to see the reopener be more responsive to lingering oil rather than use the remaining and available EVOS funds to solve this problem. (3 comments) (*Amanda Bauer, PAC member and Eric Knudsen, Chairman, PWSSC*)
- Lingering oil needs to be solved, seems appropriate that funds are being directed there. (*Willard Dunham, Mayor City of Seward*)

Herring

- With the large quantities of plastic marine debris littering known herring spawning beaches the Council should investigate whether these marine-debris factors are impacting herring health and inhibiting the ability of herring to recover. (*Chris Pallister, Gulf of Alaska Keeper*)
- Studying herring disease is important and worthy of the TC's consideration.

Creation of an endowment

- Would like to see an endowment created to allow for quantitative and independent monitoring of resources. (8 comments) (*Dr. Thomas Weingartner, Professor of Marine Science, UA Fairbanks, Sue Masica, Regional Director, National Parks Service, Eric Knudsen, Chairman, PWSSC, and Thomas Royer, Professor Emeritus at UA Fairbanks and Old Dominion University*)
- Would like to see funding for three endowed professorship positions at the University of Alaska. One position would be for marine fisheries, one for marine mammals, and one for marine birds. Each professor should have enough funding to always have a graduate fellowship. (*James King, former PAC member*)
- An endowment to the Alaska SeaLife Center would be a good investment. (*Dan Oliver, UA Fairbanks, Seward Marine Center*)
- The TC should consider funneling money into endowment that can continue. Of the five areas listed in the NOI, the one area that touches all of those is research. Imagines the EVOSTC serving as a science advisory board and an endowment spread across several institutions. (*Phillip Oates, Manager, City of Seward*)
- Wants a portion of remaining funds to set up endowments into ASLC, PWSSC, Kodiak Center, to use for research to take care of lingering effects in PWS area of spill. (*Tim Joyce, Mayor, City of Cordova*)
- An ideal scenario would be for the Council to establish an endowment fund with all remaining available restoration funds (understanding that to be between \$80-100m). (*Todd Allen, Chairman Alaska SeaLife Center and Ian Dutton, President and CEO, Alaska SeaLife Center*)
- The creation of an endowment fund to NOAA and the Alaska Department of Fish and Game that identifies money for future long term monitoring of marine resources is recommended. (*Jerome Selby, Mayor, Kodiak Island Borough*)

Prioritization and amount of proposed funding

- Habitat acquisition should not be funded any longer. (2 comments) (*Tom Haluska, tribal biologist, Native Village of Eyak (NVE)*)
- As far as to the future; herring should be the responsibility of AKDF&G, monitoring should continue, harbor protection and habitat acquisition should be lower priorities. No mention of lingering oil.
- Herring is important but should not be the sole focus of the TC restoration funds.
- Ask the TC to spend majority of money put back to where it was the most affected, people of Cordova have been devastated and the area fisheries have been wiped out.
- Marine debris should be designated more than \$3 million; GoAK recommends that a minimum of \$7 million be invested by the Council to combat marine-debris problems in Prince William Sound and along the Kenai Peninsula coast, and to also fund a long-term marine-debris maintenance cleanup project. (*Chris Pallister, Gulf of Alaska Keeper*)
- More money should go into herring restoration fund and long-term monitoring. (2 comments) (*Eric Knudsen, Chairman, PWSSC*)
- Herring and long-term monitoring should be funded at higher levels and for a longer period (30-40 year period) and suggests an additional \$3 million for harbor

protection and marine restoration projects. (*Nancy Bird, Current PI, Pres. PWSSC and ED of Oil Spill Recovery Institute*)

- Need more than \$20M for herring restoration. (*Tom Klein, PWSSC*)
- Urge the TC to spend remaining \$100 million in the area most devastated by EVOS, which is PWS. (2 comments)
- The level of funding indicated in the NOI for herring is excessive, a substantial allotment should be held in reserve until the lingering oil reopener and lingering oil response issues are finalized, more funding should be allocated to research for response, damage assessment and restoration implications.
- The proposed funding for harbor and water projects and marine debris removal are adequate.
- Would like to see the TC give money to the Tutka Bay Hatchery.
- Doesn't believe that setting an arbitrary timeline of 20 yrs is appropriate nor will it accomplish the goal of long-term monitoring.
- Strongly believe the strategy of habitat acquisition is misdirected and has already received a disproportionately large percentage of overall restoration efforts. There are many uncertainties associated with herring and question whether a \$20m investment really is adequate and feasible over a 20 year period. Strongly support the need for better long term monitoring of both spill impacts and overall change in the Gulf of Alaska. (*Todd Allen, Chairman, Ian Dutton, President and CEO, Alaska SeaLife Center*)
- Recommend funding for herring be reduced and that work focus on monitoring and restoration of spawning habitat for herring and other forage fish species impacted by the EVOS. (*Sue Masica, Regional Director, National Parks Service*)
- Harbor protection and marine restoration is worthy of support at a lesser level than suggested. (*Eric Knudsen, Chairman, PWSSC*)
- The Council's proposal to fund this effort with approximately \$25 million over a 20-year period would not adequately cover the monitoring needs of the spill-impacted region and I strongly urge you to consider a larger allocation to this category. Our experience with operating a pilot observing system in Prince William Sound indicates that such a program could cost \$3-5 million a year for the entire spill region, especially in the early years when model forecasts are being developed and leveraging is just beginning. (*Molly McCammon, ED, AOOS*)

Use of local effort

- Would like to see EVOSTC staff wind down, let local entities to take over and carry out research, some areas have local capacity to do the work. (*Tim Joyce, Mayor, City of Cordova*)
- The public presence is important and funds should be directed back into communities and with a local director. (7 comments) (*Rob Campbell, current principal investigator, Jennifer Gibbons, PAC member, Rochelle van den Broek, Cordova Fisherman's Union (CDFU), Tom Haluska, tribal biologist, Native Village of Eyak (NVE), Eric Knudsen, Chairman, PWSSC and Patience Anderson Faulkner, PAC member*)

- Points out that Seward is uniquely positioned to facilitate research and use monies wisely now and into the future.
- Would recommend considering use of the Alaska Sea Grant Marine Advisory Program agents to help serve as community liaisons in the major communities in the spill region: Cordova, Seward, Homer and Kodiak and provide that continuous interface between the community needs and the observing/science community. (*Molly McCammon, ED, AOOS*)

Other

- Wants to see the PAC funded and continued.
- Thank you for the Cordova Center Funding. (3 comments) (*Jennifer Gibbons, PAC member and Rob Campbell, current principal investigator*)
- Continue the commitment to the Alaska SeaLife Center and its organization. (2 comments) (*Amy Haddow, Alaska SeaLife Center*)
- A past TC resolution established that the Alaska SeaLife Center is owned by Seward and that science leadership be directed by UAF. That was fine years ago, but is not working well today because of the limitation that it imposes on ASLC to pursue other directions. Need help to get relief from the resolution. (4 comments) (*Todd Allen, Chairman, Ian Dutton, President and CEO, Darryl Schafermeyer, and Tara Jones, Alaska SeaLife Center*)
- There has been no mention of the importance of being able to respond to injured marine mammals and seabirds, it is an important legacy of spill and there are species that have lingering effects from spill. (*Ian Dutton, Alaska SeaLife Center*)
- Would like to report that Sitkalidak Island contains a rich and irreplaceable cultural resource in the form of an archaeological record covering more than 7000 years of human settlement history distributed between more than 100 archaeological sites that encircle the island at almost every reasonable boat landing as well as along the interior streams and ponds. (*Ben Fitzhugh, Associate Professor, University of Washington*)
- Wish to express our gratitude for a job well done by the Trustee Council and a recommendation that you accomplish more of the same within your current proposal to narrow and refine the scope of the Council's restoration efforts using the remaining oil spill settlement funds. (*Bruce Leopold, President, The Wildlife Society*)
- The Karluk Tribal Council restates our willingness to work with the EVOS Trustee Council to secure permanent conservation for our 1,860 acres in the lower Karluk River. The Karluk Tribal Council is confident that past questions about our fee title ownership of the 1,860 acres will soon be demonstrated with legal clarity and the Karluk Tribal Council's small parcel nomination can proceed toward a successful transaction with the EVOS Trustee Council securing a permanent non-development, non-motorized access conservation easement on our lower Karluk River lands. (*Alicia Reft, President, Karluk Tribal Council*)
- Wishes to comment that NOK is still interested in discussing a sale of the 743-acre Buskin Beach Forest property adjacent to Buskin River State Park on the Kodiak road system. (*Anthony Drabek, President, Natives of Kodiak Inc.*)

- Meaningful community involvement in the Native community costs money, but this is an expense that we believe is necessary and will go a long way towards providing a positive impact on the Native people that have been severely affected by the oil spill. (*Patty Brown-Schwalenberg, Executive Director, Chugach Regional Resources Commission*)

IV. Summary of Questions Regarding the Alternatives, NOI and SEIS

During the public meetings, a number of questions were raised about the allocation of funds as well as the development of a Draft SEIS. This section summarizes these questions as well as the responses provided to the audience about the issues raised. Please note that this is not a verbatim account of the question and answer sessions and that for some questions additional information has been provided for clarification.

General NEPA Content and Process

Q: Does the Council plan on releasing a draft SEIS in the spring of 2010, as noted in the NOI?

A: Yes, that timeline is correct: the Council anticipates completing this updating process by fall 2010.

Q: What is the process for "appeal" and who will sign a Record of Decisions (ROD)?

A: The decision makers on this ROD will be similar to those who signed 1994. To challenge a ROD, parties will file suit in court.

Council Administration and Authority

Q: Is the Council being shut down?

A: The Council hopes to reduce administration. However, the Council cannot divest itself of the responsibility to oversee the expenditure of the funds and thus the Council proposes to convene on an annual basis.

Q: Can the Council establish a marine protected area?

A: The concept of appropriate regulatory action is sound but the Council does not have authority to establish such a protection or to regulate an area.

Allocation of funds

Q: How did the Council come up with a funding figure for marine debris in the NOI and how does the Council plan to disburse it?

A: Allocations are those proposed by the Council, based upon what a reasonable distribution of the remainder of money would be given competing demands.

Long-term monitoring, for example, is at least \$20 million. The Council hopes to disburse monies through competitive request for proposals.

Q: Would it be possible for grant funds to an institution and then they could create an endowment?

A: Endowments through other institutions are being looked at; however the duration and ability to grant may be limited. The TC is looking at endowments as part of the exercise to downsize, and are looking at other entities as the folks who could do it. Funding future research through endowment relies on the hope that invested money returns interest. Right now invested funds are getting returns, but are not always possible and of course are not guaranteed.

Habitat Acquisition

Q: There are conservation easements at Sitkilidak and Lesnoi. These seem to be illegal as they are partially on private property and prevent full public access. Can the TC explain?

A: The TC can't discuss this particular topic at this time but your comment has been noted and recorded. In general, the habitat team would look into these types of issues prior to purchase.

Long-Term Monitoring Considerations

Q: What would the format of long-term monitoring be?

A: The Council will request proposals for long-term monitoring of ocean conditions such as current, temperature, and the climate of those areas that are influential to those conditions that influence the spill area. The proposers will have the burden of proposing a detailed, long-term monitoring plan that will address these issues, as well as demonstrating scientific, administrative and funding capabilities, such as existing staff and infrastructure, leveraging resources and the ability to fulfill administrative responsibilities such as peer review and a public process. The Council has considered long-term monitoring plans in the past, such as the Gulf Ecosystem Monitoring Plan, and those may be instrumental for current proposers to review.

Q: Of the money listed in the NOI, is it correct to assume that some funds have been withheld (ones that have been encumbered)?

A: Yes, encumbered funds are not represented in the NOI.

Q: Can the funds allocated to Habitat Acquisition and Protection be re-allocated to other uses?

A: These funds could be reallocated. However, this current allocation was authorized by congressional action and Council resolution to allow the funds to be removed from a federal court registry and to be invested by the Council in a state investment fund which has yielded additional funds to be used for restoration. To change this allocation, federal law would have to be altered.

Lingering Oil

Q: How toxic is lingering oil now as compared to the 1989 level of toxicity?

A: In some cases, it is as toxic as the day it spilled.

Q: Can the TC detect 1964 oil in sediments?

A: Some elimination studies have shown that the oil at issue is EVOS. Also, Jeff Short's studies (Short et al. 2006, Short et al. 2004, Short et al. 1997) have shown degradation rates.

Q: Does the lingering oil cause harm?

A: There are several pending lingering oil studies which evaluate whether the lingering oil causes harm and which will hopefully be complete within a year. Examples of such studies include the evaluation of injury to harlequin ducks caused by sublethal hydrocarbon exposure, another surveying otter populations in oiled and non-oiled areas and a third evaluating sublethal effects of hydrocarbon exposure on duck hearts. There have also been some studies on fish hearts which have demonstrated the sublethal effects of hydrocarbon exposure. Studies such as these will inform the Council's evaluation of whether an attempt to remove the oil is justified in light of the potential harm of such activities.

Q: Is it correct that a how-to manual will be created that will address clean up of oil spills?

A: Yes, both NOAA and EVOS are creating a best management practices manual to be distributed as a learning tool.

Q: With the reopening discussions underway, will Exxon be putting any more money into the fund?

A: Exxon and the TC have agreed to not go to court until lingering oil research is completed. If restoration is a viable option, then the TC will spend money and Exxon will reimburse the fund.

Q: When will research stop and a decision be made?

A: Within two years, once the studies and final reports are turned in.

Marine Debris

Q: Will the marine debris actions include a plan for long-term removal and revisiting sites?

A: The marine debris actions may not be funded long-term by the Council but could possibly be funded through NOAA or other funding stream.