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## Kachemak Bay Wilderness Lodge

July 29, 1994

Mr. Jim Ayers, Director  
Trustee Council  
645 G Street  
Anchorage, AK 99501

|  |                       |            |
|--|-----------------------|------------|
| Post-It™ brand fax transmittal memo 7071 |                       | # of pages |
| To: <i>Trustee Council</i>               | From: <i>McBride</i>  |            |
| Co.                                      | Co.                   |            |
| Dept.                                    | Phone #               |            |
| Fax # <i>1-276-7678</i>                  | Fax # <i>235-8911</i> |            |

Dear Mr. Ayers and Trustee Council members,

We wish to say thank you for the work that is ongoing, moving towards habitat restoration. We are especially thankful for the Kachemak Bay State Park buyback, and Afognak Island Seal Bay restoration appropriations.

We feel it is important to make large purchases, not fragmented acreage, to keep an ecosystem intact. The timber rights for the Eyak area is an example. Buying the timber rights in crucial areas like Sheep Bay, Rude River, Port Cravina, and Simpson Bay will help small businesses continue to develop tourism and commercial fishing - which we feel could be the future backbone of Alaska's economy. Please look at this in a large comprehensive, long-term plan.

We hope that Governor Wickett and Commission Sandor will agree that this protection of large areas will be the most profitable for Alaska in the long term.

Sincerely,

*Diane McBride*

Michael, Diane, Morgan McBride

*Morgan McBride*

*Michael McBride*

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July 19, 1994

Dear Oil Spill Trustees;

Please slash the budget for General Restoration budgets.

And please support, large land acquisitions especially for Kodiak Nat. Wildlife Refuge, Kenai Fjords Nat. Park, the Eyak and Chenega areas, and Knight and Afognak Islands. The Habitat Protection budget should be at least \$500 million. I visit Alaska often to enjoy the scenery + wildlife.

Dr. Wallace Schwads

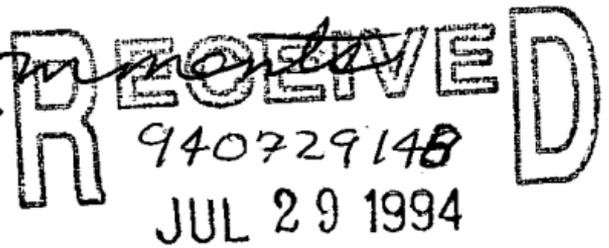
P.O. Box 76, Richmond, CA 94801.

P.O. Box 76  
Richmond  
Al. 60071



Massachusetts Hall • Bowdoin College • Brunswick, Maine

EVOS Trustee Council  
Attn: DEIS Committee  
645 G Street  
Anchorage  
AK 99501



EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

Please, please, please  
think about the long-  
term effects of the decision  
you're making. The best  
way to restore wildlife  
populations injured by  
the oil spill is to use the  
settlement funds to buy  
and protect wildlife  
Habitat Increase \$ to  
Habitat Protection, look  
carefully at "general  
Restoration" expenditure.  
Save Kodiak, Kenai Fjord  
National Park, Adognak Is.  
Thank you for your  
careful consideration. <sup>Melanie</sup>  
Charles

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940729149

JUL 29 1994



USA 19

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

EVOS Trustee Council  
attn: DEIS Comments  
645 G. Street  
Anchorage, AK  
99501

940729150

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R.D.I. Box 1152

Maryland

7.27.12116

July 25, '94

TO: EVOS Trustee Council  
Attn DEIS Comments,  
Anchorage, AK.

Please save the last great Temperate Rainforests  
on earth! Please do the following -

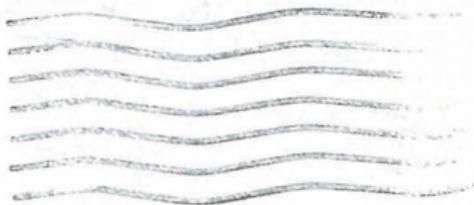
1. Support large acquisitions - not tiny parcels surrounded  
by clearcuts.
2. Slash the budget for "General Restoration" bondage.
3. Strengthen the "Habitat Protection" budget to at  
least \$500 million.
4. Save the areas I love - Kenai Fjords<sup>N.P.</sup>, Chenaigards,  
Knight Island, Eyak Islands, Afognak Is., and  
Kodiak N.W. Refuge.

Stop the clearcut logging by using the  
Civil fines money to restore wildlife populations  
in hundreds of thousands of threatened areas.

Sincerely,

Jean L. Miller

#1152  
12116



Exxon Valdez Oil Spill Trustees  
Attn: DEIS Comments,

645 G Street

Anchorage  
AK

99501



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Hans U. Tschersich, M.D.  
1423 Baranof Street  
Kodiak, Ak 99615

27 July 1994

EVOS Trustee Council  
645 G Street  
Anchorage, AK 99501

Re.: DEIS Comments

The recent acquisition of coastal forest land on north Afognak Island was a very encouraging step in the right direction. There are pristine tracts with old growth forests and clear lakes adjacent to these new additions to our state park system that need to be protected from imminent logging. Beautiful coastal forest land at the city limits of Kodiak (Termination Point) and private inholdings in the Kodiak National Wildlife Refuge are worthy subjects of acquisition as well since they are threatened by clear cutting and development.

These examples point out how important coastal habitat protection is. The proposed 1/3 of the original Exxon settlement money for habitat acquisition seems woefully inadequate, considering these many urgent needs. The environmental community proposes at least \$500 million for habitat protection and the cancellation of general restoration projects which are considered to be of dubious environmental value.

Sincerely,

Hans U. Tschersich



cc. Governor Walter Hickel



EVO's Trustee Council  
Attn: DEIS Comments  
645 G Street  
Anchorage AK 99501

EVOS Trustee Council

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July 27, 1994

Attn: DEIS Comments

645 G Street

Anchorage, AK 99501

DEAR TRUSTEES:

I have recently learned about the EVOS DRAFT Environmental Impact Statement and am writing to comment on how the funds can best be used to "... restore wildlife populations, wilderness values, and other injured resources."

My background studies in ecology and resource management have taught me that the best way to protect an ecosystem from a slow deterioration is to set aside LARGE parcels of land to take their natural course. Clearcutting and other forms of resource extraction cannot co-exist with a healthy ecosystem. Clearcutting in particular has proven time and again that it permanently alters the natural system.

With this in mind I strongly urge ~~to~~ you to use as much of your funding as possible, at least \$500 million to Habitat Acquisition. The areas I am most concerned with are Prince William Sound, on the Kenai Peninsula along with privately owned land on Afognak Island, Kodiak Islands and Knight Island.

With all the Habitat loss in the lower 48 I ~~think~~ think ANUSKA is our last chance to preserve any substantive NATURAL Areas left in North America. These large land acquisitions would give us a chance

to start to do something right for a change. I find it discouraging that more money went towards scientific studies rather than habitat acquisition. What good does that knowledge do if we keep destroying healthy ecosystems? Buy the land to protect it and then do your studies, the other way is backwards plain and simple.

I compliment your work with Afoquake STATE PARK and I think more benefits could be had by doing things like this. Small band-aid projects won't help an already seriously stressed ecosystem, this is a waste of money. Let's see some positive action and some large parcels protected to see if we can get this area back to a healthy state.

Thank you very much for your time. Please send any updated information concerning this issue, it would be greatly appreciated.

Sincerely,

Cliff W. Hilpert

Cliff Hilpert

CLIFF HIMPOT  
AWS- UAA  
3211 Providence Dr.  
Anchorage, AK 99508



EVOS TRUSTEE Council  
ATTN: DEIS Comments  
645 g street  
Anchorage, AK 99501



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# NORTON SOUND HEALTH CORPORATION

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P.O. BOX 966  
NOME, ALASKA 99762  
(907) 443-3311

TO: EVOS Trustee Council  
Attn: DEIS Comments  
645 G street  
Anchorage AK 99501

FROM: Doug Koester  
Environmental Health Specialist, NSHC  
Nome, AK. 99762

I wish to comment on the Restoration Plan Draft Environmental Impact Statement. I strongly feel that both generations (20-30 or 30 and older) who are presently in control over our resources have already taken their share. It is time to consider our children and our children's children (and so on) when making these important environmental decisions. My hope is that the future generations can look back and be thankful that Alaska's coastal forest from Ketchikan to Kodiak was preserved. Rather than looking back with anger and disappointment of their greedy ancestors. With this in mind I must ask the following:

- Strengthen the "Habitat Protection" budget to at least 500 million;
- Support large acquisitions, not puny parcels surrounded by clear-cuts;
- Slash the budget for "General Restoration"

Please help us save the areas we all love for the future of our species. Chenega lands, Knight Island, Eyak lands, Afognak Island, Kodiak Nat. Wildlife Refuge, Kenai Fjords, etc. Thank you for your time.

Sincerely,

Doug Koester, Environmental Health Specialist

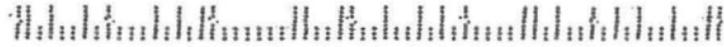
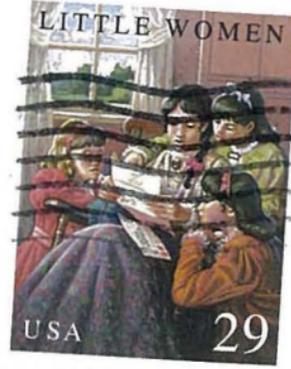
cc Walter J. Hickel

**NORTON SOUND**

P. O. BOX 966  
NOME, ALASKA 99762

**HEALTH CORPORATION**

EVOS Trustee Council  
Attn: DEIS Comments  
645 G Street  
Anchorage AK. 99501



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ANNIE MCKENZIE'S  
**BOARDWALK HOTEL**



P.O. Box 72 SELDOVIA, ALASKA 99663

PHONE 907-234-7816

7/27/94

EVOS Trustee Council  
645 G St  
Anchorage Ak 99501

Dear council members.

Please use your power and money to protect our Alaskan coastal rain-forest from clear cutting. Please strengthen the habitat protection budget to at least \$500 million, please support large not puny parcels, please stop support for "genual restoration" boondoggles, and please know that the forests and animals are much more important than the trees as lumber.

cc W. Hichel

Sincerely,  
Annie McKenzie

ANNIE McKENZIE  
P.O. Box 72  
Seldovia, AK 99663



EVOS Trustee Council  
645 G St  
Anchorage AK 99501

ATTN: DEIS comments

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July 22, 1994

Exxon Valdez Oil Spill Trustee Council  
645 G Street  
Anchorage, Alaska 99501

Dear Council Members,

As a former resident of Alaska and frequent visitor, I am extremely concerned about your draft plan regarding allocation of Exxon's fines. In my opinion the value of habitat protection far outweighs the value of the general restoration projects you propose funding. Clearly, the damage done by the Exxon oil spill to the environment and Alaska's economy can best be minimized by protecting the resources that make Alaska so unique. If habitat is increasingly lost to logging and other development then no amount of scientific studies and special projects will be of lasting value to Alaska or the rest of the world.

Last summer my wife and I were in Kachemak Bay State Park and became aware of the potential threats to the park because of the fragmented land ownership pattern. We were very grateful for what you accomplished there and hope you are proud of what you were able to do to protect habitat and maintain the integrity of the park. Please revise your plan so that more funds are available for habitat protection instead of general restoration and apply that money to important large land acquisitions as you did at Kachemak Bay.

Sincerely,



Rob Burnett  
Charla Brown  
HC 33  
South Fork, CO 81154



cc. Gov. Walter J. Hickel

BURNETT  
HC 33  
SOUTH FORK, CO  
81154



EVOS TRUSTEE COUNCIL  
ATTN: DEIS COMMENTS  
645 G. STREET  
ANCHORAGE, ALASKA 99501

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334 West 200 North, Apt. 309  
Provo, Utah 84601  
24 July 1994

EVOS Trustee Council  
Attn: DEIS Comments  
645 G Street  
Anchorage, Alaska 99501

Dear Trustees:

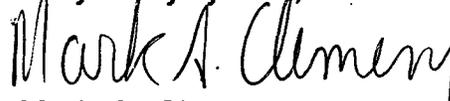
Thank you for the opportunity to comment on the disposition of the assets of the *Exxon Valdez* Oil Spill Trust. I'm sure you've spent many hours trying to achieve a balance among the uses competing for funds, but I urge you to reconsider this balance to put more resources into acquiring wildlife habitat.

Your instructions as I understand them are to restore wildlife populations and wilderness values. Much remains to be learned about how to achieve these ends, and some funds certainly should be spent on scientific studies. However, we already know that healthy old-growth forests are vital to many species harmed by the spill such as bald eagles, marbled murrelets and salmon.

We know retrospectively that some of the measures taken to remedy the oil spill's effects did more harm than good, and yet as much as another \$100 million is budgeted to be spent on general restoration. I recommend that less be spent on general restoration until we truly know what works.

In sum, I encourage you to increase the habitat protection budget to at least \$500 million because only this expenditure would indisputably benefit wildlife populations and wilderness values. These habitat protection funds can be used most effectively in acquiring large contiguous tracts of rain forest.

Very truly yours,



Mark A. Clemens

M. CLEMENS  
334 W. 200 N. #309  
PROVO UT 84601



EVOS TRUSTEE COUNCIL  
ATTN: DEIS COMMENTS  
645 G STREET  
ANCHORAGE AK 99501

69 Elm Hill Street  
Springfield, VT 05156  
July 24, 1994

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EVOS Trustee Council  
Attn: DEIS Comments  
645 G Street  
Anchorage, AK 99501

Dear EVOS Trustees:

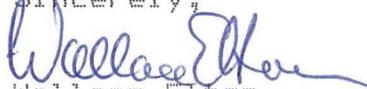
I am writing to comment on the Restoration Plan Draft EIS and its proposals for spending the Exxon Valdez restoration funds. I have been fortunate to visit Alaska several times, and the reason I will come back is to enjoy again the wild and natural lands and waters of the state.

The most valuable way in which you can restore wildlife and wilderness values affected by the oil spill is by protecting habitat and wilderness from further damage as a result of ill-advised logging and other development. More clean-up project and studies of oil impacts while new developments threaten the same wildlife resources are not desirable; neither are hatcheries to produce more "fake fish."

Therefore, I urge you to maximize expenditures on habitat protection -- \$500 million at minimum. Focus particularly on large acquisitions around Prince William Sound and within protected areas such as the magnificent Kenai Fjords National Park and Kodiak National Wildlife Refuge. You have a tremendous opportunity now to offset the Exxon Valdez tragedy and help ensure that Alaska continues to beckon me and others.

Thank you.

Sincerely,

  
Wallace Elton

W. Elton  
69 Elm Hill Street  
Springfield, VT 05156

WRJ VT 05005 20:04



EVOS Trustee Council  
Attn: DEIS Comments  
645 G Street  
Anchorage, AK 99501



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Jim Levine  
7343 Linden Drive  
Anchorage, Alaska 99502

July 27, 1994

EVOS Trustees Council  
Attn: DEIS Comments  
645 "G" St.  
Anchorage, Alaska 99501

DDear Sirs,

I am writing to thank you for the excellent effort I have seen so far to utilize Exxon Valdez Oil Spill money for habitat purchase. I assisted in the clean-up effort after the oil spill and am currently a committee member with a local citizens advisory group formed after the spill. I feel the most important thing the EVOS Trustees can do in helping the spill affected zone recover from the spill is to acquire as much habitat as possible in the region. Considering the amount of money provided from the settlement, I feel a minimum of \$500 million should be spent on habitat acquisition.

Thank you for your time, and please feel free to contact me if you have any questions.

Sincerely,



Jim Levine



Mr Eugene Levine  
7343 Linden Dr  
Anchorage AK 99502-3074

DORIS DAY ANIMAL LEAGUE



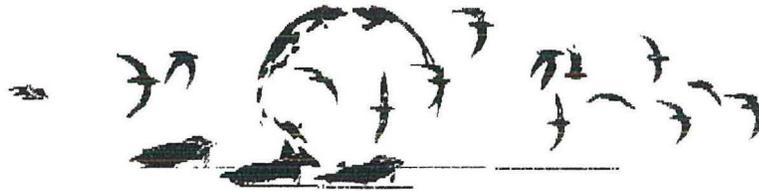
EVOS Trustees Council  
Attn: DEIS Comments  
645 "G" St.  
Anch., Ak. 99501





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**Pacific  
Seabird  
Group**



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DEDICATED TO THE STUDY AND CONSERVATION OF PACIFIC SEABIRDS AND THEIR ENVIRONMENT

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Craig S. Harrison  
Vice Chair for Conservation  
4001 North 9th Street #1801  
Arlington, Virginia 22203

July 29, 1994

Molly McCammon  
Exxon Valdez Oil Spill Trustee Council  
645 G Street, Suite 401  
Anchorage, Alaska 99501-3451

**Re: Comments on Draft Restoration Plan and Draft EIS**

Dear Ms. McCammon:

This letter contains the Pacific Seabird Group's (PSG) comments on the draft EVOS Restoration Plan (November 1993) and the draft programmatic environmental impact statement (June 1994). PSG is an international organization that was founded in 1972 to promote knowledge, study and conservation of Pacific seabirds. PSG draws its members from the entire Pacific Basin, and includes biologists who have research interests in Pacific seabirds, state and federal officials who manage seabird populations and refuges, and individuals with interests in marine conservation. PSG has hosted symposia on the biology and management of virtually every seabird species affected by the Exxon Valdez oil spill, and has sponsored symposia on the effects of the spill on seabirds.

**I. Restoration Policies**

PSG generally agrees with the policies set forth in the Restoration Plan<sup>v</sup> and the proposed action (alternative 5) in the DEIS. The \$65-\$100 million targeted for general

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<sup>v</sup> Chapter 2.

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restoration seems reasonable.<sup>2</sup> PSG specifically endorses Policy No. 3 which allows restoration outside the spill area (but within Alaska) "when the most effective restoration actions for an injured migratory population are in part of its range outside the spill area."<sup>3</sup> As we have commented previously, virtually all the bird species killed in the spill are migratory, and many birds that breed outside the spill area were injured. For this reason, we strongly disagree with Alternative 3 of the DEIS which would limit all actions to the spill area only.<sup>4</sup>

PSG agrees that manipulation of the environment is a useful restoration activity under appropriate circumstances, and that technical feasibility is a key factor that must be considered with each restoration proposal.<sup>5</sup> In this regard, we reiterate our view that the best means to restore most of Alaska's seabird populations would be to remove rats, foxes and other alien creatures from colonies and former colonies as compensatory restoration in areas that may be far from the spill area. This would allow the islands to regain their natural biodiversity. One reason that the harm caused by the oil spill is biologically important is because the intentional introduction of foxes on other seabird colonies during the past 150 years has greatly diminished the natural population of seabirds in Alaska.

We agree with the overall goal of restoring all injured resources and services.<sup>6</sup> We agree that common murres, harlequin ducks, marbled murrelets and pigeon guillemots do not seem to be recovering and need restoration efforts. However, we strongly believe that the Trustee Council should also restore other bird species. The Trustee Council should add the category "other seabirds" and "other sea ducks" to the list of "recovery unknown" resources.<sup>7</sup> The Restoration Plan acknowledges that current population status is "unknown" for the following seabirds that were collected dead in 1989: yellow-billed, Pacific, red-throated loon; red-necked and horned grebe; northern fulmar; sooty and short-tailed shearwater; double-crested, pelagic and red-faced cormorant; herring and mew gull; Arctic and Aleutian tern; Kittlitz's and ancient murrelet; Cassin's, least, parakeet and rhinoceros auklet; and horned and tufted puffin.<sup>8</sup> The decline after the oil spill "varies by species" and

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<sup>2</sup> DEIS, p. 2-12.

<sup>3</sup> Restoration Plan, p. 9.

<sup>4</sup> DEIS, p. 2-12.

<sup>5</sup> Restoration Plan, chapter 3.

<sup>6</sup> Restoration Plan, p. 25.

<sup>7</sup> Restoration Plan, p. 30.

<sup>8</sup> Appendix B, p. B-41.

cormorant, Arctic tern and tufted puffin clearly declined.<sup>87</sup> The Restoration Plan also acknowledges that the current population status is "unknown" for the following species of sea ducks that were collected dead in 1989: Steller's, king and common eider; white-winged, surf and black scoter; oldsquaw; bufflehead; common and Barrow's goldeneye; and common and red-breasted merganser.<sup>88</sup>

We raised this issue in our earlier comments<sup>89</sup> and the DEIS concedes these injuries.<sup>90</sup> Nevertheless, the DEIS does not seem to propose spending funds on restoring these populations. According to the federal estimates published in 56 Federal Register 14687 (April 11, 1991), these "other" seabirds and "other sea ducks" totalled 14,000 dead birds. The Trustee Council estimates that "in general, the number of dead birds recovered probably represents only 10-15% of the total numbers of individuals killed."<sup>91</sup> Simple mathematics indicates these losses were 90,000 to 140,000 birds, which the DEIS would have us ignore.

As a reference point for this magnitude of injury to seabirds, the federal government recently settled the Apex Houston case in central California concerning a spill that may have damaged about 4,200 seabirds (the actual number being an unknown multiple of 4,200). The insurance company paid about \$6 million to settle this claim. If Alaska seabirds are worth as much as California seabirds, the Trustee Council should spend at least \$18 million of the trust funds to restore "other seabirds" and "other sea ducks." Predator removal is a cost effective technique that would benefit all seabirds and all sea ducks.

## II. Habitat and Acquisition Policies

PSG generally agrees with the Trustee Council's habitat and acquisition protection policies,<sup>92</sup> and recognizes that protecting uplands may greatly benefit harlequin ducks and marbled murrelets. We agree that those lands that provide the greatest benefit to injured resources should be ranked highest. We have previously provided the trustees with a list of seabird colonies that should be considered for purchase. While we believe that less than fee simple ownership may be appropriate in certain circumstances, the Trustee Council should insure that the ownership rights it purchases will be sufficient to protect the injured resources

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<sup>87</sup> Appendix B, p. B-41.

<sup>88</sup> Appendix B, p. B-42.

<sup>89</sup> Letter to EVOS Trustee Council from PSG (August 6, 1993).

<sup>90</sup> DEIS, Table 1-1, p. 1-13.

<sup>91</sup> Restoration Plan, p. B-16.

<sup>92</sup> Restoration Plan, chapter 3.

in perpetuity. For example, the government should not spend any of the \$295-\$325 million in trust funds targeted to land purchase for the purchase of logging rights unless those rights are permanent. We understand that historically the government has bought the same land rights more than once.

### III. Monitoring and Research

We agree that monitoring and research provide important information to help guide government restoration activities.<sup>147</sup> We believe that this is an area where the Trustee Council must make special efforts to guard against violating Policy No. 9 ("Government agencies will be funded only for restoration work that they do not normally conduct.")

Alternative No. 5 in the DEIS establishes a \$100-\$130 million restoration reserve for "long-term restoration and research activities."<sup>148</sup> We interpret this reserve to allow the Trustee Council to adopt one of PSG's proposals, namely, the endowment of chairs in marine ornithology at the University of Alaska.<sup>149</sup> If our understanding is correct, we enthusiastically endorse the establishment of a reserve account, and suggest that the Trustee Council proceed with establishing chairs in marine ornithology. The use of funds for this purpose would begin to make up for the fact that, for example, the Trustee Council directed only 3.4% of its expenditures to marine birds in the 1994 work plan. On a comparative basis, seabirds suffered far more than 3.4% of the damage caused by the spill, and we doubt that the public will accept such a result over the course of the restoration period.

We question the basis for the conclusion that "predator control outside the EVOS area . . . would provide a low overall benefit to murre populations."<sup>150</sup> FWS has identified 18 islands that are suitable for predator removal.<sup>151</sup> Kaligagan Island's seabird population increased by 125,000 burrowing birds after foxes died out.<sup>152</sup> We suggest that the Trustee Council estimate for each of the 18 islands the increase in murre population that might result after foxes have been removed, and allow PSG to review that study. Without such information and analysis, this conclusion seems to be arbitrary and capricious.

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<sup>147</sup> Restoration Plan, p. 21.

<sup>148</sup> DEIS, p. 2-12.

<sup>149</sup> See letter from PSG to EVOS Trustee Council (April 14, 1993).

<sup>150</sup> DEIS, p. 4-84.

<sup>151</sup> DEIS, p. 4-84.

<sup>152</sup> D.R. Nysewander et al. 1982. Marine bird and mammal survey of the eastern Aleutian Islands, summers of 1980-81. Unpublished FWS report.

Finally, we understand alternative 5 to be identical to alternative 4 except for the addition of a restoration fund. We believe that fox control, which is included in alternative 4 for murres and pigeon gulliemots<sup>21</sup> should also be expressly included in alternative 5 for these species.<sup>22</sup>

#### IV. Use of Regulatory Authorities to Assist Restoration

Neither the draft Restoration Plan nor the DEIS address questions that the Trustee Council raised in the scoping process during 1992. Are federal and state agencies using their regulatory powers to modify human uses of resources or habitats that the spill injured? We noted in June 1992 that such efforts would not exhaust a single dollar of the trust fund, but would merely require that the state and federal natural resource agencies enforce the laws or redirect their programs.

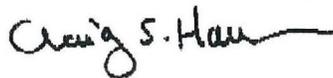
Have agencies curtailed the hunting seasons for sea ducks or harlequin ducks? What has been done to manage commercial fisheries to reduce the incidental mortality of marbled murrelets in drift gillnets (a violation of the Migratory Bird Treaty Act)? Has logging (both on government and private lands) been curtailed under federal or state law in uplands that are prime habitat for marbled murrelets or harlequin ducks?

#### V. Competitive Proposals for Restoration Projects

PSG welcomes Policy No. 6 in the Restoration Plan, whereby the Trustee Council will encourage competitive proposals for restoration projects. We believe that this policy should be broadly implemented, because it will maximize the benefits that can be obtained from the remaining \$600 million in trust funds.

PSG thanks the Trustee Council for this opportunity to lend our expertise and views on these important issues. We also acknowledge and appreciate the careful consideration the Trustee Council has given our previous comments during the past several years.

Sincerely,



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<sup>21</sup> DEIS, pp. 4-84 to 4-85.

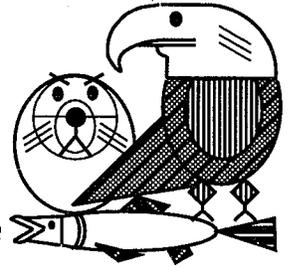
<sup>22</sup> For example, fox removal should be included in pp. 4-118 to 4-120.

# Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 G Street, Suite 401, Anchorage, Alaska 99501-3451

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



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## MEMORANDUM

TO: Rod Kuhn

FROM: Eric F. Myers, *efm* Project Coordinator

DATE: 7/29/94

SUBJ: Public Comment on Draft EIS

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I received a phone call today from Karen St. Jean (PO Box 233, Cordova, Alaska 99574) who wanted to express her view that the Trustee Council should spend funds from the settlement on habitat acquisition as well as science (she noted research and monitoring).

She specifically also noted her desire to see the Trustee Council spend funds on large parcels (as distinguished from small parcels).

She expressed a desire to be kept on the mailing list.

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Trustee Agencies

State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation  
United States: National Oceanic and Atmospheric Administration, Departments of Agriculture and Interior

hand-delivered

438-1

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AUG 01 1994

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

Exxon Valdez Oil Spill Trustee Council  
Attention: EIS Comments  
645 G Street, Suite 401  
Anchorage, AK 99501-3451

# Fax Memorandum

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**TO:** Exxon Valdez Oil Spill Trustee Council  
Attention: EIS Comments

**FROM:** Akhiok-Kaguyak, Inc.  
Old Harbor Native Corporation

**DATE:** July 29, 1994

**RE:** Draft Environmental Impact Statement Comments

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Enclosed please find the comments of Akhiok-Kaguyak, Inc. and Old Harbor Native Corporation regarding the Draft Environmental Impact Statement for the Exxon Valdez Oil Spill Restoration Plan.

The original will be mailed.

**AKHIOK-KAGUYAK, INC.**  
5028 Mills Drive  
Anchorage, AK 99508

**OLD HARBOR NATIVE CORPORATION**  
P.O. Box 71  
Old Harbor, AK 99643

July 29, 1994

Exxon Valdez Oil Spill Trustee Council  
645 G Street  
Anchorage, AK 99501

Re: Draft Environmental Impact Statement Comments

On behalf of Akhiok-Kaguyak, Inc. and Old Harbor Native Corporation we would like to thank the Exxon Valdez Oil Spill Trustee Council for the opportunity to comment on the Draft Environmental Impact Statement for the Exxon Valdez Oil Spill Restoration Plan.

As you know, we have been working with the Trustee Council and its representatives and recognize the enormity of your task in balancing the restoration goals of various interests and regions impacted by the Exxon Valdez oil spill. We also appreciate the open lines of communication you have established and the degree of care you have given to this complex process.

How a person views the Draft EIS for the Exxon Valdez Restoration Plan depends upon where you sit.

The villages of Akhiok and Old Harbor sit amidst the abundant natural resources of the Kodiak National Wildlife Refuge and the Alaska Maritime National Wildlife Refuge. Our livelihood, our culture and our way of life benefit when the natural resources of our area are nurtured and sustained.

The oil spill had a major impact on us because it degraded fish and wildlife habitat and populations and threatened the natural resources of our area. The spill diminished our subsistence base, and disrupted the lives of our people through commercial fish closures and the loss of fishing and cannery jobs for our people.

Given our location and reliance on healthy natural resources, we have been very supportive of the habitat protection aspect of the Restoration Plan. We continue to feel that protection of our habitat will give nature the best opportunity to replenish herself.

**EVOS TRUSTEE COUNCIL**

July 29, 1994

Page 2

Further, given our proximity to the lands, islands and waters of the National Wildlife Refuge System, our working relationship with the U.S. Fish & Wildlife Service and our mutual goals of carefully managed human use of the refuge areas adjacent to our villages, it is clear that we would have a low degree of involvement with General Restoration projects and Research and Monitoring (See Draft EIS, Chapter 1, pages 15-16 discussion of National Wildlife Refuge System Comprehensive Conservation Plans). Therefore, we continue to favor an Alternative 2 approach to restoration which maximizes habitat protection.

In reviewing the restoration benefit analysis in the Draft EIS for the final Restoration Plan, we believe the restoration benefit for nearly all injured species, resources and human services provided by Alternative 2 exceeds the estimate which the Draft EIS gives to the respective injured species and resources (see Summary page xiv-xvii). For example, concerning commercial fishing (Summary page xvii), which is the backbone of our villages' income opportunities, the Draft EIS states that the long term effects of Alternative 2 would have moderate benefits for commercial fishing.

To quote the Draft EIS, "Habitat protection and acquisition actions may have a long-term benefit to salmon and Pacific herring stocks in the EVOS area by helping to ensure maintenance of wild-stock production to support the commercial fishing industry."

Again - from where we sit in complete dependence on the fishing industry and the health of fish stocks - the importance of protecting the anadromous streams and their associated wetland complexes and uplands from incompatible developments in perpetuity cannot be overstated. The long term health of fish resources is not a "moderate" issue for us. It is the highest priority. Therefore, any restoration action which helps sustain highly productive fisheries is by definition a restoration aspect with high benefit in our opinion.

If our region experiences the habitat degradation and diminished productivity common in the Pacific Northwest (an issue of growing concern in Alaska), it won't be a case of an economic downturn and diversification, it will be the end of our villages as viable places to live.

We believe that without habitat protection, degradation of habitat is a certainty over time. Therefore, from where we view the Restoration Plan, a dollar spent on habitat protection is a dollar invested in the survival of our villages. There simply is no higher restoration priority for us. It is our shared opinion that Alternative 2 should be rated as having a HIGH degree of benefit, as opposed to a moderate benefit, for commercial fishing.

We note that the Restoration Plan proposed for adoption endorses a redesigned Alternative 5, which has the least amount of funding for Habitat Protection. Given our perspective, Alternatives 4 and 5 are our least favorite restoration approaches, although we note the new Alternative 5 has more funding for habitat protection than last year's version.

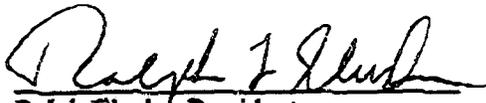
**EVOS TRUSTEE COUNCIL**

July 29, 1994

Page 3

Finally, we recognize that our villages are not the only areas of concern within the oil spill region, and our goals are not the only ones you as Trustees have to weigh in the restoration efforts. We support the comprehensive approach being pursued by the Trustees.

Thank you for the opportunity to present these comments and good luck on the important job ahead of you.



Ralph Ehuska, President  
Akhiok-Kaguyak, Inc.



Emil Christiansen, President  
Old Harbor Native Corporation



Cordova District Fishermen United

P.O. Box 939  
Cordova, Alaska 99574



Exxon Valdez Oil Spill Trustee Council  
Attention: EIS COMMENTS  
645 G Street, Suite 401  
Anchorage, AK 99501-3451

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AUG 01 1994

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

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E

# **CDFU FAX TRANSMITTAL**

**DATE:**

**July 30, 1994**

**TO:**

**Exxon Valdez Oil Spill Trustee Council  
ATTENTION: EIS COMMENTS**

**FAX:**

**276-7178**

**FROM:**

**Jerry McCune, President  
CORDOVA DISTRICT FISHERMEN UNITED**

**TEL:**

**424-3447**

**FAX:**

**424-3430**

**PAGES:**

**3 including this cover**



## Cordova District Fishermen United

P.O. Box 939  
Cordova, Alaska 99574  
(907) 424-3447 FAX (907) 424-3430

July 30, 1994

Exxon Valdez Oil Spill Trustee Council  
Attention: EIS Comments  
645 G Street, Suite 401  
Anchorage, AK 99501-3451

Dear Council Members:

Thank you for the opportunity to comment on the adequacy of statements and merits of alternatives presented in the Exxon Valdez Oil Spill Restoration Plan Draft Environmental Impact Statement (DEIS). Our comments are summarized below for your review.

- ∞ CDFU is disappointed that it took 3 years to produce a draft restoration plan. The settlement consisted of \$900 million, of which only \$620 million remains. This effectively means that one third of all settlement monies were spent before any effective planning process was undertaken.
- ∞ CDFU believes that the DEIS should include a methodology whereby funding is based, at least in part, on a project's proximity to the epicenter of the oil spill. No one can argue that some areas within the oil spill boundary were more affected than others (in the short- and long-term) and it would not be difficult to draw lines around specific geographic regions in accordance with the degree of oil spill damage. Despite all political intentions to avoid *regionalization*, CDFU sits amidst the most damaged area with the worst long-term prognosis.
- ∞ CDFU questions the adequacy of statements about independent scientific review on page 3 of Chapter 2. The DEIS says, "...restoration projects will be subject to open, independent scientific review before Trustee Council approval. This policy continues an already existing practice. It also assures the public that scientific judgements are without bias." On the contrary, CDFU has struggled for years with the lack of independence in the scientific review process. We have written letter after letter expressing disgust and frustration with the Council's scientific review process which is characterized by inter-agency rivalries and political agendas. Basically, the public has been stuck with a heavily politicized decision-making process bias in favor of funding projects sponsored by state and federal agencies.

A good example of this problem concerns Prince William Sound herring research projects in 1993. In the EVOS Restoration Framework document, the authors stated that a resource is damaged if "significant" damage has been demonstrated. Only a few

CDFU considers the current review process to be more of an *internal political review* than an *independent scientific review*. Some semblance of an internal review may be necessary to address issues of quality control and consistency but it is not enough to achieve independence in the scientific sense of the word. We strongly urge the Trustee Council to arrange for review of project proposals by scientists who are neither politically appointed nor financially remunerated for their services. Without these elements of true independence, we cannot be assured that the process will come unstuck.

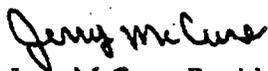
page 2 of 2

- ∞ Overall, we believe the DEIS suffers from a lack of definition. The meaning behind important and often used terminology (i.e., *enhancement, restoration, reserve, and monitoring*) cannot be located in the document. We recommend that the authors augment the glossary to include these most basic terms.
- ∞ CDFU questions the logic behind the assertion described with the proposed alternative that, the greater the number of projects and programs, the smaller the percentage of funds allocated to administration and public information. It would seem to us that, the greater the number of projects, the greater the administrative expense.
- ∞ CDFU is concerned by any alternative restoration plan that allows for actions to be taken outside of the spill area. Allowing actions outside the spill area will only stretch already scarce resources more thinly. In short, there is not enough money left to effectively address other than the most injured resources.
- ∞ CDFU requests clarification on how certain activities in the restoration program may be simultaneously within and outside the scope of analysis in the DEIS. On page vii of the summary, the authors state that: "In addition to the resources and services analyzed in this DEIS, the restoration program may include other resources with injuries related to the spill," such as killer whales, black oystercatchers. The authors go on to say that, "these types of actions are outside the scope of analysis in this DEIS."
- ∞ CDFU is concerned that the endowment option appears only in Alternative 5 and is ill defined. On page viii of the summary, the authors say that, "Alternative 5 contains an element not present in the other alternatives. In response to public comments that a fund should be set aside for long-term restoration and research activities, the proposed action includes the establishment of a Restoration Reserve." CDFU feels that if this request is really being driven by public demand, it should be offered in all alternatives plans, not just the proposed fifth alternative. CDFU also asks for better definition of what types of projects might be funded through this endowment mechanism and what procedure will be used to access it.

CDFU's most fervent wish is that Prince William Sound may be restored with the help of the Trustee Council. We are in favor of protecting strategic lands and habitats important to the long-term recovery of the most injured resources and the services they provide *per se* but, above all, we want our Sound restored.

If you have any questions or need any clarification on the items above, please do not hesitate to contact our office any time. On behalf of the hundreds of commercial fishers who comprise CDFU, thank you for your consideration.

Sincerely,  
CORDOVA DISTRICT FISHERMEN UNITED

  
Jerry McCune, President



EIS  
E

August 1, 1994

EVOS Trustee Council  
Attn: DEIS Comments  
645 G Street  
Anchorage, AK 99501

Hon. Robert J. Mrazek  
Chairman

Tim Mahoney  
Vice Chairman

Thomas Troyer  
Secretary

Mike Matz  
Treasurer

Hon. Cecil Andrus

Charles Clusen

Hon. Norma Kassi

Mike MacIntosh

Deborah Miller

Dear Trustees:

As Executive Director of the Alaska Wilderness League, a relatively new 501(c)(3) organization in Washington, D.C. dedicated to the protection of Alaska's incomparable natural endowment, I wanted to make a few brief comments on the Restoration Plan Draft Environmental Impact Statement.

Having recently flown over Native Corporation lands in Southeast Alaska, it is obvious to me that the most important thing you could do with the Exxon Valdez Settlement money is to purchase forest habitat before it is logged. Even the proposed scientific studies will not make as big a difference for Alaska's fish and wildlife as simply using the money to buy as many threatened lands along Prince William Sound as possible. If you don't, these lands will be clearcut, with no pretense of sustainable forestry, due to the constraints of the Native Corporation system, and fish and wildlife recovery will be significantly hindered.

Please increase the Habitat Protection budget of the RPDEIS to 500 million dollars. General Restoration projects should be examined carefully, to be certain they will really mean something to the long term future of the Sound area. When land is acquired, parcels should be as large as possible. If not, the fragmentation caused by surrounding logging could limit their usefulness as biological reservoirs.

I know you've heard all this before, but I just wanted to add my voice. Please devote more resources and attention to purchasing threatened timber lands, especially in the Kenai Fjords, Afognak Island, Kodiak Refuge, Chenaga lands, and Knight Island regions. This is certainly the single most effective approach to restoring and maintaining fish and wildlife damaged by the Exxon Valdez spill.

Sincerely,

Scott Kearin  
Executive Director

418 C Street, N.E., Washington, DC 20002  
(202) 544-5205 Fax (202) 544-5197



ALASKA WILDERNESS LEAGUE

FAX COVER SHEET  
Alaska Wilderness League  
418 C Street, N.E.  
Washington, D.C. 20002  
Tel: (202) 544-5205  
Fax: (202) 544-5197

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AUG 01 1994

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

DATE: 8-1-94

TO: EVOS TRUSTEE COUNCIL

FROM: SCOTT KEARIN

NUMBER OF PAGES:  
(excluding cover sheet) 1

COMMENTS: Comments on RPDEIS -  
Hard copy follows in mail. -



# ALASKA WILDERNESS LEAGUE

August 1, 1994

EVOS Trustee Council  
Attn: DEIS Comments  
645 G Street  
Anchorage, AK 99501

Bon Robert Mrazek  
Chairman

Jim Mahoney  
Vice Chairman

Thomas Boyer  
Secretary

Mike Matz  
Treasurer

Helen Cecil Anahus  
Charles Clusen

Helen Norma Kiser

Mike Alchimost

Deborah Miller

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Sincerely,

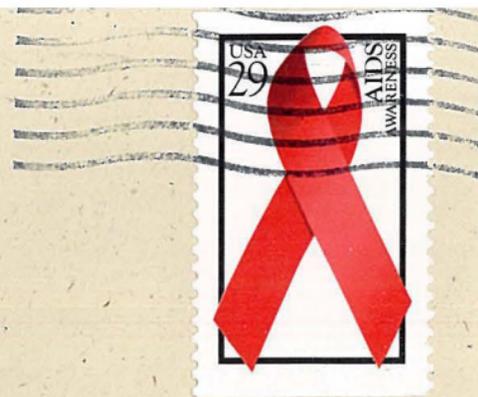


Scott Kearin  
Executive Director

418 C Street, N.E., Washington, DC 20002  
(202) 544-5205 Fax (202) 544-5197



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EVOS TRUSTEE COUNCIL  
ATTN: DEIS COMMENTS  
645 G STREET  
ANCHORAGE, AK 99501

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AUG 05 1994

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

418 C Street, N.E., Washington, DC 20002

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|-------------------|---------------|---------|--------------|------------|---|
| Post-it™ Fax Note | 7671          | Date    | 8/1/94       | # of pages | 2 |
| To                | ROD KOHN      | From    | MIKE O'MEARA |            |   |
| Co./Dept.         | EVOS TRUSTEES | Co.     | PRATT MUSEUM |            |   |
| Phone #           | 800-478-7745  | Phone # | 235-8635     |            |   |
| Fax #             | 276-7178      | Fax #   | 235-2764     |            |   |

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E

MICHAEL S. O'MEARA  
P.O. BOX 1125  
HOMER, ALASKA 99603

AUGUST 1, 1994

EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL  
645 G STREET  
ANCHORAGE, ALASKA 99501

RE: DRAFT ENVIRONMENTAL IMPACT STATEMENT, EVOS RESTORATION PLAN

DEAR COUNCIL MEMBERS:

Thank you for the opportunity to comment on the five proposed restoration alternatives. There are aspects of Alternatives 2 and 3 which I favor. Both focus on my major concern -- habitat protection. As presented, I must cast my support behind Alternative 2 for the following reasons.

Alternative 2 provides for an expenditure of \$564 million for habitat protection but omits funding for "general restoration." Alternative 3 provides \$75 million for "general restoration" and reduces funding for habitat protection to \$465 million. In my opinion, the minimum acceptable funding for habitat protection is \$500 million.

However, I feel that some "general restoration" projects may have merit. I could support Alternative 3 if funding for habitat protection was increased to \$500 million while reducing the allocation for "general restoration" to \$40 million.

Please let me compliment you on the common elements of alternatives presented on page 2 of chapter 2 of the document. The emphasis on an ecosystem approach is especially valid. In keeping with that emphasis I would ask that you do two things:

**Modify alternatives 2 and 3 to allow for some action to be taken outside of the spill area.** Important elements of affected ecosystems may well lie beyond, and to adequately protect or restore the spill area it may be necessary to go beyond it.

**Focus on acquisition of large tracts where possible.** This will assure a better chance of ecosystem protection. Of course, there will be occasions when small parcel acquisition is called for, so I would not suggest that it be eliminated.

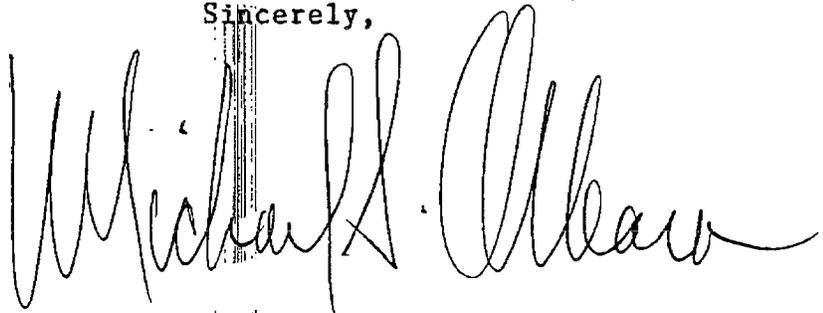
Finally, I ask you to consider establishing a small endowment to fund costs associated with donations of conservation easements. Private,

-- page 2, Michael O'Meara/ EVOS Trustee Council, 8/1/94 --

land trusts and conservancies can play an important part in protecting habitat by conservation easement. This can play an especially useful role in securing some of those smaller tracts. Presently, in addition to granting an easement, donors must also pay monitoring/stewardship fees. This sometimes considerable expense on top of an already substantial donation of rights has worked to discourage some potential donors of conservation easements. Interest from a \$1 to 3 million endowment would probably provide such funding in perpetuity.

Once again I thank you for the opportunity to comment on the plan and hope you will give what I've said serious consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael S. O'Meara". The signature is fluid and cursive, with a large initial "M" and "O".

MICHAEL S. O'MEARA