

## APPENDIX III

### LIST OF ORGANIZATIONS

Nearly 70 organizations responded with their concerns about the *Exxon Valdez* Oil Spill Restoration Plan. National, local, and Native groups are represented, each having comments on the various issues.

#### ORGANIZATION

Akhiok-Kaguyak, Inc.  
Alaska Center for the Environment  
Alaska Chapter of the Wildlife Society  
Alaska Department of Natural Resources, Division of State Parks  
Alaska Sportfishing Association  
Alaska State Council of Trout Unlimited  
Alaska State Legislature - Rep. J. Davies  
Alaska State Legislature - Rep. D. Finkelstein  
Alaska Survival  
Alaska Wilderness Recreation and Tourism Association  
Alaska Wildlife Alliance  
American Rivers  
Anchorage Audubon Society, Inc.  
Anti-Vivisection Society of America, Inc.  
Arctic Research Commission  
Bethel Native Corporation  
Boone and Crockett Club  
California Coastal Commission  
Chignik Lagoon Village Council  
Chugach Regional Resources Commission  
Chugachmiut  
City of Cordova  
Cordova Aquatic Marketing Association, Inc.  
Cordova Residents' Petition  
Cruise Line Agencies of Alaska  
Crusade 2000  
Federation of Fly Fishers  
Game Conservation International  
Global Citizens United  
Great Bear Foundation  
International Association for Bear Research and Management  
International Wild Waterfowl Association  
Izaak Walton League of America

**APPENDIX III**, continued

Kachemak Bay Conservation Society  
Klukwan Forest Products, Inc.  
Knik Canoers and Kayakers, Inc.  
Kodiak Audubon Society  
Koniag, Inc.  
National Audubon Society, Alaska Regional Office  
National Outdoor Leadership School  
National Rifle Association  
National Trust for Historic Preservation  
National Wildlife Refuge Association  
North Gulf Oceanic Society  
Old Harbor Native Corporation  
Pacific Rim Villages Coalition, Ltd.  
Pacific Seabird Group  
Pine St. Chinese Benevolent Association  
Prince William Sound Aquaculture Corporation  
Prince William Sound Conservation Alliance  
Prince William Sound Land Managers Recreation Planning Group  
Reclaimers of Alaska  
Sierra Club, Alaska Field Office  
Sierra Club, North Star Chapter (Minnesota)  
U.S. Department of Agriculture, Forest Service, Chugach National Forest  
U.S. Department of Interior, Bureau of Reclamation, Glen Canyon Environmental Studies  
U.S. Shooting Team  
University of Alaska-Fairbanks, Department of Chemistry  
University of Alaska-Fairbanks, Institute of Arctic Biology  
University of Alaska-Fairbanks, School of Fisheries and Ocean Science  
University of Nevada, Reno  
Valdez Convention and Visitors Bureau  
Valdez Fisheries Development Association, Inc.  
Valdez Native Association  
Washington Wilderness Coalition  
Washington Wildlife Commission (Washington State)  
Western Conference of Public Service Commissioners  
Wilderness Society, Alaska Region

**ion of Restoration Actions:**

*restoration activities take place in the spill area  
nywhere in Alaska provided there is a link to injured  
resources or services, or anywhere in the United States  
and there is a link to injured resources or services?*

limit restoration actions to the spill area only.

Undertake restoration actions anywhere in Alaska there is a  
link to injured resources or services.

Undertake restoration actions anywhere in the United States  
there is a link to injured resources or services.

No preference  
Comments:

**S**

**Habitat Protection and Acquisition** Four of the alternatives  
focus on habitat protection and acquisition as a means of restoring  
injured resources or services (human uses).

**Do you agree that habitat protection and acquisition should be  
emphasized in the plan?**

NO

**YES.** Protection and acquisition will include all habitat types,  
but may emphasize one over another. Please indicate the habitat  
types, if any, that should be emphasized. Suggest your own  
approach if it isn't covered here.

Emphasize acquiring and protecting habitat important to  
injured resources. Important scenic areas and human use  
areas with little habitat important to injured resources would  
be less likely to be acquired.

Emphasize acquiring and protecting habitat important  
for human use (important scenic areas and human use  
areas). Habitat important to injured resources, but seldom  
used or viewed by people, would be less likely to be  
acquired.

Place equal emphasis on acquiring the most important  
habitats for injured species and on the most important habi-  
tats for human use (scenic and human use areas). Parcels  
that are only moderately important for injured resources or  
services would be less likely to be acquired.

Other  
Comments:

**S**

If funds were placed into an endowment and the principal inflated,  
the endowment could fund \$3-\$5 million worth of  
restoration activities indefinitely.

**If you answered "Yes" to the previous question, please  
indicate what the annual endowment earnings should be**

or constructing recreation facilities such as public-use cabins.

In addition to activities that protect or increase existing  
human use, also conduct actions that encourage appropriate  
new uses. Examples are new fish runs, commercial facilities,  
or visitor centers.

No preference

Comments:

**Akhiok-Kaguyak, Inc**

**COMMENTS**

*Please use the space below to describe an area you would like  
the Trustee Council to acquire or protect, or an area appropriate for  
any other restoration option such as locations for public-use cabins,  
or fish passes. Or use the space to write any comments you would  
like the Trustee Council to know about. If you do describe a particu-  
lar location, please provide enough detail about the location so we  
can understand where it is, and which injured resource or service it  
would benefit. Any comment you write will be greatly appreciated.*

002 P

**AKHIOK-KAGUYAK  
Inc. favors  
alternative # 2  
for allocation**

*Ralph Elush*

Akhiok-Kaguyak, Inc.

**Akhiok-Kaguyak, Inc.**  
5028 Mills Drive  
Anchorage, Alaska 99504

**Koniag, Incorporated**  
4300 B Street  
Anchorage, Alaska 99503

1618 M  
**Old Harbor  
Native Corporation**  
P.O. Box 71  
Old Harbor, Alaska 99643

**AUG 06 REC'D**

August 6, 1993

**RECEIVED**  
AUG 06 1993

**Exxon Valdez Oil Spill Trustee Council**  
ATTN: Dave Gibbons  
645 G Street  
Anchorage, Alaska 99501

**EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL**

Dear Members of the Trustee Council:

On behalf of Akhiok-Kaguyak, Inc., Koniag, Inc., and Old Harbor Native Corporation, we are transmitting to the **EXXON VALDEZ Oil Spill Trustee Council** additional comments on the Draft **EXXON VALDEZ Oil Spill Restoration Plan**.

These comments include a proposed parcel score and a link to injury explanation for the inholdings owned by the three Native corporations we represent based on the criteria established by the EVOS Trustee Council.

In addition, as discussed with the Trustee Council staff, we intend to subsequently provide one attachment (which is currently in the process of being printed) to these comments. The attachment is a Background Document containing a compilation of informational materials which address issues related to the Acquisition of Inholdings Project in the Kodiak National Wildlife Refuge.

Thank you for your opportunity to provide comments to the Draft Restoration Plan.

Sincerely,

  
Tim Richardson  
Akhiok-Kaguyak, Inc.

  
Tim Mahoney  
Koniag, Inc.

  
Roy S. Jones, Jr.  
Old Harbor Native  
Corporation

# DRAFT

PROPOSED PARCEL SCORE: UPDATED INJURED RESOURCES OF  
COMBINED INHOLDINGS OF AKHIOK-KAGUYAK, INC., KONIAG AND  
OLD HARBOR NATIVE CORPORATION

## KODIAK NATIONAL WILDLIFE REFUGE

This analysis of injured resources on Native inholdings within the Kodiak refuge is prepared for consideration of the Trustee Council. The proposed parcel ranking uses the most recent criteria of the Habitat Protection Working Group, and reflects consultation on injured species with the staff of the Kodiak National Wildlife Refuge.

Parcel: KNWR Parcel Acreage: 265,000 Affected Acreage: all

INJURED RESOURCE /SERVICE	POTENTIAL FOR BENEFIT	COMMENT
Pink Salmon	High	High density of pink salmon streams in refuge; systems known to have exceptional productivity
Sockeye Salmon	High	High density of sockeye salmon rivers & lakes in refuge; systems known to have exceptional productivity.
Cutthroat Trout	Low	Few or no cutthroat streams on parcel; low productivity in area.
Dolly Varden	High	High density of Dolly Varden streams on parcel; refuge known to have exceptional productivity.
Pacific Herring	High	High density of herring spawning along parcel coast.
Bald Eagle	High	High density of nests in refuge; Alaska's largest year round population.

# DRAFT

## DRAFT

INJURED RESOURCE /SERVICE	POTENTIAL FOR BENEFIT	COMMENT
Black Oystercatcher	High	Area known to support nesting or concentration area for feeding
Common Murre	High	Known nesting on or immediately adjacent to parcel.
Harbor Seal	High	Known haul outs on and immediately adjacent to parcel.
Harlequin Duck	High	Known nesting and molting in refuge; feeding concentration area.
Intertidal/subtidal Biota	Moderate	High productivity/species moderately oiled beaches intertidal/subtidal areas.
Marbled Murrelet	Moderate	Known nesting; concentrated feeding in nearshore waters.
Pigeon Guillemot	High	Known nesting on parcel; feeding concentration in nearshore waters.
River Otter	High	Known use of parcel for denning/latrine sites.
Sea Otter	High	Known haulout and pupping concentrations.
Recreational Use Non-Consumptive	High	Could receive high public use of non-consumptive nature (wildlife viewing, photography, boating, hiking); area highly visible to the recreational user; area nominated for special recreational designation.

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INJURED RESOURCE /SERVICE	POTENTIAL FOR BENEFIT	COMMENT
Recreational Use: Consumptive	High	Receives high public use of consumptive nature (fishing, hunting, berry picking) area world reknown to support consistently high wild fish and game populations.
Commercial Use: Non-Consumptive	Moderate	Parcel likely to be used used by local tour guide operators because it is accessible by boat and plane; adjacent waters used by tour guide operators.
Commercial Use: Consumptive	Low	Occasional guided or outfitted fishing and hunting use; access can be difficult.
Wilderness	High	Area remote; little evidence of human development; parcel acquisition preserves vast areas of no human development.
Cultural Resources	High	World class archaeological resources; first permanent European settlement in Alaska.
Subsistence	High	Known resource harvest area; multiple resource use.

ECOLOGICAL SIGNIFICANCE: This parcel contains high values of most injured resources/services from oil spill plus world prominent concentrations of coastal brown bear and is adjacent to highly productive estuary and marine ecosystem; highest brown bear densities in North America.

# DRAFT

**ADJACENT LAND MANAGEMENT:** Kodiak National Wildlife Refuge and Alaska Maritime National Wildlife Refuge.

**IMMINENT THREAT/OPPORTUNITY:** Recreational development (lodges, cabins), fisheries development, year-round residences; Akhiook-Kaguyak, Inc. Koniag, and Old Harbor Native Corp. have expressed interest in participating in habitat protection/acquisition.

**PROTECTION OBJECTIVE:** Maintain one of Alaska's and North America's most pristine and productive natural areas which includes outstanding examples of populations and habitat injured by the Exxon Valdez oil spill.

**USEFUL PROTECTION TOOLS:** Fee title acquisition.

**RECOMMENDED ACTION:** Request Kodiak Native corporations to provide interim protection; discuss long term protection options; high potential for equivalent resource protection.

## KODIAK REFUGE NATIVE INHOLDINGS PROPOSED PARCEL SCORE:

PARCEL	RANKING CRITERIA								SCORE
	1	2	3	4	5	6	7	8	
KNWR Native Inholdings	17H 3M	Y	Y	Y	Y	N	Y	Y	111

# DRAFT



1623 M



# Alaska Center for the Environment

519 West 8th Avenue, Suite 201 • Anchorage, Alaska 99501 • (907) 274-3621

COMMENTS  
on the

RECEIVED  
AUG 06 1993

DRAFT Exxon Valdez Oil Spill Restoration Plan  
Summary of Alternatives for Public Comment

August 6, 1993

The Alaska Center for the Environment (ACE) welcomes the opportunity to comment on the Draft Exxon Valdez Oil Spill Restoration Plan "Summary of Alternatives for Public Comment" (hereafter referred to as the Draft Restoration Plan).

These comments are divided into an initial Summary/General Comments section, followed by detailed responses to specific questions and issues raised in the Draft Restoration Plan.

## Summary/General Comments

While there are many worthwhile restoration research projects and activities that will receive deserved support from the Trustee Council, ACE continues to believe that acquisition and protection of fish and wildlife habitat generally represents the best opportunity available to advance overall restoration objectives. ACE especially appreciates the continuing habitat acquisition efforts of the Trustee Council that have culminated, to date, with protections for lands at Seal Bay and in Kachemak Bay State Park.

- Ecosystem Approach Needed: The priority of the Restoration Plan should be to provide an ecosystem approach that protects threatened fish and wildlife habitat within coastal forests, rivers and shorelines by acquiring land, development or timber rights, and/or conservation easements on a willing-seller basis. There are very few (if any) meaningful remaining opportunities to further "clean up" the spill. Moreover, as noted in the Draft Restoration Plan: "For many resources and services, there is no known restoration approach that will effectively accelerate recovery." (Source: *1993 Supplement to the Summary of Alternatives, Draft Exxon Valdez Oil Spill Restoration Plan*, EVOS Trustee Council, p. B3.) In many cases, habitat protection and acquisition that prevents further impacts to injured resources and services, and allows recovery to occur as a result of natural processes, offers the best opportunity to advance restoration objectives. Habitat protection efforts should emphasize acquisition and/or protection of large blocks of contiguous, intact habitat, complemented by protective management policies on public



lands. Habitat manipulation and/or construction projects advocated in the name of restoration purposes should be considered only as a last recourse, in extremely limited circumstances. In general, projects such as roads, ports, visitor centers or other commercial development proposals are regular agency responsibilities and, as such, are inappropriate and/or should be considered an extremely low priority for use of Settlement funds.

- **Habitat Acquisition Serves Multiple Restoration Objectives: It is essential to recognize that numerous, multifaceted and complementary restoration objectives can be served simultaneously through fish and wildlife habitat acquisition and/or protection.** Old-growth forests, in particular, provide nesting sites for some of the bird species most harmed by the spill (including marbled murrelets and bald eagles). Pristine riparian and upland old-growth forests also provide crucial habitats for other spill-injured species as well (such as mink, river otter, salmon and other anadromous fish). Watershed protection also serves to safeguard water quality. Additionally, comprehensive habitat acquisition and protection efforts under the Settlement will serve to protect and enhance local community economic opportunities that are dependent upon healthy and productive coastal forest ecosystems, including commercial and sport fishing, guided hunting, tourism, wilderness recreation and subsistence.

**Simply stated: intact forest lands can and do provide an essential biologic foundation for permanent jobs and strong, sustainable economies.** It would be tragic, to say the least, if the ecosystems, biologic resources and coastal communities of the *Exxon Valdez* impact region were to finally recover from the oil spill, only to suffer further devastation as a result of unsustainable, "boom and bust" development activities, in particular clearcut logging. Use of the Settlement funds to acquire and protect habitat offers an extraordinary and unparalleled "win-win" opportunity to advance restoration objectives as well as safeguard future economic opportunities for coastal communities. Habitat needed for recovery of injured resources and services can be protected while private landowners, such as ANCSA corporations with holdings in the spill region, can realize the economic value of their holdings and provide dividends to shareholders, thereby meeting fiduciary responsibilities.

The exact amount of acreage that could be protected with Settlement funds is not known at this time and is subject to a number of significant variables the most important of which include identification of willing sellers and highly variable land values. As a gross estimate, however, using the recent Kachemak Bay and Seal Bay acquisitions as rough "ballpark comparables" (approximately \$900/acre, fee simple), it appears that acquisition of roughly 500,000 acres could be achieved using approximately \$450 million of the remaining settlement funds. This acreage estimate could be higher, or the cost figure lower, if the acquisitions were for partial property rights.

- **Habitat Acquisition Has Enormous Popular Support:** Not only are the merits of giving priority to habitat acquisition compelling, this proposal enjoys enormous popular support. A *Petition in Support of Habitat Acquisition* is attached to these comments reflecting the support of hundreds of individual Alaskans who have joined together to “urge the Exxon Valdez Oil Spill Trustees to invest most of the ... civil settlement monies on acquisition of coastal rainforest habitat threatened by logging.” In discussions with members of the public, ACE has consistently found broad popular support for, and recognition of, the benefits of habitat acquisition and protection.
- **Continuing Monitoring and Research A Priority:** In addition to use of the Settlement for habitat acquisition and protection, continued support for scientific monitoring and research is essential, particularly fisheries research. Continued monitoring and research is especially important to ensure proper understanding of ecosystem impacts. Monitoring and research should not be focused narrowly on single species or populations but include degradation of habitats, chronic and sub-lethal effects, including changes in physiological or biochemical changes in productivity.
- **Rigorous Screening of “Restoration” Projects/Proposals Essential:** If the trust obligation to the spill-impacted resources is to be effectively implemented, great care must be exercised to ensure that the Settlement is not squandered as “the fund of first resort.” The Settlement has attracted enormous attention and thousands of ideas have been advanced ranging from the critically necessary to the patently opportunistic and absurd. Projects and proposals advanced in the name of “restoration” must be rigorously scrutinized. Great care must be taken to ensure that proposed projects and proposals are:
  - 1) truly needed and beneficial to injured resources;
  - 2) not speculative or experimental;
  - 3) not being proposed on an opportunistic basis when other funding sources are available, appropriate or would otherwise normally be sought; and
  - 4) not excessively expensive in relation to the likelihood of successfully advancing restoration objectives.
- **Allocation of Remaining Funds Among Uses:** In terms of the relative allocation of funds from the Settlement, it is difficult to justify the assignment of specific percentage amounts to expenditures at this time. However, in general terms, some combination of Alternatives 2 and 3, as described in the Draft Restoration Plan generally represents an appropriate allocation of funds among various categories of uses.

## Issues and Policy Questions

The following comments are in direct response to specific policy issues and questions are raised in the Draft Restoration Plan.

- **“Special Interest” Endowments Neither Necessary Nor Justified:** **There is no need, nor justification, to establish a special interest endowment as a funding source apart from the existing Settlement.** The existing Settlement already has the functional attributes of an endowment. Funds, including interest earnings, will continue to accrue to the Settlement. The Trustee Council can choose to extend expenditures from the Settlement over any time frame it deems appropriate. The “special interest endowment” proposals being advocated with special interest groups in charge of spending decisions are characterized by gross by conflicts of interest. While it is not surprising that special interest groups want their own special “dedicated fund” — which special interest group wouldn’t? — such a proposal is neither necessary nor justified. A “special interest endowment” would undermine the broad public interest in restoration already defined under the terms of the Settlement.
- **Injuries to be Addressed by Restoration Actions:** **Should restoration actions address *all* injured resources and services or just those that experienced a population level decline?** The definition of injury should not be narrowly focused on effects to populations or single species. In particular, monitoring and research efforts should address ecosystem effects, including chronic or sub-lethal effects. (It is important to note that whether a particular restoration project should be undertaken or implemented in response to the identification of an ecosystem, chronic or sub-lethal resource injury is, of course, a separate question.)
- **Restoration Actions for Recovered Resources:** **Should restoration actions *cease upon recovery* of an injured resource or continue to enhance the resource?** As indicated previously, habitat acquisition and protection generally represents the best opportunity to ensure the ability of ecosystems to recover and/or avoid additional injury. Where fee simple habitat acquisition efforts are successful, they will, by definition, provide enduring restoration protection. This is appropriate and, indeed, reflects a distinct advantage of habitat protection as a restoration option. In those cases where habitat acquisition/protection is not possible or feasible and direct intervention, habitat manipulation or some other form of active management project or action is deemed necessary, cessation of the restoration action may well be appropriate upon recovery of the injured resource(s), especially if continuation of the restoration action has an annual carrying cost.

- **Effectiveness of Restoration Actions:** Should the plan include only restoration actions that produce *substantial* improvement or just at least some improvement? Again, it is appropriate to recognize that habitat acquisitions (as a type of restoration action) will serve multiple and complementary restoration objectives simultaneously. For example, acquisition of old growth forest uplands will have substantial benefits for marbled murrelets and bald eagles as well as possibly benefitting anadromous fisheries, recreation/tourism and water quality. Thus, in recognition of its synergistic benefits, habitat acquisition should be accorded a priority as a type of restoration action. While restoration actions that can produce “at least some improvement” should not be ruled out as a policy matter, as a practical matter, given limited Settlement funds, restoration actions with only marginal benefits should be accorded an extremely low priority.

- **Location of Restoration Actions:** Should restoration actions take place *in the spill area only* or anywhere there is a link to injured resources or services? Restoration actions outside the spill impacted area should not be categorically ruled out as a policy matter, although priority should be given to effective restoration actions. Before undertaking a restoration action outside the spill area, however, a clear finding should be made that there are no effective alternatives inside the spill area or that the efficacy of restoration projects outside the spill area clearly justified an exception to the general policy of working inside the spill zone.

- **Opportunities for Human Use:** To what extent should restoration actions create opportunities for human use of the spill area? The creation of opportunities for human use (such as the outhouse development cited in the Draft Restoration Plan) may be appropriate to the extent that the restoration objective is protection of other injured resources. However, great care must be given to ensure that any restoration activities that would create human use opportunities do not conflict with injury recovery objectives. For example, developing new facilities in areas that might attract new use and disturb recovering species.

\* \* \* \* \*

For additional information or clarification concerning these comments, please contact Eric F. Myers at the Alaska Center for the Environment (274-3621).

attachment

- Petition in Support of Habitat Acquisition (14 pages)



# Alaska Center for the Environment

519 West 8th Avenue, Suite 201 • Anchorage, Alaska 99501 • (907) 274-3621

## PETITION IN SUPPORT OF HABITAT ACQUISITION

We urge the Exxon Valdez Oil Spill Trustees to invest most of the \$900 million civil settlement monies on acquisition of coastal rainforest habitat threatened by logging.

Acquisition and protection of habitat will help ensure that the damaged ecosystem will recover, thereby also helping to ensure a sustainable economic future for residents of the Alaska coastal rainforest.

SIGNATURE                      PRINT NAME                      ADDRESS                      PHONE

*Melan Benedict*                      MELAN BENEDICT

*David Wigglesworth*                      David Wigglesworth

*Ed Lewis*                      Ed Lewis

*Constance Wolfe*                      CONSTANCE WOLFE

*Tina Riedell*                      Tina Riedell

*Louann Rank*                      Louann Rank

*Lynn M. Fitch*                      Lynn M. Fitch

*Anne Lovett*

*Joy Bentley*                      Joy Bentley

*Erland D. Stephens*                      Erland D. Stephens

*Shelly Ryan*                      Shelly Ryan

*Vesta Leigh*                      Vesta Leigh

*Antonia Alexander*

*Pat Walker*

*Harlena Dusen*

*Vicki Harrison*

*Rosa Maccocci*                      ROSA MACCOCCHI



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SIGNATURE

PRINT NAME

ADDRESS

PHONE

Rebecca Fowler Rebecca S. Fowler

Caroline Stuart Caroline Stuart

Philip Barnes Philip Barnes

Vickie Actor Vickie Actor

Regina Enkri-Moir Regina Enkri-Moir

Gertrude Toomey Gertrude Toomey

J. HINTERBERGER J. HINTERBERGER

Jean K. Ward Jean K. Ward

Rebecca Moller

Tammy Moser Tammy Moser

Laurie Hall

Tim Murray Tim Murray

Sue Post Sue Post

Barbara J. Varney BARBARA J. VARNEY

Jim Levine Jim LEVINE

Allison Brandt Allison Brandt

Bill Lewis BILL LEWIS



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SIGNATURE                      PRINT NAME                      ADDRESS                      PHONE

*[Handwritten signature]*                      *T. Hietala*

*Emma Ronholdt*                      EMMA RONHOLDT

*Steph C. Webb*                      Steph C. Webb

*Minnie Holbrook*                      Minnie Holbrook

*Jacquelyn Sparrow*                      Jacquelyn Sparrow

*Janice R. Woodman*                      Janice R. Woodman

*Mary Christensen*                      Mary Christensen

*Keri M. Williams*                      Keri M. Williams

*Jane Atkinson*                      Jane Atkinson

*Debra L. Hulen*                      DEBRA L. HULEN

*Ron Sheardown*

*Kaomi Sheardown*

*Margarete Oroskowsky*

~~*Lilly Rice*~~

*Lilly Rice*                      Lilly Rice

*Deborah H. Rice*                      Deborah H. Rice

*Deborah H. Rice*





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SIGNATURE                      PRINT NAME                      ADDRESS                      PHONE

*Nathan C. Bukuan*      NATHAN C. BUKUAN

*Tonya Gillies*      TONYA GILLIES

*Janice Klinski*      JANICE KLINSKI

*Chip Dammstein*      CHIP DAMMSTEIN

*JoAnn Augdahl*      JOANN AUGDAHL

*Daniel J. Frank*      DANIEL J. FRANK

*Ivan Night*      IVAN NIGHT

*Christine Kueblood*      CHRISTINE KUEBLOOD

*Jennifer Breslin*      JENNIFER BRESLIN

*Scott Kluever*      SCOTT KLUEVER

*Suzie Montgomery*      SUZIE MONTGOMERY

*Katy Middleton*      KATY MIDDLETON

*Joan Pascale*      JOAN PASCALE

*Scott Thomas*      SCOTT THOMAS

*Mary Rozella*      MARY ROZELLA

*Steve Samson*      STEVE SAMSON

*Joab Atwood*      JOAB ATWOOD



**Alaska Center for the Environment**  
 519 West 8th Avenue, Suite 201 • Anchorage, Alaska 99501 • (907) 274-3621

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**SIGNATURE                      PRINT NAME                      ADDRESS                      PHONE**

Elizabeth Chamberlin

Heather Hunziker

DAVE Wetzel

Winnie Olsen

Dale Olsen

ALAN VAN WINKLE JR

Laura C. Wood

William Craig Gibson

C. R. ROSE ANDREA ROUSSEAU

MIKE ASKREN

Paul Hughes

Paul & Emp Lee Paul

Michelle J. ...

Miss ... Bill ...

JAN ALVARO BRAZIL

... Katten

... Sparks

...

...



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SIGNATURE	PRINT NAME	ADDRESS	PHONE
<i>P.M. Honvacec</i>	PAM HONVACEC		
<i>C.M. Thompson</i>	C.M. THOMPSON		
<i>G.A. Baranyi</i>	G.A. BARANYI		
<i>Doug Stark</i>	Doug Stark		
<i>Rocky S. Christ</i>	Rocky S. Christ		
<i>Tom Macchia</i>	Tom Macchia		
<i>Paul Lavery</i>	Paul Lavery		
<i>Suzanne M. Nyx</i>	SUZANNE M. NYX		
<i>Jennifer Hunter</i>	Jennifer Hunter		
<i>Lisa Schlichfemer</i>	Lisa Schlichfemer		
<i>Ellen Lawlor</i>	Ellen Lawlor		
<i>Ann Lawlor</i>	Ann Lawlor		
<i>Shannon McBride</i>	Shannon McBride		
<i>Michael Paulitsch</i>	MICHAEL PAULITSCH		
<i>Tony Blachet-Roth</i>	Tony Blachet-Roth		
<i>Nevette Bowen</i>	Nevette Bowen		
<i>Kristin Senn</i>	10 Waverton Ave, Waverton		



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SIGNATURE      PRINT NAME      ADDRESS      PHONE

*Linda Littrell*      LINDA LITRELL

*Jennifer Dandson*      Jennifer Dandson

*Keith A. Green*      Keith A. GREEN

*Xantha S. Bruso*      Xantha S. Bruso

*Karin Salden*      Karin Salden

*Mark D. Clark*      MARK D. Clark

*Brent Cox*      Brent Cox

*Brandi B. Baker*      Brandi Baker

*Susan Kardar*      Susan Kardar

*Georgia Caruthers*      Georgia Caruthers

*Donald R. Kosterling*

*Dr. Tim Schweinweis*      DR. TIM SCHWEINWEISS

*Ann D. Han*

*Brynden Marshall*

*Sr. Genevieve Novotny*

*Daryl Dune*      Daryl Dune

*Kerry DMS*      Kerry DMS



# Alaska Center for the Environment

519 West 8th Avenue, Suite 201 • Anchorage, Alaska 99501 • (907) 274-3621

## PETITION IN SUPPORT OF HABITAT ACQUISITION

We urge the Exxon Valdez Oil Spill Trustees to invest most of the \$900 million civil settlement monies on acquisition of coastal rainforest habitat threatened by logging.

Acquisition and protection of habitat will help ensure that the damaged ecosystem will recover, thereby also helping to ensure a sustainable economic future for residents of the Alaska coastal rainforest.

SIGNATURE                      PRINT NAME                      ADDRESS                      PHONE

*Richard M. Brown*      RICHARD M. BROWN

*Anne Aayers*      ANNE AYERS

*Beverly V. Farfan*      BEVERLY V. FARFAN

*Doug Blankensop*      DOUG BLANKENSOP

*Sheri Whitcomb*      SHERI WHITCOMB

*Hugh Leddy*      HUGH LEDDY

*Pam Kornicker*      PAM KORNICKER

*Mark Hill*      MARK HILL

*Jennifer A. Wang*      JENNIFER A. WANG

*Elizabeth Strickland*      ELIZABETH STRICKLAND

*Robin Swinford*      ROBIN SWINFORD

*Beverly Nash*      BEVERLY NASH

*Dorothy Sharrett*      DOROTHY SHARRETT

*Cynthia Aughe*      CYNTHIA AUGHE

*Kare Aughe*      KARE AUGHE

*Trena Granel*      TRENA GRANEL

*Harriet R. Paule*      HARRIET R. PAULE



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SIGNATURE      PRINT NAME      ADDRESS      PHONE

*Anita H. McKeester*      Anita H. McKeester

*S. James*      Simone James

*Walter East*      WEST      165 BUCKLE ST.

*Craig Wilkenings*      CRAIG WILKENINGS

*Mark Morgan*      Mark Morgan

*Stacy Hennrich*      STACY HENNRICH

*Carolyn Durand*      CAROLYN DURAND

*Gerry Barrett*      Gerry Barrett

*Ruth Ann Baker*      Ruth Ann Baker

*Naomi G. Chambers*      Naomi G. Chambers

*Douglas Begax*      Douglas Begax

*Ellen Kempen*      ELLEN KEMPEN

*Rin Vidal*      Rin Vidal

*40*



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SIGNATURE

PRINT NAME

ADDRESS

PHONE

*[Handwritten signature]* Robin Smith

*[Handwritten signature]* Eric McCallum

*[Handwritten signature]* Katharine Weber Katharine Weber

*[Handwritten signature]* Bridget Paule Bridget Paule

*[Handwritten signature]* Jim McComiss

Blank lines for additional signatures and names.





# Alaska Center for the Environment

519 West 8th Avenue, Suite 201 • Anchorage, Alaska 99501 • (907) 274-3621

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SIGNATURE                      PRINT NAME                      ADDRESS                      PHONE

*Kathleen Boud*      Kathleen A. Boud

*(Society)  
Rally*

*Regina Mantel*      Regina Mantel

*Frankie Bunker*      Frankie Bunker      Bear 101604

*Lila Berry*      Lila Berry

*Gary Chores-Wood*

*Wanda & Jerry JPL Conroy*

*Melissa Helmer*







# Alaska Center for the Environment

519 West 8th Avenue, Suite 201 • Anchorage, Alaska 99501 • (907) 274-3621

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SIGNATURE                      PRINT NAME                      ADDRESS                      PHONE

*Katherine S. Danek*      Katherine Danek

*Evan Marvel*              Evan Marvel

*Tom Beach*

*Al Perkins*      Alison Erskine

*James Mackler*      James Mackler

*John M. Sims*      John M. Sims

*Blair Fingerhut*      Blair Fingerhut

*Jeff & Gabe*

*Teresa Maltz*      TERESA MALTZ

*Ruth Sheridan*      Ruth Sheridan

*Lisa Randolph*      Lisa Randolph

*Peter K. Amadon*      Peter K. Amadon

*Terry Trout*      TERRY TROUT

*Jill C. Wittenbender*      Jill C. Wittenbender

*Robert Borew*

*Karen M. Wilson*

*Mindy Rouse*



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SIGNATURE                      PRINT NAME                      ADDRESS                      PHONE

Lorraine Hendrick Lorraine Hendrick

Kette Rae Fordell KETA-RAE RANDALL

Debra Randall

Maria Hoyle MARI HOYLE

Karen Cordie KAREN CORDIE

LISA CARROLL

Roberta Carroll

Michael Welsh Michael Welsh

B. Huffman B. HUFFMAN

James L. Fitz JAMES L. FITZ

Bo Fusco

Joyce Bauer Joyce Bauer

Michelle Demarce Michelle Demarce

Wendy Weber Wendy Weber

William F. Heuser WILLIAM F. HEUSER

Theresa Slaven Theresa Slaven

Michael Ford MICHAEL FORD



# Alaska Center for the Environment

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SIGNATURE	PRINT NAME	ADDRESS	PHONE
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<i>Louise Janet</i>	Louise Janet		
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<i>Garth Lynch</i>	Garth Lynch		
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<i>Elizabeth Rave</i>	Elizabeth Rave		
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<i>Jana Vaughn</i>			
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<i>Kam Seisen</i>			
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<i>Ned S. Muroken</i>			
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<i>Ethel Miyakami</i>			
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<i>Suzanne Lassiter</i>	Suzanne Lassiter		
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<i>Jolie Schaefer</i>	Jolie Schaefer		
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<i>Heather Harmon</i>	Heather Harmon		
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<i>Paige Isom-Jenks</i>			
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<i>Christopher Payne</i>			
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<i>Samela Hawkins</i>			
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<i>Steve Colt</i>	Steve Colt		
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<i>Liz Wood</i>	Liz Wood		
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<i>Terrace Reeve</i>			
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<i>Phyllis Hackett</i>	Phyllis Hackett		
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RECEIVED 10/16  
MAY 17 1993  
0102940517  
EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

RESOLUTION OF THE ALASKA CHAPTER OF THE WILDLIFE SOCIETY

Meeting in Juneau, AK 4/19/93

A RESOLUTION URGING THE EXXON VALDEZ OIL SPILL COUNCIL TO WORK WITH THE UNIVERSITY OF ALASKA ON A PLAN TO ENDOW UP TO 20 ACADEMIC CHAIRS IN BIOLOGY TO FULFILL THE LONG TERM GOALS OF THE SETTLEMENT.

WHEREAS, the biological resources of the northern Gulf of Alaska were terribly devastated by the Exxon Valdez oil spill, and

WHEREAS, baseline scientific data was completely inadequate to positively assess the damage and is completely inadequate to realistically restore the environment, and

WHEREAS, future shipwrecks and oil spills in the area are a realistic probability, and

WHEREAS, the accumulation of scientific knowledge and advancement of scientific technology make enormous advances each year and will continue to do so on into the centuries ahead, and

WHEREAS, endowed academic chairs will provide continuing top quality scientific investigation, top quality scientific publications, top quality training for the scientists that will be needed by the agencies and companies responsible for resource management and development, in perpetuity, and

WHEREAS, the Exxon Valdez Oil Spill Trustee Council is charged under the legal settlement with the Exxon Company with restoring rehabilitating, replacing, enhancing or acquiring equivalent resources and services in the oil spill region and presently lacks most of the scientific resources to accomplish these things, and

WHEREAS, with the inevitable scientific advancement in the decades or centuries ahead eventually enhancement of many of the biological resources will be possible, and

WHEREAS, concentrating a major center for advancement of biological science at the University of Alaska is in the best interests of all Alaskans injured by the Exxon Oil Spill, and

WHEREAS, the University of Alaska already has an appropriate Foundation for managing endowed chairs;

NOW THEREFORE BE IT RESOLVED BY THE MEMBERSHIP OF THE  
ALASKA CHAPTER OF THE WILDLIFE SOCIETY:

1. To urge the Exxon Valdez Oil Spill Trustee Council to instruct their Restoration Team to contact and cooperate with the University of Alaska in developing a plan for establishing up to 20 endowed chairs in biology that will fulfill the intent of the settlement.

2. That such a plan be included in the Restoration Plan and EIS being prepared this year by the Restoration Team.

Adopted this 20th day of April 1993.

---

Kim Titus, President

STATE OF ALASKA  
DEPARTMENT OF NATURAL RESOURCES

DIVISION OF PARKS AND OUTDOOR RECREATION

684 M  
WALTER J. HICKEL, GOVERNOR

3601 C STREET, SUITE 1200  
ANCHORAGE, ALASKA 99503  
PHONE: (907) 762-2600

MAILING ADDRESS:  
P.O. BOX 107001  
ANCHORAGE, ALASKA 99510-7001

August 3, 1993

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

RECEIVED  
AUG 05 1993

EXXON VALDEZ OIL SPILL RESTORATION

Dear Members of the Trustee Council:

I have enclosed Alaska State Park's comments on the Draft Restoration Plan. Thank you for the opportunity to comment.

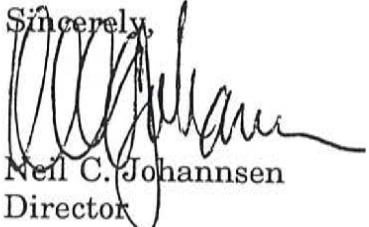
We have several specific locations of potential recreation restoration projects which we can provide to the Trustee Council. Some of the projects within Prince William Sound will be forwarded to the Prince William Sound Recreation Project Work Group.

This Division has a system in place for evaluating and distributing community grants for recreation. This could be modified to incorporate the linkage to injured recreation resources and services. The Trustees could use this grant program for administering funds for community recreation projects.

We are currently addressing recreation restoration with the State criminal settlement at the same time the Trustee Council addresses recreation restoration. These two processes should be concurrent with a synchronization of ideas. The end result should be a cohesive restoration of injured recreation resources. Cooperation and information sharing would be beneficial to both parties.

Please feel free to contact me for more information.

Sincerely,

  
Neil C. Johannsen  
Director

Enclosures

Alaska State Park Comments for the Exxon Valdez Oil Spill  
Restoration Plan Summary of Alternatives for Public Comment

August 3, 1993

**Injuries Addressed by Restoration Actions:** Some biological resources that received measurable declines may be helped by restoration projects, but much of the biological recovery in the spill affected area will heal with time if left undisturbed.

**Restoration Actions for Recovered Resources:** Because the face of the spill affected area will never be the same with the ever changing conditions, recovered resources is sometimes an ambiguous goal to reach. The recreational resources and services in existence at the time of the spill, for example, is not suitable for the use now occurring in the spill affected area. Bringing the injured resource and services to appropriate levels would involve some enhancement.

**Effectiveness of Restoration Actions:** There is no blanket opinion on this because the response varies with resource. Many resources should be left to natural recovery. Others may need substantial improvement over the natural recovery. There is a risk of going too far in this direction as with overstocking fish.

**Location of Restoration Actions:** Most restoration activity should occur in the spill area. Some incidental actions, such as public information, may need to occur in Anchorage or other areas. Projects such as fishery enhancement or habitat acquisition should be limited to the spill area.

**Opportunities for Human Use:** It is essential to include restoration actions for human use. This should be taken to the extent of encouraging appropriate new uses. The key word being appropriate. There may be new fish runs appropriate in some areas but not in all areas. Likewise, a lodge in one location may be beneficial toward restoring some commercial services injured during the spill but would be inappropriate placed in another area. Appropriate management of human use may entail increasing use in some areas to decrease impact in others.

**Monitoring and Research:** There should be human use monitoring in addition to recovery and restoration monitoring. This is one area that has been neglected by the past projects. Human use affects the recovery of other resources and should be included in the monitoring and research stages.

**Habitat Protection and Acquisition:** This may well be the most important aspect of restoration. Since many of the resources can recover over time without active restoration, a key element is to protect the spill area from additional adverse pressures. This may involve stopping logging in some areas where nesting or prime recreation is located. Merely acquiring land will not always accomplish the purpose intended. Managing that land in the

appropriate ways will aide the restoration.

Money to manage these newly acquired lands, especially if the reason is for human use, needs to be provided. This could be included in the acquisition costs or separately from an endowment. Conservation easements are good alternatives to outright purchase. In many instances, controlling human use and impact may be the most effective means of habitat protection.

**Funding Method:** An endowment could be used to supplement the maintenance and operations costs incurred from additional responsibilities added by EVOS restoration projects. Many of the funded projects and restoration activities involving structures or developments ~~may not include future maintenance and operations costs.~~ With the present shortfalls in the State budget for maintenance and operations, these structures or developments may fall into disrepair. Examples would be public use cabins, mooring buoys, latrines, visitor centers, cultural centers, and fish ladders. The State has a responsibility to maintain any new structures even if the legislature will not fund future maintenance and operations costs. Therefore, future maintenance and operations funds for projects implemented by the EVOS Trustee Council, should be allocated from the civil settlement.

Law enforcement for commercial fisheries, recreation, archaeological sites, marine mammal protection could also be funded from this endowment. Controlling the human use will help the recovery of the injured resources. New restoration projects should be completed by the end of the ten years.



733 M

Geoffrey Y. Parker  
c/o Jameson & Associates  
500 L Street, Suite 502  
Anchorage, Alaska 99501

August 6, 1993

Exxon Valdez Oil Spill Restoration Office  
645 "G" Street  
Anchorage, Alaska 99501

RE: Draft Restoration Plan;  
Comments for Alaska Sportfishing Association and  
Alaska State Council of Trout Unlimited

Dear Trustee Council and Staff:

These comments are submitted in behalf of the Alaska Sportfishing Association and the Alaska State Council of Trout Unlimited. These comments supplement our accompanying responses to the questionnaire in the plan. These comments focus on the general problem of achieving a rational basis for decisions, explain our recommended alternative which combines elements of alternatives 2, 4 and 5, and makes recommendations for acquisitions.

Achieving A Rational Basis For Decisions

The actions of the Trustee Council are subject to administrative law requirements. Foremost among them are the requirement that actions by the Council must be supported by a rational basis and must comply with the NRDA regulations (43 C.F.R. Part 11).

To meet these requirements, the Trustees would be wise to recognize that the overwhelming loss was loss of passive use of wildlife generally. That is obvious to anyone who examines the responses to questions A-6A, A-20 and A-20A of the of passive use study released by the Alaska Department of Law.

Our conclusion from that study is that the Trustees should fund a follow-up, nationwide survey that will ask respondents to put values on different quantities of wildlife of various injured and uninjured species that could be conserved through various acquisition alternatives both inside and outside the spill area. The purpose of such a study would be to get some handle on how the public trades off conservation of one species versus another. Such a study should provide respondents with some factual basis for

making choices; e.g. the quantity or percentage of a wildlife resource that would be protected through an acquisition and the costs associated with alternative acquisitions.

Absent such a study, all candidate acquisitions amount to nothing more than guess work as to how well any particular acquisition replaces lost passive use value. Essentially, the problem the Trustees and the public are having is that the trustees are forced to make decisions on buying lands, that have resources that are to some extent quantifiable in biological terms but are not quantified in terms of the economic value to the public that would be achieved through conservation of the lands. The result is decisions driven by biological assessment of resources present on the lands and the agenda of interest groups and agencies. The value to the public is a matter of social science, i.e. natural resource economics, and is not capable of being addressed through the biological sciences or desires of interest groups.

Such a study would serve numerous legal requirements. Restoration and replacement actions must be the most cost-effective alternative for providing the lost services. 43 C.F.R. 11.81(f)(1). Lost services must be restored to no more than the baseline level. 43 C.F.R. 11.82(d)(2)(i). Natural resource damages are the residual injury remaining after cleanup. 43 C.F.R. 11.84(c)(2).

Here, the greatest residual injury is to passive use. It apparently remains as residual injury the passive use study and its questionnaire focused on injuries to wildlife that involved mortalities and long term injuries to birds and marine mammals. Yet, the justifications for acquisitions to date frequently involve resources and services showing little or no residual injury and lacking in any measures of cost-effectiveness or the contribution made to restoring passive use to baseline condition.

The only way we can see of getting a handle on such problems is by funding the type of study we propose.

#### Recommended Alternative

It seems that there is very little that can be done to cost-effectively restore injured resources and services other than through land and habitat acquisition, but without the necessary social science it is hard to make good determinations as to cost-effectiveness of projects such as stock separation studies.

We favor a combination of Alternatives 2, 4, and 5. We favor the 91 percent for land and habitat acquisition in Alternative 2, the high standard for cost-effectiveness in Alternative 4, and the flexibility and cost-effectiveness that includes acquisitions outside the spill area in Alternative 5. We realize there is political difficulty in looking outside the spill area. However,

the law contains no requirement that acquisitions be geographically limited to the spill area, and the whole notion of acquiring replacement resources implies acquiring uninjured resources away for the locale of the oil.

#### Recommended Procedures

To promote the goal of cost effectiveness, the Trustees would be wise to expeditiously request expressions of interest from all private land owners who own lands having resources worth conserving that face some risk of disposal or adverse development. Some range of cost for various amounts and methods of conservation (e.g. conservation easement versus fee simple acquisition versus amount of land the might be conserved) should be requested. Owners should be made aware that if they wish to be candidates, the Trustees are most interested in lands that have high wildlife value and that are cost-effective or less-costly than other candidates. The Trustees and the staff and the public have frequently expressed this, commendably, as getting the most conservation "bang for the buck." In our view, the requirements of cost-effectiveness, that are essentially preclusive of arbitrary guesswork about economic value, would require such information up front for comparative purposes. Unfortunately such information, while available for Seal Bay and Kachemak Bay acquisitions, has been lacking for comparative purposes to other potential acquisitions. The cost-effectiveness requirement is defeated without such information.

#### Recommended Candidates for Acquisition

To be precise, it is not appropriate for anyone to recommend an acquisition without a basis for cost-effectiveness or the trade-off involved in conserving one set of resources having passive use value versus another set of resources having another passive use value. However, it is appropriate to recommend candidates for evaluation.

We recommend that private lands in the Bristol Bay drainages\* and in the Karluk River drainage be evaluated as candidate acquisitions. The link to the spill is loss of passive use of wildlife generally. Passive use is the area of greatest residual injury in this spill. It continuing loss arises predominantly from the front end mortalities to birds and some marine mammals. These lands have some of the highest wildlife values in the state. They have such values for wildlife species that most likely have high passive use value, such a brown bear, eagles, caribou, moose, salmon and trout. They also contain in the Iliamna Lake area some of the only inland marine bird and harbor seal populations in the world. Conservation of such lands could be extremely cost effective, because they lack commercial timber resources and could effectively create great conservation benefits because surrounding lands are already conserved under the Bristol Bay Area Plan and the Kodiak Refuge Plan. These lands also have high values for

3

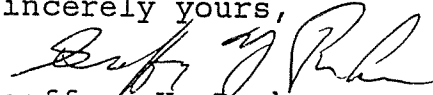
\* such as around Iliamna Lake on the Copper River, Gibraltor River, Dream Creek, and Kaskhanok Flats (outlet of Iliamna Lake)

resources important to commercial fishing, recreation, subsistence and tourism, though we view such values as not nearly as important as restoration of passive use.

We also recommend conservation easements along Anchor River, Deep Creek and Ninilchik Rivers and support such easements along the Kenai River.

Obviously, we recommend lands that are riparian in character because they have such high value for wildlife and fishery resources. We recommend against acquisitions that involve only timber and little threat to wildlife. We recommend against putting much values on merely scenic resources that lack wildlife.

Sincerely yours,



Geoffrey Y. Parker  
ASA Board Member,  
Vice Pres. State Council of  
Trout Unlimited

1655 M

# Alaska State Legislature

COMMITTEES  
RESOURCES  
COMMUNITY AND REGIONAL AFFAIRS  
LEGISLATIVE BUDGET AND AUDIT  
  
FINANCE SUBCOMMITTEES  
UNIVERSITY OF ALASKA  
DEPARTMENT OF NATURAL RESOURCES



*While in Fairbanks*  
119 N. Cushman Street, Suite 207  
Fairbanks, Alaska 99701  
(907) 456-8172  
FAX (907) 456-1910  
  
*While in Session*  
State Capitol  
Juneau, Alaska 99801-1182  
(907) 465-4457  
FAX (907) 465-3787

## Representative John Davies District 29

August 6, 1993

RECEIVED  
AUG 06 1993

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

Dear Mr. Gibbons:

I wish to comment on the draft restoration plan.  
While I support modest, local logging, I do also support the acquisition of critical habitat and special park lands using Exxon / Oil Spill funds.

Sincerely,

John Davies  
Representative



# Alaska State Legislature

1606 M

716 W. 4TH AVE, SUITE 240-A  
ANCHORAGE, ALASKA 99501-2133  
258-8190 FAX: 258-8171



WHILE IN SESSION:  
STATE CAPITOL  
JUNEAU, ALASKA 99801-1182  
465-2435 FAX: 465-2864

Representative David Finkelstein

August 5, 1993

RECEIVED  
AUG 06 1993

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

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

Dear Trustees:

This letter is in response to your recent solicitation for recommendations on the Restoration Plan. I believe the focus of your council should be on purchasing wildlife habitat. While we can't undo the damage caused by the oil spill, we can expand the public ownership of key coastal habitats in the affected areas.

Within Prince William Sound, the Knight Island Passage and Jackpot Bay area is particularly critical. This region provides a wealth of natural beauty and wildlife habitat that should be preserved for future generations. The lands owned by Chenaga Corporation include many tracts that need to be in public ownership. All of the Native corporation lands in Prince William Sound are worth considering in your acquisition plans, but the Knight Island area is especially important. If public lands can be acquired in the area, it will provide a continuous public coastline from Whittier to Seward. I have boated this coastline and am convinced it is a top priority.

Other critical areas for habitat acquisition include private lands in the Kenai Fjords National Park, the Kodiak National Wildlife Refuge and the Shuyak Straits area. In all of these areas we have a unique opportunity to purchase wildlife habitat on a willing-seller basis.

Purchasing these and other key habitats in areas affected by the spill will give Alaska's wildlife a chance to fully recover from the effects of the spill. It would also enable these populations to continue to thrive in a protected environment. Making this type of commitment would put us on the road to successful resource management. Please consider the maximum level of habitat acquisition when putting the final plan together. Thanks for considering my views.

Sincerely,

A handwritten signature in dark ink, appearing to read "David Finkelstein".

David Finkelstein  
State Representative

1146 M

RECEIVED  
JUL 26 1993

# ALASKA SURVIVAL

Box 320 Talkeetna, Alaska 99676 (907) 733-1413 or 733-2703

To the TRUSTEE COUNCIL  
FROM Becky LONG

7/24/93  
PRINCE WILLIAM SOUND OIL SPILL  
TRUSTEE COUNCIL

These are comments on the DRAFT Restoration PLAN.

First we THANK YOU for approving the purchase of 42,000 acres near Seal Bay on Afognak Island.

There is no more need to try & clean up the spilled oil from 1989.

We do not support hardly any of the projects listed for proposed use. Any capital construction project will be used by the Huckle Administration to benefit financially big corporations who would build stuff like Sea World.

Restoration funds should NOT be used to stimulate the economy by creating capital construction jobs.

To try and repair and restore the injured species and the Prince William Sound & other affected areas environment the money needs to be spent on buying up lands important to habitat, commercial sport, subsistence, fishing, wilderness recreation.

We heal by protecting the earth from further damage.

HABITAT FOR FISH AND WILDLIFE 3

1018 M

## Alaska Wilderness Recreation and Tourism Association

### Board of Directors

**Nancy Lethcoe**  
President  
Alaskan Wilderness  
Sailing Safaris

**Carol Kasza**  
Vice President  
Arctic Treks

**Karla Hart**  
Secretary  
Alaska Rainforest Tours

**Don Ford**  
Treasurer  
National Outdoor  
Leadership School

**Marcy Baker**  
Alaska Mountaineering &  
Hiking

**Bob Ditrack**  
Wilderness Birding  
Adventures

**Kirk Hoessle**  
Alaska Wildlands  
Adventures

**Bob Jacobs**  
St. Elias Alpine Guides

**Karen Jettmar**  
Equinox

**Steve Ranney**  
Fishing & Flying

**Stan Stephens**  
Stan Stephens Charters

**Eruk Williamson**  
Eruk's Wilderness  
Float Trips

Exxon Valdez Trustee Council  
Exxon Valdez Restoration Office  
645 G St.  
Anchorage, AK 99501

May 12, 1993  
**RECEIVED**  
MAY 14 1993

### Re: Exxon Valdez Oil Spill Restoration Plan

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

Dear Trustees:

The Alaska Wilderness Recreation and Tourism Association appreciates the opportunity to present our preliminary comments on the Restoration Plan. We will be making additional comments as we continue to work with our members, communities and other groups in the spill affected area.

### Items commented on at this time include:

- 1) Issues and Policy Questions from the flier on the Draft Restoration Plan
- 2) Habitat and Viewshed Acquisition, including new recommended areas
- 3) Endowments for 1) research on ecosystem and 2) garbage cleanup and trail maintenance
- 4) Support for City of Cordova Resolution 93-25

### Issues and Policy Questions

### AWRTA Recommendations:

*1. Restoration projects should address all injured resources and services except for those biological resources which did not measurably decline.*

Justification: Natural recovery seems to be working for many species injured by the spill. If a species' population has not declined, then there is no way to tell when restoration has been successful. Restoration funds could be misspent. Funding projects to restore injured species and services which did not measurably decline entails more money being spent on monitoring and administration. Less money would be available for funding projects to help the recovery of more seriously injured resources and services. Habitat acquisitions will help species whose populations declined and most of the other species which were injured but did not measurably decline.



*2. An endowment should be established to fund research and monitoring of the ecosystem. If subsequent research confirms the decline of a population, then restoration projects for those species may be funded from this endowment or by subsequent settlement with Exxon.*

Populations of some species may still decline as a result of infertility and disease resulting from the spill. Funding should be made available to continue monitoring these populations and to restore them, if necessary. Restoration team members have indicated that it would take about \$100-\$150 million to create an inflation proofed endowment.

*3. Restoration actions for an injured resource should cease once the resource has recovered.*

Justification: The enhancement of a recovered resource could cause damage to another injured resource which has not yet recovered or to resources not damaged by the spill. It will be important to maintain the delicate balance of the ecosystem as a whole in the restoration process. The continued focus on recovered resources also depletes funds already in short supply.

*4. Conduct restoration actions that provide substantial improvement over natural recovery.*

Justification: Allowing restoration funds to be used for projects that "at least provide some improvement" increases the number of projects, reduces funding for projects that will provide substantial improvement, and requires more money for administration, planning, public information, and monitoring.

*5. Restoration of natural resources should be limited to activities within the oil spill impacted area.*

Justification: The oil spill boundary (page 10) encompasses an immense area extending from Cordova to Chignik on the Alaska Peninsula. Restoration actions if not limited to this area could diffuse the restoration effort to the extent that no cumulative benefit accrues. More will be gained by restoring the oil spill impacted ecosystem as a whole through habitat acquisition and protection than will result from individual projects conducted outside the spill area.

*6. Restoration actions should be directed only towards services in the spill impacted area.*

Justification: Exxon has already paid several million dollars for advertising to mitigate the effects of the spill on tourism in areas outside the spill area. These services have already recovered and expanded beyond their pre-spill levels. Recreation and tourism interests within the spill area are still adversely affected by the loss of the services provided by natural resources damaged by the spill.

*7. Restoration funds should **not** be used to change existing type of public use.*

Justification: AWRTA is concerned that inadequate attention is being paid to the different sectors of the tourism industry: backcountry recreation and tourism which depend on wilderness-

quality areas free from the signs of man's handiwork; mid-country areas around urban centers where developed trails, campsites, etc. are appropriate, and urban-style recreation and tourism where museums, nature trails, visitor information centers, sport fishing docks, and wildlife viewing areas are appropriate. The development of facilities such as cabins, fuel docks, marinas in backcountry areas does not restore the losses sustained by backcountry recreation and tourism users anymore than converting urban areas into wilderness zones would help urban areas to recover their damages. Existing recreation and tourism services already damaged by the spill will be displaced again.

As the Trustees know, the courts have ruled that spillers are not responsible for economic losses sustained by the tourism industry as a result of the spill. Nor can tourism businesses sue for lost access to the natural resources on which their businesses depend, since the spiller has already paid for these through the Restoration Settlement. Thus the Restoration Settlement process is the only avenue recreational users and tourism businesses have for achieving any type of compensation for their losses. It is important that restoration projects be designed to restore lost services, not to inflict those services with additional losses.

AWRTA supports habitat and viewshed acquisition for recreation areas. Covenants should contain specific language that these areas must be managed for habitat and viewshed restoration. Since these lands would be acquired to help restore lost fisheries, backcountry recreation and tourism services, it is important that they are not subsequently converted to other, incompatible uses. Facilities for developed recreation such as cabins, etc. would have an adverse effect on habitat, wildlife, fisheries, and existing backcountry recreation and tourism uses. AWRTA supports restoration of lost resources and services; we do not support converting an area from one type of service to another.

AWRTA supports placing stipulations in the covenants so that future administrators will not make alterations to the land that are incompatible with restoration. We would like to see the Restoration Plan include an administrative alternative that allowed a non-profit agency, such as the Nature Conservancy, to manage conservation areas for either private or government landholders.

*8. General Restoration funds could be appropriately used in urban/village communities to restore lost tourism and recreational opportunities.*

Justification: According to the Division of Tourism statistics program, 20% to 24% of all Alaska visitors include Valdez in their travel itinerary. Between 1985 and 1989 the annual growth rate of Alaskan tourism overall was 3.3%. Because of the oil spill, the Alaskan annual growth rate was 2.2% in 1989-1990 (*Draft Valdez Comprehensive Plan, p. 216 and Division of Tourism*). According to *Patterns, Opinions, and Planning: Summer 1989* "The Exxon Valdez Oil Spill of March 24, 1989 affected the Alaska trip planning of one in six visitors. Half of these avoided the spill area." (Alaska Visitor Statistics Program II, p. 20.) This represents a 12% decline in visitors to the spill area in 1989. No information is available for subsequent years. A survey of

backcountry businesses in SE Alaska which were comparable to those operating in the spill impacted area showed that while SE Alaska businesses experienced a 23 to 27% annual increase in business from 1988 to 1992, those in the spill impacted area sustained a significant decline in business (up to 50% for some businesses).

Appropriate projects would include education centers, heritage interpretive centers or museums, nature trails and picnic areas. Locating these facilities in communities will 1) reduce stress on injured resources in back-country areas, 2) provide economic compensation to communities for losses sustained as a result of a spill, and 3) restore urban (community) area recreation and tourism opportunities lost as a result of the spill.

AWRTA will be submitting a more detailed list of these facilities after members in the spill impacted communities have had an opportunity to work with local groups to develop lists.

#### **Habitat and Viewshed Acquisition:**

1. AWRTA strongly supports the acquisition of habitat and viewsheds to help damaged species and dependent fisheries and tourism services recover. Considerable oil remains in the spill impacted area and has an adverse effect on recreation and tourism use. The decision has been made not to remove oil for aesthetic purposes unless there is also a biological gain. Some shore-based backcountry users of the spill afflicted area would prefer to have the oil removed, but most are willing to settle for the acquisition of viewsheds as compensation for their continuing damages. AWRTA supports the majority of the remaining Restoration funds should go to habitat acquisition. AWRTA prefers to wait until reviewing the EIS and Draft Plan before indicating a more precise figure.

AWRTA does not support acquiring only buffer strips around anadromous streams unless the buffer strips are sufficiently wide (perhaps 1000 ft.) and protect the stream and all its tributaries from tidelands to timberline. Under the State's draft regulations buffer strips only protect parts of a stream where anadromous fish occur. This is inadequate to protect water quality and habitat.

2. AWRTA supports the Restoration Team's list of imminently threatened areas for habitat acquisition, but wishes to see the following areas added:

1. Timber and viewshed resources on Chugach Alaska Corporation lands at the south end of Knight Island. Chugach Alaska Corporation plans to begin timber operations on these lands as soon as it completes its Montague Island projects. The south end of Knight Island receives considerable on-shore use from backcountry recreation and tourism as well as scenic-use from cruiseship and ferry boat traffic.

2. Private in-holdings in the Valdez Duck Flats and DNR Port Valdez Crucial Habitat Area: Justification: The Valdez Duck Flats contains prime wetlands and adjacent areas used by the ten species whose populations declined as a result of the spill, by five of the injured species. They provides wildlife, aesthetic, and other services to recreation and tourism. Development of wetlands

and immediately adjacent areas could cause additional injury to these species, recreational users including sport fishermen, tourists and tourism businesses. The University of Alaska is the largest landowner; several small lots are privately owned.

3. State lands on Naked Island: These lands provide habitat for species whose populations declined, receive considerable on-shore use from recreation and tourism, and considerable off-shore scenic-use by cruiseships, tourboats and the State ferry. The lands should receive some type of special use classification that protects their habitat and both on- and off-shore scenic viewsheds.

3. Opportunity Areas: AWRTA is concerned that habitat and viewshed acquisition may be perceived as a tool for stopping logging rather than as a means of protecting the most valuable habitats and viewsheds for restoration purposes. We feel that too much emphasis has been placed on imminently threatened lands at the expense of other high value habitat and viewshed areas. We strongly support acquisition of the timber and viewshed resources on Chenega lands in the Dangerous Passage area including, Chenega Island and the mainland from Eshamy to and including Jackpot Bay.

Justification: This area receives considerable backcountry recreation and tourism use. Acquisition of all rights necessary to protect habitat, viewsheds and existing backcountry recreation and tourism use would help the recovery of damaged species and lost backcountry recreation and tourism opportunities.

#### **Endowments:**

AWRTA supports the establishment of two endowments:

1. An endowment for continuing research on the ecosystem and species injured by the spill. Sources of funding: 1) AWRTA supports the use of restoration funds to payback hatchery debts in the spill impacted area. These payback funds should be appropriated by the State of Alaska to this endowment fund. 2) Additional Restoration Funds in perhaps a ratio of 2:1 (restoration:state) could be appropriated to this fund to bring it to a functioning level.

2. An endowment for garbage cleanup and trail maintenance: Justification: Oil still remains on beaches in the spill afflicted area that poses a scenic eyesore. Removal of garbage from oil spill impacted area beaches is one way to improve their appearance. AWRTA supports an endowment that would provide funding to community youth corps and non-profit volunteer groups for trash cleanup projects of beaches and trails.

#### **Administration:**

AWRTA is concerned about the failure of the Draft Restoration Plan flier to discuss the administrative process. We are concerned about a lack of definition of the decision-making

process. For example, how do the Trustees plan to dovetail the Restoration Plan with the Chugach National Forest Land Management Plan, Fish and Wildlife Service Plans, and National Park Plans? We are concerned that habitat acquisition and other restoration activities fit into an orderly process with adequate public notice and public comment periods on specific projects.

It appears to us that considerable confusion exists about the role of the Trustees and the Restoration Planning Team. Who makes policy? Trustees? Both? Who implements policy? the Restoration Planning Team?

We suggest that the Restoration Plan contain a section discussing its implementation and provide alternatives for public comment. One Alternative could be the existing situation where the Restoration Team, whose members first priority is their own agencies, continue to administer the implementation of the restoration plan. A second alternative could examine the pros and cons of the Trustees hiring staff which are not associated with any agency to implement the Restoration Plan. For example, the Platte River Trust which was created to administer the settlement funds from the construction of the Platte River Dam has three trustees (State, Federal and Power Company) who hire a staff to do the jobs. They do not fund the agencies. A third Alternative could turn over the administration to a non-profit organization, such as The Nature Conservancy.

We would also like to see the Draft Restoration Plan contain a section discussing the most efficient way to administer agreed upon restoration strategies. Is the best way to continue giving the money to agencies? what would be the advantages and disadvantages of giving it directly to the private sector through a public bidding process?

#### **Immediate Aid to Fisheries: City of Cordova's Resolution 93-25.**

The Alaska Wilderness Recreation and Tourism Association supports the City of Cordova's Resolution and asks the Trustee Council to take immediate action on it.

Thank you for the opportunity to comment. We appreciate all the thought and work that you have put into the Restoration Planning Process.

Sincerely,

Nancy R. Lethcoe

The Alaska Wildlife Alliance  
PO Box 202022  
Anchorage, AK 99520  
(907) 277-0897

1625 M  
RECEIVED  
AUG 06 1993  
EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

August 5, 1993

Exxon Valdez Oil Spill Trustees Council  
645 G St.  
Anchorage, AK 99501

Dear Council Members:

The Alaska Wildlife Alliance represents over 1900 members within and outside of Alaska. Our members are aware of the damage caused by the Exxon Valdez oil spill and are acutely aware of the need to spend the Exxon Valdez settlement money where it will do the most to protect the areas affected by the spill from additional damage.

We strongly believe that the very best way to spend these settlement monies is for the acquisition of habitat within Prince William Sound and adjacent area's affected by the spill. Clearly, the overwhelming majority of impacts from the spill were to wildlife and wildlife habitat. It is only logical then that the best way to mitigate such damage is to protect wildlife and habitat from further disruption and degradation.


Much of the premier wildlife habitat in these areas is slated for large-scale logging which would amount to a kind of second human-induced disaster to the areas birds, mammals, and fish. It is within your power to prevent this from happening.

Please do not squander the money received for mitigation of damages on ill-conceived and wasteful construction projects. If such projects are warranted, money should be allocated for them by the state's duly elected officials after appropriate public review.

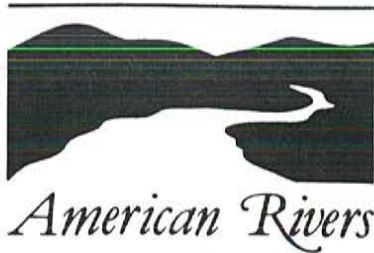
This money is perhaps the only positive result to come from a mammoth environmental catastrophe. We urge you to review the work that went into the "citizen's vision" for restoration, and to protect at least the seven areas identified for protection as a result of their work.

Thank you for the opportunity to comment on the spending priorities of the Exxon Valdez Oil Spill Trustees Council. We look forward to hearing of the results of your work.

Sincerely,



Stephen Wells  
Acting Executive Director



August 6, 1993

1615 M  
RECEIVED  
AUG 09 1993  
EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

**BY FAX**

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

Dear Members of the Trustee Council:

American Rivers is the nation's principal river conservation organization, with more than 15,000 members nationwide. In its twenty-year history, American Rivers has worked intensively to protect rivers under the federal Wild and Scenic Rivers Act and has actively assisted states and local groups with their river conservation efforts. American Rivers has also worked closely with federal agencies in numerous programs designed to protect and restore the nation's rivers. American Rivers is a member of the Alaskan Rainforest Campaign, and, along with the other national and regional conservation groups within the campaign, is dedicated to the protection of Alaska's temperate rainforest, from Ketchikan to Kodiak.

We strongly support utilization of the vast majority of the remaining Oil Spill Settlement funds to buy land and conservation easements on lands throughout the spill area. We believe strongly that purchase of habitat important to wildlife and fisheries should be the highest priority of Settlement fund expenditures. Further, the long-term protection of wildlife and fisheries resources will be enhanced by purchasing large areas of land, not isolated tracts. Where possible, entire watersheds should be purchased.

The Trustees deserve great credit for the purchase of large areas around Seal Bay on Afognak Island and Kachemak Bay near Homer. These purchases should serve as a model for future fund expenditures.

American Rivers supports the objectives of the "Citizens' Vision," and urges purchase of lands and easements in the following seven critical areas:

1. Kenai Fjords National Park

801 PENNSYLVANIA AVE., S.E.  
SUITE 400  
WASHINGTON, DC 20003  
(202) 547-6900  
(202) 543-6142 (FAX)



Exxon Valdez Oil Spill  
Trustee Council  
August 6, 1993  
Page Two

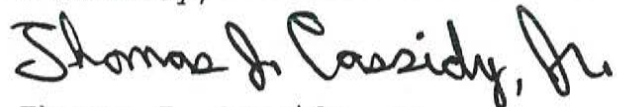
2. Knight Island Passage
3. Kodiak National Wildlife Refuge
4. Port Chatham
5. Port Fidalgo
6. Port Gravina / Orca Bay
7. Shuyak Straits

We request in particular that the Trustees move quickly to prevent the destruction of habitat values at Port Gravina / Orca Bay, the most threatened area that needs to be acquired.

We also urge the Trustees to consider carefully the important fisheries and wildlife values, especially brown bear, present in the Kodiak National Wildlife Refuge. Acquisition of critical inholdings will ensure the long-term protection and integrity of many streams important to salmon and wildlife.

If you have any questions concerning the matters set forth above, please do not hesitate to communicate with me.

Sincerely,



Thomas J. Cassidy, Jr.  
General Counsel  
Director of Federal Lands  
Programs

original mailed

cc: George Frampton, Assistant Secretary for Fish, Wildlife, and  
Parks, Department of Interior  
Jim Lyons, Assistant Secretary for Natural Resources,  
Department of Agriculture  
Doug Hall, Deputy Administrator for Oceans and Atmosphere,  
National Oceanic and Atmospheric Administration  
David Cottingham, White House Office on Environmental Policy  
Steve Kallich, Alaska Rainforest Campaign  
Pamela Brodie, Sierra Club



1612 M



ANCHORAGE  
**Audubon Society, Inc.**  
A CHAPTER OF THE NATIONAL AUDUBON SOCIETY

August 5, 1993

Post Office Box 101161  
Anchorage, Alaska  
99510

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

RECEIVED  
AUG 06 1993  
EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

Dear Trustees:

Anchorage Audubon Society (AAS) is a locally-based all-volunteer organization affiliated with the National Audubon Society. Our membership of 1500 is concerned with Southcentral Alaska environmental issues, with a focus on protection of wildlife populations and wildlife habitat as well as environmental education. We appreciate this opportunity to comment on the *Draft Exxon Valdez Oil Spill Restoration Plan*. We consider restoration of the spill-impacted areas a highest priority concern. As noted in the draft restoration plan, the 1989 Exxon Valdez oil spill (EVOS) is believed by most Americans surveyed to be the largest environmental accident caused by humans anywhere in the world. Mitigating the impacts of the EVOS merits unprecedented and decisive action.

Anchorage Audubon strongly favors habitat acquisition as the primary means of restoring the area. Potential logging and development in important habitat areas threaten to weaken already injured populations, including those identified in the plan and sought by avid Audubon birders and wildlife seekers, such as black oystercatcher, common murre, harbor seal, harlequin duck, marbled murrelet, pigeon guillemot, sea otter, bald eagle, killer whale, and river otter. AAS is also concerned with other injured species important to the ecosystem and to the recreational opportunities of the spill-impacted area, including cutthroat trout, Dolly Varden, sockeye salmon, rockfish, Pacific herring, pink salmon, and intertidal and subtidal organisms. In addition, the effects of long-term sub-lethal impacts of the spill may result in injury to populations not identified by the draft plan. Other damaged resources of high concern are designated wilderness areas and contaminated air, water, and sediments. To effectively restore and protect these injured resources of the spill zone, and particularly to allow recovery of injured wildlife populations, habitat should be purchased on a system-wide basis, such as whole watershed purchases.

AAS supports acquisition of the seven areas identified as part of the "citizen's vision" for restoration. These are:

Port Gravina/Orca Bay  
Knight Island Passage  
Port Chatham  
Kodiak National Wildlife Refuge

Port Fidalgo  
Kenai Fjords National Park  
Shuyak Straits

Several of these have been destinations for AAS field trips because of their wildlife populations. All are considered high priority acquisitions.

Although other restoration alternatives could be beneficial, AAS believes that habitat acquisition will provide the greatest benefit in the face of numerous resource development proposals in the region. Because some land owners are already engaging in resource development activities, such as logging at Orca Bay near Cordova, AAS urges the Trustee Council to act quickly to acquire these seven important habitat areas in the spill-impacted region. In addition to habitat acquisition, AAS supports protection of public lands through changes in management practices. These low cost or no cost actions should be part of any restoration plan.

Thank you for this opportunity to comment on the *Draft EVOS Restoration Plan*.

Sincerely,



Vickie Bakker  
Conservation chair

1331 M



# ANTI-VIVISECTION SOCIETY OF AMERICA, Inc.

11 BEACON STREET

BOSTON, MASSACHUSETTS 02108

TELEPHONE  
227-8647

RECEIVED  
AUG 03 1993

EXXON OIL SPILL SPILL TRUSTEE COUNCIL  
July 29, 1993

Exxon Oil Spill Restoration Office  
645 G Street  
Anchorage, Alaska 99501

Gentlemen:

Our Society recommends that your final restoration plan make provision for the spending of eighty per cent of your remaining funds to protect the natural habitat of fish and wildlife.

Sincerely yours,

*Bernard Harmon*  
Bernard Harmon, President

BH:jg



## ARCTIC RESEARCH COMMISSION

July 23, 1993

1117 M  
RECEIVED  
JUL 26 1993

Exxon Valdez  
Oil Spill Restoration Office  
645 G Street  
Anchorage, AK 99501

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

Dear Sirs:

On July 15, 1993, the Public Advisory Group (P.A.G) met and discussed a proposal by Arliss Sturgulewski of Anchorage, and Jerome Komisar, President of the University of Alaska. Their proposal presents a case and an approach to the establishment of a Marine Research Endowment.

The Arctic Research Commission is a federal agency to which the President appoints seven Members, as mandated by the Arctic Research and Policy Act of 1984, to develop and recommend an integrated national arctic research policy and assist the federal government in implementing it. To accomplish this goal, the Commission, assisted by a small staff and an Advisory Group of technical experts, identifies problems and needs and makes recommendations on basic and applied research as well as logistic support and international collaboration on arctic research.

The Commission has previously endorsed the concept of a Marine Research Endowment and I enclose our October, 1992, letter to the Exxon Valdez Trustees explaining our position. The formulation presented to the P.A.G. is entirely consistent with our endorsement, and we therefore urge you to give this investment in Alaska's future high priority.

Sincerely yours,

Philip L. Johnson, Ph.D.  
Executive Director

Enclosure



## ARCTIC RESEARCH COMMISSION

October 22, 1992

Mr. John A. Sandor, Commissioner  
Alaska Dept. of Environmental Conservation  
410 Willoughby Avenue, Suite 105  
Juneau, AK 99801

Dear Mr. Sandor:

The Exxon Valdez settlement offers a unique opportunity to provide a lasting benefit to Alaska and its present and future generations. The Trustees are charged with wise use of these settlement resources to address both immediate and long-term issues. The Arctic Research Commission strongly supports the proposal offered by Alaska Senator Arliss Sturgulewski for an Exxon Valdez Marine Sciences Endowment. Senator Sturgulewski's proposal (August 24, 1992) provides a thoughtful and insightful plan which is very much in the public interest of Alaska.

We find that her proposal carefully lays out an urgent purpose, provides a sensible and flexible approach to a charter and operating procedure, and makes a strong case for a broad research agenda consistent with the Memorandum of Agreement and Consent Decree.

We would like to emphasize two points. The selection criteria for activities to be funded from the Marine Resources Endowment should explicitly provide for as broad a geographic acceptance as legally possible, and that these criteria anticipate and encourage an approach that is as broad and multidisciplinary as feasible. In our experience, tying funded activities too narrowly either geographically or to specific oil spill damage effects is unlikely to recruit high quality science or generate the quality of data and understanding needed for management of marine resources in the future. You are fortunate to have such a considered and reasonable proposal, and we urge you to give it careful consideration.

Sincerely,

Donald D. O'Dowd  
Chairperson

Encls.: List of Addressees  
ARC Brochure

cc: ARC Commissioners  
The Hon. Arliss Sturgulewski

resources or services, or anywhere in the United States  
identified there is a link to injured resources or services?

- Limit restoration actions to the spill area only.
- Undertake restoration actions anywhere in Alaska there is a link to injured resources or services.
- Undertake restoration actions anywhere in the United States there is a link to injured resources or services.

No preference

Comments: *you try to do every thing for everybody you won't accomplish it. Focus on the spill area*

### IES

**Habitat Protection and Acquisition** Four of the alternatives rely on habitat protection and acquisition as a means of restoring injured resources or services (human uses).

Do you agree that habitat protection and acquisition should be emphasized in the plan?

- YES. Protection and acquisition will include all habitat types, but may emphasize one over another. Please indicate the habitat types, if any, that should be emphasized. Suggest your own approach if it isn't covered here.

BETHEL NATIVE CORPORATION

- Emphasize acquiring and protecting habitat important to injured resources. Important scenic areas and human use areas with little habitat important to injured resources would be less likely to be acquired.
- Emphasize acquiring and protecting habitat important for human use (important scenic areas and human use areas). Habitat important to injured resources, but seldom used or viewed by people, would be less likely to be acquired.
- Place equal emphasis on acquiring the most important habitats for injured species and on the most important habitats for human use (scenic and human use areas). Parcels that are only moderately important for injured resources or services would be less likely to be acquired.

Comment: *close to 90% of Alaska is in public ownership. If a habitat is critical to the survival of a species, then acquire that habitat. However, that P.W.S. has habitat that critical. & more of Alaska in public ownership.*

funds were placed into an endowment and the principal inflation-adjusted, the endowment could fund \$3-\$5 million worth of restoration activities indefinitely.

If you answered "Yes" to the previous question, please indicate what the annual endowment earnings should be based on (you may mark more than one answer):

- Monitoring and Research
- General Restoration

or visitor centers.

No preference

Comments: *Make Prince William Sound more accessible - Great recreation & tourism opportunities*

### COMMENTS

Please use the space below to describe an area you would like the Trustee Council to acquire or protect, or an area appropriate for any other restoration option such as locations for public-use cabins, or fish passes. Or use the space to write any comments you would like the Trustee Council to know about. If you do describe a particular location, please provide enough detail about the location so we can understand where it is, and which injured resource or service it would benefit. Any comment you write will be greatly appreciated.

*Alaska needs to have access to its resources, e.g. timber, in order to have a viable economy. Private lands w/ resources should not be placed into public ownership. If it is necessary to acquire private lands containing critical habitat then an equivalent amount of land, with equivalent resources, should be taken out of public ownership through exchanges or some other means.*

*w/ 90% of Alaska in public ownership, & a high percentage of that in conservation units, Alaska needs productive lands. This spill is being used as an excuse to lock up more of Alaska & that*

622 M

# Boone and Crockett Club

1596 M

Founded 1887 by Theodore Roosevelt  
For sport with the Rifle and Conservation



Old Milwaukee Depot  
250 Station Drive  
Missoula, Montana 59801-2753  
406/542-1888  
Fax 406/542-0784

August 2, 1993

RECEIVED  
AUG 06 1993

Exxon Valdez Trustee Council  
645 G Street  
Anchorage, AK 99501

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

Dear Trustee Council:

The Boone & Crockett Club, founded in 1887 by Theodore Roosevelt, is one of the nation's first conservation organizations. Early members - such men as naturalist George Bird Grinnell, artist Albert Bierstadt, forester Gifford Pinchot and ecologist Aldo Leopold - shaped the course of conservation in America.

The Club's earliest achievements - protection of Yellowstone National Park, establishment of Forest Reserves which became National Forests, support of the wildlife refuge systems, and framing of wildlife protection laws - are monuments to that legacy. The Club maintains records of North America's big game, participates in major wildlife symposia and workshops and supports wildlife research and management.

It is with this dedication to preservation and careful management of outstanding wildlife resources in mind that the Boone & Crockett Club adds its voice to the support of acquisition of critical wildlife habitat with most of the remaining Exxon Valdez settlement fund. In particular, Boone & Crockett urges the Exxon Valdez Trustee Council to prioritize acquisition of private lands from willing sellers within the Kodiak National Wildlife Refuge.

As you are aware, the Department of Interior has long sought to reacquire Kodiak native corporation inholdings along the salt water edge and the salmon rivers within the bear refuge. These are some of the most biologically productive habitats within the oil spill zone, and they are under imminent threat of commercial development even though their highest and best use is clearly intrinsic wilderness.

The Boone & Crockett Club's "vision of the future" mirror's our past dedication:

We envision a future in which wildlife and wildlife habitat, in all their natural diversity, are maintained and enhanced;

A future in which hunting continues to be enjoyed under rules of Fair Chase and ethical respect for nature;

A future in which all users of natural resources respect the rights of others in the spirit of sharing;

A future in which all people are committed to the principle that their use of resources must be sustainable both for themselves and future generations.

Acquisition of Kodiak refuge inholdings is consistent with this vision since it will provide public access to outstanding habitat now closed to such access. It will also resolve growing management conflicts that will only worsen if commercial development along salmon streams is increased.

Thank you for considering our views.

Sincerely,

A handwritten signature in black ink, appearing to read "Stephen S. Adams". The signature is stylized and cursive, written over a horizontal line.

Stephen S. Adams  
President



**on of Restoration Actions:**

Restoration activities take place in the spill area where in Alaska provided there is a link to injured resources or services, or anywhere in the United States if there is a link to injured resources or services?

Limit restoration actions to the spill area only.

Undertake restoration actions anywhere in Alaska there is a link to injured resources or services.

Undertake restoration actions anywhere in the United States if there is a link to injured resources or services.

Preference

Comments:  
*would aid injured resources by taking activities in Siberia, so be it.*

**Protection and Acquisition** Four of the alternatives limit protection and acquisition as a means of restoring resources or services (human uses).

Do you agree that habitat protection and acquisition should be the plan?

Yes. Protection and acquisition will include all habitat types, but may emphasize one over another. Please indicate the habitat type, if any, that should be emphasized. Suggest your own habitat type if it isn't covered here.

Emphasize acquiring and protecting habitat important to injured resources. Important scenic areas and human use areas with little habitat important to injured resources would be less likely to be acquired.

Emphasize acquiring and protecting habitat important to human use (important scenic areas and human use areas). Habitat important to injured resources, but seldom used or viewed by people, would be less likely to be acquired.

Place equal emphasis on acquiring the most important habitats for injured species and on the most important habitats for human use (scenic and human use areas). Parcels that are only moderately important for injured resources or services would be less likely to be acquired.

Other  
Comment:

Resources were placed into an endowment and the principal inflated, the endowment could fund \$3-\$5 million worth of activities indefinitely.

Answered "Yes" to the previous question, please indicate the annual endowment earnings should be

Examples are increasing existing sport or commercial recreation, or constructing recreation facilities such as public-use cabins.

In addition to activities that protect or increase existing human use, also conduct actions that encourage appropriate new uses. Examples are new fish runs, commercial facilities, or visitor centers.

No preference

Comments:

**COMMENTS**

Please use the space below to describe an area you would like the Trustee Council to acquire or protect, or an area appropriate for any other restoration option such as locations for public-use cabins, or fish passes. Or use the space to write any comments you would like the Trustee Council to know about. If you do describe a particular location, please provide enough detail about the location so we can understand where it is, and which injured resource or service it would benefit. Any comment you write will be greatly appreciated.

*I've been working on (and around) EIR/S for the last 15 yrs. and I think this brochure/questionnaire is the best example of public involvement I've seen. Congratulations.*

California Coastal Commission

*California Coastal Commission*

786 M

1023 M  
RECEIVED  
MAY 10 1993

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL  
April 12 1993

Oil Spill Restoration

I am A commercial fisherman at Chignik Lagoon and wanted to make sure that you were aware of our damages from the oil spill. We had a large over escapement problem on our sockeye salmon in 1989 over 300,000.our whole salmon season was totally screwed up because of all the closures due to all the emergency order closures by the Fish & Game and Veco.

I believe that we should get some kind of Compensation to enhance our salmon runs out of this restoration plan. I think it should be all Species such as crabs,halibut,Etc.

The boundaries you have outlined I think it should include all villages(Chignik Bay,Chignik Lagoon,Chignik Lakes ,Perryville and Ivanof.) we all depend on this fishery not just the Lagoon and Lakes.

Obviously we were effected by the Oil Spill or we would not have had all these problems not to mention all the mental stress.

The 2 people you can contact that would know more about the exact figures on this over escapement etc.

Greg Ruggione FRI (206-486-6523) and Chuck MacCallum-Chignik Seiners Association(206-671-2062).

Sincerely, 

Alvin N Pedersen  
Chignik Lagoon Village Council  
P.O.Box 29  
Chignik Lagoon  
Alaska,99565  
(907-840-2229)

Salmon should be number one because it is used for commercial fishing as well as subsistence.

I noticed on the list you left out bottomfish. Also the silvers and kings were left out. We don't have a way of testing them, so we don't know if there was injury. I know those fish go through the whole Cook Inlet. You only have the reds and the pinks.

It is more important to restore what we have lost in the villages and in the oil-spill area, especially the food source.

I have been watching fish, and I have noticed the dog salmon have gone down too. There weren't that many silvers either.

The silver run in this village has never been a commercial run. Many years ago it may have been, but it has always been a subsistence use product.

It would be nice to see some funding for the hatcheries.

The studies should include protecting streams for wild stock.

I have a newspaper clipping regarding disease in PWS herring. You have to find the answer to that. If herring were affected, salmon probably were too.

The five-year olds were smaller and diseased.

Streams should be tested every year to see the results.

Regarding supporting the money being spent on habitat, we strongly support working within the oil-affected areas. I feel strongly about the impact on Native people and restoration of the subsistence way of life.

I feel that if restoration were to occur to the subsistence species in my area, that would enhance it. I support going beyond prespill.

Prioritizing is very important so that the money is used appropriately.

I speak on behalf of [Chugach Regional Resources Commission], which has been providing technical assistance for fisheries and development projects. We are interested in focusing on the loss of economic opportunities that occurred as a result of the spill. Some of these projects have been started because we can't wait for funding. For example, the cannery shut down. Port Graham has started a hatchery. They also own the cannery and are renovating it. They are marketing it on their own. This provides subsistence, jobs, and fish for commercial fisherman. They have already started things to go beyond subsistence because they can't wait. They have

mit restoration actions to the spill area only.

ndertake restoration actions anywhere in Alaska there is a  
o injured resources or services.

ndertake restoration actions anywhere in the United States  
is a link to injured resources or services.

o preference

nts:

*we should be a strict set  
riteria for doing this, otherwise  
we will occur.*

S [Redacted]

**Protection and Acquisition** Four of the alternatives  
abitat protection and acquisition as a means of restoring  
sources or services (human uses).

**agree that habitat protection and acquisition should be  
the plan?**

IO

ES. Protection and acquisition will include all habitat types,  
may emphasize one over another. Please indicate the habitat  
s, if any, that should be emphasized. Suggest your own  
each if it isn't covered here.

Emphasize acquiring and protecting habitat important to  
injured resources. Important scenic areas and human use  
areas with little habitat important to injured resources would  
be less likely to be acquired.

Emphasize acquiring and protecting habitat important  
for human use (important scenic areas and human use  
areas). Habitat important to injured resources, but seldom  
used or viewed by people, would be less likely to be  
acquired.

Place equal emphasis on acquiring the most important  
habitats for injured species and on the most important habi-  
tats for human use (scenic and human use areas). Parcels  
that are only moderately important for injured resources or  
services would be less likely to be acquired.

Other

ant:

*esignate PWS as a  
oval Park.*

[Redacted]

ts were placed into an endowment and the principal infla-  
fed, the endowment could fund \$3-\$5 million worth of  
n activities indefinitely.

answered "Yes" to the previous question, please  
e what the annual endowment earnings should be  
n (you may mark more than one answer):

- Monitoring and Research
- General Restoration
- Habitat Protection and Acquisition
- No Preference

Comments:

### COMMENTS

Please use the space below to describe an area you would like  
the Trustee Council to acquire or protect, or an area appropriate for  
any other restoration option such as locations for public-use cabins,  
or fish passes. Or use the space to write any comments you would  
like the Trustee Council to know about. If you do describe a particu-  
lar location, please provide enough detail about the location so we  
can understand where it is, and which injured resource or service it  
would benefit. Any comment you write will be greatly appreciated.

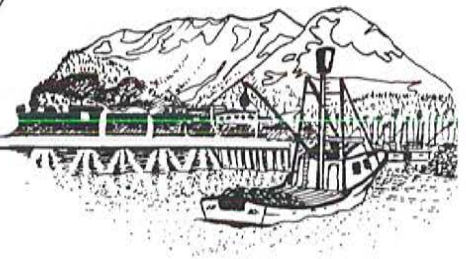
434 M

*While I think we have  
to be prepared in the  
event of another spill  
I don't think enough  
emphasis is being placed  
on Spill Prevention. I  
think regulations regarding  
the handling & transportation  
of oil should be as  
stringent as those dealing  
with Radioactive Materials.  
We need to mandate Double  
Hull Tankers, use of Tugboat  
Tugs, etc. If we allow  
another spill to occur in  
PWS all of this is a big  
waste of time & money and  
won't matter that much!*

Chugachmiut

Chugachmiut

1774 M  
CITY OF CORDOVA



August 5, 1993

To: Exxon Valdez Oil Spill Trustee Council  
Restoration Office  
645 G Street, Suite 402  
Anchorage, AK 99574  
FAX: 276-7178

RECEIVED  
AUG 09 1993

From: Gary A. Lewis, City Manager *[Signature]*  
City of Cordova  
Box 1210  
Cordova, AK 99574

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

At the August 4th, 1993 regular City Council meeting, the City Council of Cordova rescinded Resolution 91-92 requesting that habitat acquisition be given highest priority and substituted for the position of the City of Cordova the following motion:

"Motion by Novak, seconded by Fisher to rescind Resolution 91-92 and direct Administration to communicate to the Trustees Council and to the Eyak Board of Directors support for the fisheries research and rehabilitation and the possibility of an endowment fund and debt retirement for hatcheries; and any habitat buy-back be limited to the Power Creek, Eyak River and Eyak Lake watershed areas. Voice vote-motion carried. (Councilmembers Andersen and Bird not voting due to conflict of interest.)"

Also on August 4th, 1993 the Cordova City Council prepared and passed the following proposed restoration alternative:

"Motion by Allison, Seconded by Novak to direct Administration to include the following allocations with the letter to the Trustees Council:

- Administrative & Public Information..... 4%
- Fisheries Monitoring & Research..... 55%
- General Restoration..... 6%
- Habitat Acquisition..... 35%

Voice vote-motion carried. (Councilmembers Andersen and Bird not voting due to conflict of interest.)

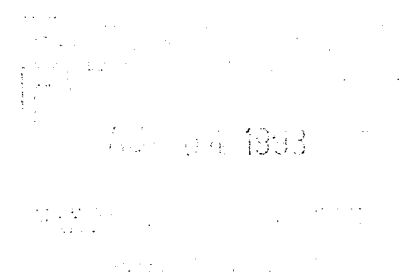
1485 M

# Cordova Aquatic Marketing Association, Inc.

*Producers of Aquatic Products*

(907) 424-3458  
(FAX) 424-3661

P. O. Box 359  
CORDOVA, ALASKA 99574



August 3, 1993

Members of the Exxon Valdez Oil Spill Trustee Council:

Cordova Aquatic Marketing Association, (CAMA) is a long-standing, Cordova-based fishermen's organization.

Although CAMA does not oppose habitat acquisition, we feel there should be an equal sum of money set aside for research and restoration of the marine environment in Prince William Sound.

If you have any questions, please call me.

Thank you,

Tom Johnson  
CAMA president  
Home phone 424-7293

TJ/ccr

14/12 M

# Cordova Aquatic Marketing Association, Inc.

*Producers of Aquatic Products*

(907) 424-3413  
(FAX) 424-3661

P. O. Box 359  
CORDOVA, ALASKA 99574

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100 03 1993

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

Members of the Exxon Valdez Oil Spill Trustee Council:

Cordova Aquatic Marketing Association, (CAMA) is a long-standing, Cordova-based fishermen's organization.

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If you have any questions, please call me.

Thank you,



Tom Johnson  
CAMA president  
Home phone 424-7293

TJ/ccr

1394 M  
RECEIVED  
AUG 02 1993

July 30, 1993

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

We the residents of Cordova, Alaska are against any purchases of timber other than Eyak River, Eyak Lake and Power Creek areas. By including Uros Narrows in the timber buy out it would eliminated all logging in the Cordova area.

1. Quia Kompoff
2. Patience A. Faulkner
3. Barbara Staver
4. Jean Leerd
5. Margaret Borodkin
6. Gilbert
7. Mary A. Hardaway
8. Larry A. Tolson
9. Emilia Clapsaddle
10. \_\_\_\_\_
11. \_\_\_\_\_
12. \_\_\_\_\_
13. \_\_\_\_\_
14. \_\_\_\_\_
15. \_\_\_\_\_
16. \_\_\_\_\_
17. \_\_\_\_\_
18. \_\_\_\_\_
19. \_\_\_\_\_
20. \_\_\_\_\_
21. \_\_\_\_\_
22. \_\_\_\_\_
23. \_\_\_\_\_



July 30, 1993

We the residents of Cordova, Alaska are against any purchases of timber other than Eyak River, Eyak Lake and Power Creek areas. By including Orca Narrows in the timber buy out it would eliminated all logging in the Cordova area.

1. Cate Gomez
2. Ray [unclear]
3. Donald P Dodel
4. Jeff [unclear]
5. Joni Kennedy
6. Doug [unclear]
7. Buster Edwards
8. [unclear]
9. Jammy Kennedy
10. Sam [unclear]
11. [unclear]
12. Anna Ferrato
13. \_\_\_\_\_
14. \_\_\_\_\_
15. \_\_\_\_\_
16. \_\_\_\_\_
17. \_\_\_\_\_
18. \_\_\_\_\_
19. \_\_\_\_\_
20. \_\_\_\_\_
21. \_\_\_\_\_
22. \_\_\_\_\_
23. \_\_\_\_\_
24. \_\_\_\_\_

July 30, 1993

We the residents of Cordova, Alaska are against any purchases of timber other than Kyak River, Kyak Lake and Power Creek areas. By including Urca Narrows in the timber buy out it would eliminated all logging in the Cordova area.

1. Maitee Riteer
2. Ryan Clapsaddle
3. Greg T. Brunley
4. Mark Riteer
5. Conrad & M Code
6. Scott A. Kraton
7. Jesse Carter
8. Walt Parker
9. Ernest E. Hodis
10. May Pitman
11. John M. Mung
12. Claver Bullock
13. Donald P. Dodd
14. Kevin T. With
15. Lee McKay
16. Mike Lovick
17. Lee Sears
18. Jeffery J. Heffron
19. Barney K. Wood
20. William J. Jern
21. Mr. B. B.
22. Paul Weber
23. John Thompson
24. GREG LAWSON

July 30, 1993

We the residents of Cordova, Alaska are against any purchases of timber other than Eyak River, Eyak Lake and Power Creek areas. By including Orca Narrows in the timber buy out it would eliminated all logging in the Cordova area.

1. Mike Pearson
2. Sheldon Barnes
3. [Signature]
4. [Signature]
5. Paula Sedlacek
6. Earl A. Webb
7. Nesley A. Burton
8. John Dandas
9. E. A. Hollomon
10. Tracy Bengles
11. Hubert W. Sherman
12. Mare Steele
13. Ernest E. Hadio
14. Dwain E. Anderson
15. Chas M. Anderson
16. Chas N. Anderson
17. Josh E. Anderson
18. Bob Arnold
19. Douglas B. Bennett
20. Joe Jeyey
21. Howard W. Dandas
22. Shane Forester
23. One M. Gilmore
24. David R. Kelly

**Cruise Line Agencies  
of Alaska**

P.O. Box 8080  
1429 Tongass Avenue  
Ketchikan, Alaska 99901  
907-225-0999  
Fax 907-225-8254 Tlx 099-55295

300 Elliott Avenue West  
Suite 315  
Seattle, Washington 98119-4151  
206-286-1720  
Fax 206-286-1709 Tlx 372-4362

RECEIVED  
AUG 09 1993

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL


Valdez, Alaska  
July 27, 1993

Dear Members of the Exxon Valdez Oil Spill Trustee Council:

I am writing this letter in enthusiastic support of dedicating Oil Spill Restoration funds to establish a Visitors and Cultural Center in Valdez. I believe it is a vital need for the inhabitants of Prince William Sound to see a physical structure that would represent those of us who survived the spill and are now healing ourselves with the prospect of recovery and restoration. With the focus on education and preservation, this center in Valdez would serve not only tourists but the members of our community whose everyday lives are centered around the oil, fishing, and tourism industries. I believe allocation of monies to this end from the Restoration revenues would be proper and only fitting.

As the Valdez Port Manager for Cruise Line Agencies, I can certainly attest the value of such a center to the cruise industry. It would be an attraction for those cruise companies considering Valdez as a future port of call and help to further diversify the economy of Valdez,

I would ask that you sanction the above proposal for the current well-being and future survival of Valdez as a place where industry and environment co-exist in a mutually beneficial manner.

Sincerely yours,  


Robert J. Arts, Port Manager  
Cruise Line Agencies

cc: Sandy Anacker, Valdez Convention & Visitors Bureau  
Jean Stewart, Valdez Chamber of Commerce



# CRUSADE 2000

GRASSROOTS ENVIRONMENTAL AWARENESS

EXXON VALDEZ  
AUG 09 1993  
EXXON VALDEZ  
RESTORATION

Exxon Oil Spill Restoration Office  
645 G St.  
Anchorage, AK 99501

Dear Sir or Madam,

We at Crusade 2000 have reviewed a brief summary of the alternatives set forth by the trustees in charge of allocating funds for the restoration of Prince William Sound, which was severely damaged by the 1989 Exxon Valdez oil spill. We have come to the conclusion that none of the alternatives presented are acceptable to the American people. The reason is that each alternative which seems to allocate the necessary funds also has certain drawbacks to conservationists and those who believe that the money allocated should ONLY be spent on restoration of the Sound.

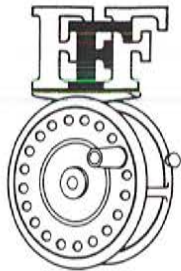
Instead, we urge you to adopt a plan in which at least 80 percent of the remaining funds garnered after the massive spill is used for habitat restoration, and for that purpose only. We believe that this approach will benefit everyone, including the residents of Alaska and of the rest of the world.

Thank you for your time.

Sincerely,

Brian D. Gumm  
Founder

1216171  
RECEIVED  
JUL 26 1993  
EXXON VALDEZ OIL SPILL  
RESTORATION PLAN



# FEDERATION OF FLY FISHERS

*Conserving - Restoring - Educating Through Fly Fishing*

Larry Watson, Operations Manager  
P.O. Box 1595 • 502 South 19th  
Bozeman, MT 59771  
Bus. (406) 585-7592 • FAX (406) 585-7596 **July 26, 1993**

**Exxon Valdez Trustee Council**  
645 'G' Street  
Anchorage, AK 99501

**Dear Council Members:**

The Federation of Fly Fishers (FFF) is an international non-profit organization which promotes "Conserving, Restoring and Educating Through Fly Fishing." The Federation sponsors local stream and fishery restoration projects, provides conservation grants, promotes public education and seeks to preserve all species of fish in all classes of waters. It is in this interest that we provide public comment regarding utilization of the Exxon Valdez settlement fund.

Inherent to the settlement fund and restoration process is the opportunity to make a significant contribution toward the preservation of recreational fishing resources within the spill region. I am sure you are aware that recreational fishing is an important and growing industry vital to the socioeconomic well being of Alaska. Needless to say, the future of this industry depends of the preservation of abundant fish populations and fishery habitat.

In this regard, the Federation of Fly Fishers supports Alternative '2' as identified in the draft Exxon Valdez Oil Spill Restoration Plan. As stated in this alternative, 91% of the remaining \$600 million in the settlement fund would be focused upon habitat acquisition in the spill region. The Federation urges this Council to prioritize lands adjacent to anadromous streams and rivers with an emphasis on acquisition for inclusion in state and federal conservation units such as parks and refuges. Of particular importance is the acquisition of native inholdings within the Kodiak National Wildlife Refuge, Kenai Fiords national Monument and the expansion of the Kodiak National Wildlife Refuge 'Red Peaks' unit on Afognak Island. Such an acquisition would provide public access to dozens of rivers and streams which are now closed. Additionally, acquisition would solidify state and federal management of these critical habitats.

The Federation commends the Trustee Council 's priority emphasis on anadromous fish resources as outlined in your draft restoration plan. We encourage you to adopt Alternative '2' in utilizing the Exxon Valdez settlement to provide a lasting and positive legacy from this tragic oil spill. Thank you for your time and consideration.

Sincerely,

Larry W. Watson  
Operations Manager





Game Conservation International

P.O. Box 17444  
San Antonio, Texas 78217 U.S.A.  
210/824-7509  
Fax: 210/829-1355

1345 M

Lawrence C. Means  
Executive Director

RECEIVED  
AUG 02 1993

July 28, 1993

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

Exxon Valdez Trustee Council  
645 'G' Street  
Anchorage, AK 99501

Dear Trustee Council:

Game Conservation International is a non-profit organization of hunter conservationists founded in 1967, with a membership of 1,000. GAME COIN participates in wildlife conservation projects relating to protection of habitat, outdoor education, anti-poaching programs and translocation of game animals.


We support the Exxon Valdez Trustee Council's decision to utilize habitat acquisition within the oil spill region as an important restoration tool, your initiatives to acquire and protect 60,000 acres of outstanding wildlife areas.

GAME COIN adds our voice to the support of Alternative #2 which would dedicate 91% of the remaining Exxon Valdez Restoration Fund to habitat acquisition. In particular, we support acquisition of Kodiak Native inholdings within the Kodiak National Wildlife Refuge as a priority in your future restoration plans.

The likelihood of privatization and commercial development of Kodiak bear refuge land is very high. This development would deprive the public and the hunting community from free access to some of the finest brown bear, wildfowl and deer hunting areas in the State of Alaska, a result which GAME COIN wishes to avoid.

Thank you for your consideration and good luck in your important deliberations.

Sincerely;

  
LAWRENCE C. MEANS  
Executive Director

18221 Spain Drive  
Anchorage, Alaska 99516

1186 M  
RECEIVED  
JUL 28 1993

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

July 19, 1993

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

Dear Council Members:

We citizens of Alaska feel strongly that Exxon settlement funds should be used for habitat purchases over broad areas that include whole watersheds like the recent 42,000 acre purchase at Seal Bay on Afognak. In particular, we support the seven areas identified in the "citizen's plan" that would pay private inholders for lands that would be logged or otherwise developed in a way that would diminish their wilderness values. These areas include Port Gravina/Orca Bay, Port Fidalgo, Knight Island Passage, Kenai Fjords National Park, Port Chatham, Shuyak Straits and bear habitat in Kodiak National Wildlife Refuge. Habitat protection is the best way to protect spill injured species from further losses and will preserve the pristine quality of these areas that is so priceless to each of us.

Sincerely,

Global Citizens United

C-NLE

*Nancy Leo-Evans*  
*Linda R. Moffitt* (LINDA R. MOFFITT)  
243-2732  
*Mari E. Klassert* (Mari E. Klassert)  
*Mary R. Piastowski*  
(Mary R. Piastowski)  
*Carol A. Guillory*  
(Carol A. Guillory)  
*Kathleen Whitson* Kathleen Whitson



1332 M

Great Bear Foundation

RECEIVED  
AUG 02 1993  
EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

7/26/93

TO: EXXON VALDEZ TRUSTEE COUNCIL  
FROM: GREAT BEAR FOUNDATION  
RE: DISPOSITION OF EXXON VALDEZ FUNDS

DEAR EXXON VALDEZ TRUSTEES;

PLEASE REGISTER THE GREAT BEAR FOUNDATION'S VOTE FOR *ALTERNATIVE 2* AMONG THE RESTORATION PLANS YOU ARE CONSIDERING. *ALTERNATIVE 2* DEDICATES 91% OF THE REMAINING 600 MILLION DOLLARS TO HABITAT ACQUISITION. HIGHEST PRIORITY FOR LANDS TO BE ACQUIRED ARE NATIVE INHOLDINGS AND OTHER PRIVATE PARCELS WITHIN THE KODIAK NATIONAL WILDLIFE REFUGE. WITHOUT HABITAT PROTECTION, ALL WILDLIFE, INCLUDING BROWN BEARS, WILL NOT HAVE THE LAND NECESSARY TO INSURE SURVIVAL.

SINCERELY,

  
WAYNE BUCHANAN- PRESIDENT

  
BILL CALLAGHAN- VICE-PRESIDENT

INTERNATIONAL ASSOCIATION  
FOR BEAR RESEARCH AND MANAGEMENT

1448M

333 Raspberry Rd.  
Anchorage, AK. 99518-1599  
June 24, 1993

RECEIVED  
AUG 06 1993

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

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

Dear Members of the Trustee Council:

The International Association for Bear Research and Management (IBA) is the professional organization for wildlife scientists involved in research and management of the world's bear species. I am writing you at the request of our President, Dr. Mike Pelton (Univ. of Tennessee, Knoxville) who is in Russia.

The IBA supports proposals designed to acquire lands owned by Native Corporations within the Kodiak National Wildlife Refuge. Much of the Native-owned land is lowland, riparian habitat that is of critical importance to the brown bear population. We urge the Trustee Council to commit funds from the Exxon Valdez Oil Spill Settlement to purchasing lands of the highest value for brown bear habitat. We suggest you consult with the Staff of the Kodiak National Wildlife Refuge and the Alaska Department of Fish and Game for assistance in determining the lands with the highest priority for acquisition. You should be aware that the draft Land Protection Plan for the Kodiak National Wildlife Refuge does not reflect the results of recent brown bear research, and the priority ratings assigned in that document do not accurately portray the relative importance of various parcels as brown bear habitat. The importance of maintaining large, undeveloped expanses of wilderness habitat for protecting the Kodiak brown bear population cannot be overstated.

Brown/grizzly bear populations in Europe and much of North America have either been extirpated or are seriously threatened by a long history of incompatible human developments. In contrast the Kodiak brown bear population is at or near historical levels, with the bear density approaching 1 bear/mi<sup>2</sup>. The current viability of the brown bear population owes much to the foresight of President Franklin D. Roosevelt who established the 1.8 million-acre Kodiak National Wildlife Refuge to protect brown bears with a 1941 Executive Order.

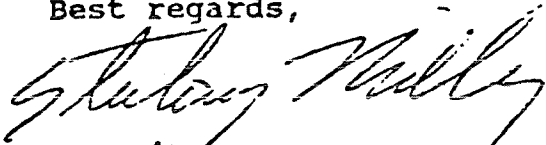
Only 45% of the estimated 3 million acres of brown bear habitat in the Kodiak Archipelago currently has protected status within the boundaries of the Kodiak National Wildlife Refuge. Approximately 1.7 million acres are now owned by private individuals, Native corporations, the State of Alaska

and the Kodiak Island Borough. Nearly all these lands are subject to increased developmental pressures which are incompatible with perpetuating the brown bear population. Several commercial developments, including fishing lodges and hunting cabins, have been constructed within the past 2 years in prime brown bear feeding habitat, including the famous Karluk Lake drainage.

We urge the Trustee Council to give the utmost consideration to securing the future of the Kodiak brown bear in deliberating the disposition of the Exxon Funds. The additional protection gained for critical brown bear habitat will secure many future benefits to the local economy through enhanced tourism, hunting and scientific and educational opportunities. More incentive will be provided to private landowners to manage their lands or activities compatible with maintaining a viable brown bear population.

We wish you well in your deliberations and offer our assistance at any time.

Best regards,



Sterling D. Miller Ph.D.  
Secretary-Treasurer

cc: Mike Pelton

# International Wild Waterfowl Association, Inc.



7 James Farm Road  
Lee, NH 03824

August 3, 1993

President: Walter Sturgeon, Jr.  
1st Vice President: Edward D. Asper  
2nd Vice President: Paul Dye  
Secretary: Nancy Collins  
Treasurer: William Lowe

Founding President: Dr. Jean Delacour (In memoriam)  
President Emeritus: Bob Sigas

**Directors:**

- Edward D. Asper
- Nancy Collins
- Gus Ben David
- Jane Dawson
- Scott Drieschman
- Paul Dye
- Carolyn Emerick
- Vance Grannis
- Ray Gwynes
- William Hancock
- Glenn Howe
- Jack Kiracofe
- Dr. Warren Koehler
- William R. Lowe
- Michael Lubbock
- William Makins
- Eldon Pace
- Chuck Pilling
- Edward C. Schmitt
- Philip B. Stanton
- Walter Sturgeon, Jr.
- Frank Todd
- Earnest Weaver

Exxon Valdez Trustee Council  
645 G. Street  
Anchorage, Alaska 99501

RECEIVED  
AUG 06 1993

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

Dear Trustee Council:

The International Wild Waterfowl Association works toward protection, conservation and reproduction of many species of wild waterfowl considered in danger of eventual extinction. Habitat preservation is a critical part of the effort to protect many of these species.

In recognition of the Trustee Council's identification of the harlequin duck as one of the key bird species injured by the Exxon Valdez oil spill, the IWWA would like to go on record in support of Alternative 2, which would dedicate 91% of the remaining \$600 million in the fund to habitat acquisition within the spill region.

IWWA urges the Trustee Council to prioritize coastal sea duck habitat in the Kodiak National Wildlife Refuge whose bays and nearshore waters provide wintering habitat for an estimated 150,000 sea ducks, including harlequin, Barrow's goldeneye, king eider, and greater squap. An important population of breeding tundra swan also utilize the southern end of the Kodiak Refuge and would benefit from acquisition and preservation of their habitat.

It is the IWWA view that nature will do the most important job in cleaning up the oil spill and since the spill was an environmental problem, the solution of habitat acquisition and preservation is the best use of the oil spill settlement fund from an environmental standpoint.

Thank you for the opportunity to be part of the public comment process.

Sincerely,  
*Walter B. Sturgeon, Jr.*  
Walter B. Sturgeon, Jr.  
President

July 31, 1993

1449 M  
RECEIVED  
AUG 00 1993

Exxon Valdez Trustee Council  
645 'G' Street  
Anchorage, AK 99501

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

Dear Trustee Council:

The Izaak Walton League of America, Inc., promotes means and opportunities for educating the public to conserve, maintain, protect and restore the soil, forest, water, air and other natural resources of the U.S. and promotes the enjoyment and wholesome utilization of those resources.

The Izaak Walton League of America would like to take this opportunity to endorse the Exxon Valdez Trustee Council's decision to consider habitat acquisition of critical wildlife resources as an important restoration tool. In addition, the Izaak Walton League of America hereby registers its recommendation that the Trustee Council adopt Alternative '2' of the Draft Exxon Valdez Oil Spill Restoration Plan.

Alternative '2' mandates that 91% of the remaining funds be used for habitat acquisition of key wildlife resources within the oil spill region. The Izaak Walton League believes that acquisition of critical wildlife habitat - such as Native inholdings in the Kodiak National Wildlife Refuge - and the expansion of public access rights to the same lands within existing or expanded conservation units in the oil spill region would be a meaningful and lasting use of the oil spill settlement fund.

Thank you and good luck in your restoration efforts.

Sincerely,



Marchant Wentworth  
Legislative Director

# Izaak Walton League of America

1401 Wilson Blvd Level B

1401 Wilson Blvd Level B

IZAAK WALTON LEAGUE OF AMERICA

**ion of Restoration Actions:**

restoration activities take place in the spill area  
ywhere in Alaska provided there is a link to injured  
es or services, or anywhere in the United States  
d there is a link to injured resources or services?

mit restoration actions to the spill area only.

ndertake restoration actions anywhere in Alaska there is a  
o injured resources or services.

ndertake restoration actions anywhere in the United States  
is a link to injured resources or services.

o preference

ts: Mitigation can occur by benefitting  
ids outside the spill affected area. Supporting  
removal of alien species from islands  
d benefit seabirds overall far more than  
new restoration techniques. See the long term  
on this at the Maritime Refuge in Homer

**Protection and Acquisition** Four of the alternatives  
bitat protection and acquisition as a means of restoring  
sources or services (human uses).

gree that habitat protection and acquisition should be  
the plan?

9

ES. Protection and acquisition will include all habitat types,  
ay emphasize one over another. Please indicate the habitat  
, if any, that should be emphasized. Suggest your own  
each if it isn't covered here.

Emphasize acquiring and protecting habitat important to  
jured resources. Important scenic areas and human use  
areas with little habitat important to injured resources would  
e less likely to be acquired.

Emphasize acquiring and protecting habitat important  
or human use (important scenic areas and human use  
areas). Habitat important to injured resources, but seldom  
sed or viewed by people, would be less likely to be  
quired.

Place equal emphasis on acquiring the most important  
abitats for injured species and on the most important habi-  
ats for human use (scenic and human use areas). Parcels  
at are only moderately important for injured resources or  
ervices would be less likely to be acquired.

Other

nt:

were placed into an endowment and the principal infla-  
d, the endowment could fund \$3-\$5 million worth of  
activities indefinitely.

iswered "Yes" to the previous question, please  
what the annual endowment earnings should be  
(you may mark more than one answer)

In addition to activities that protect or increase existing  
human use, also conduct actions that encourage appropriate  
new uses. Examples are new fish runs, commercial facilities,  
or visitor centers.

No preference

Comments: Protecting overused areas is a good idea.  
Otherwise use no funds to promote human  
activities in the spill affected areas as  
human use is potentially damaging. Let it  
occur naturally without promoting more.

**COMMENTS**

Please use the space below to describe an area you would like  
the Trustee Council to acquire or protect, or an area appropriate for  
any other restoration option such as locations for public-use cabins,  
or fish passes. Or use the space to write any comments you would  
like the Trustee Council to know about. If you do describe a particu-  
lar location, please provide enough detail about the location so we  
can understand where it is, and which injured resource or service it  
would benefit. Any comment you write will be greatly appreciated.

Minimize the waste of money through projects  
padded with more money than necessary.

Habitat acquisition priorities:

- 1) Kenai Fjords National Park lands.
- 2) Shuyale Island lands
- 3) Kodiak Island parcels

We basically support these lands as  
the #1 first purchases.

Kachemak Bay Conservation Society (KBCS)

Kachemak  
Bay  
Conservat'n  
Society

482 M



**Klukwan Forest Products, Inc.**

P.O. Box 34659 • Juneau, Alaska 99803-4659

(907) 789-7104 Fax: (907) 789-0675

603 19

RECEIVED  
JUL 26 1993

July 21, 1993

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

Exxon Valdez  
Oil Spill Restoration Office  
645 "G" Street  
Anchorage, AK 99501

Dear Sirs:

As Chief Forester for Klukwan Forest Products I would like to thank you for the opportunity to comment on the Exxon Valdez Oil Spill Restoration Plan. Of the alternatives identified in the Summary of Alternatives for Public Comment I support alternative 5 the comprehensive restoration option, because it has the least percentage of money available for habitat protection.

As a matter of fact I object to the acquisition of privately owned lands for any type of public ownership. First, Alaska is unique because the state, federal and local governments virtually own the whole state, and these public lands have not successfully supported any industry, except perhaps Prudhoe Bay. Alaska desperately needs to diversify its economy to encourage natural resource industry development in the state to obtain the benefits of jobs, revenue, and a healthy economy. The acquisition of what little private land there is for public ownership will further restrict Alaska's economy.

Second, the premise of habitat acquisition assumes this needs to be done to prevent development of some natural resource. This assumes the development will create a loss of habitat, or damage to publicly owned resources such as fish, that is without foundation considering new laws that afford these resources ample protection. Examples of these laws are the Alaska Forest Resources and Practices Act and regulations, and the Clean Water Act.

On another subject, I support the creation of an endowment for future funding of restoration activities. This has the most meaningful benefit because it will have a longer term of benefit.

I support the use of restoration money for improved and increased human uses. To elaborate, human activity including forestry management and other natural resource industry should be expected to occur within greater Prince

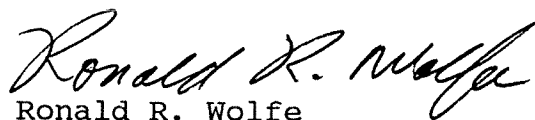


William Sound Region on both private and publicly owned lands. Funds can be used to improve facilities associated with these uses such as log transfer facilities, mineral transfer facilities, log storage areas, harbor development, etc. with a perspective of increased environmental protection or improved habitat. This is a good way to answer the concern that the Prince William Sound suffered so much that it needs additional protection. In no way should the money be used to block the development of these industries.

I have enclosed the newspaper handout with my choices for the issues questions.

Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Ronald R. Wolfe". The signature is written in dark ink and is positioned above the printed name and title.

Ronald R. Wolfe  
Chief Forester

1464 M

RECEIVED  
AUG 04 1993

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

Knik Canoers and Kayakers, Inc.  
P.O. Box 101935  
Anchorage, AK 99510  
August 2, 1993

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

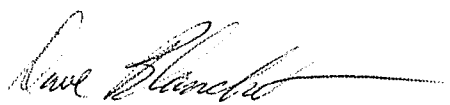
Dear Trustee Council;

Knik Canoers and Kayakers is an Anchorage-based organization of canoeists, rafters, and kayakers interested in enjoying and conserving Alaska's free-flowing rivers; lakes, and coastal waters. Together we represent some 150 boating households. We would like to urge you to support habitat acquisition as the key component for using the remainder of the oil spill funds. We give primary support to Alternative 2 - Habitat Protection and secondary support to Alternative 3 - Limited Restoration

Our club believes acquisition of habitat within the spill area offers the best opportunity for recovery after the spill. We would like to see a very high priority given to protection of this unique marine environment. We urge you to select a variety of habitat areas across the length of the area impacted by the spill. When possible, habitat acquisitions should strive to create large, contiguous areas of habitat rather than small, isolated units. Areas we support for acquiring for habitat protection include: Port Gravina/Orca Bay near Cordova, Port Fidalgo, Knight Island Passage, Kenai Fiords National Park, Port Chatham, Shuyak Straits, and Kodiak National Wildlife Refuge.

Thank you for the opportunity to comment, and please let us know if we can provide you with additional input.

Sincerely,



Conservation Chair, Knik Canoers and Kayakers, Inc.

1249 M

# Kodiak Audubon Society

Box 1756  
Kodiak, AK 99615

RECEIVED  
JUL 30 1993

July 28, 1993

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

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

Dear Trustees:

On behalf of the Kodiak Audubon Society, we commend the Trustee Council for the purchases of Kachemak Bay and Seal Bay lands. These acquisitions of threatened wildlife habitat are the most effective method of restoration to protect these ecosystems from logging and other development. We strongly support committing most of the remaining EVOS Settlement moneys to purchase threatened fish and wildlife habitat. These priority habitat acquisitions along the spill impacted tract include the following:

1. Kodiak National Wildlife Refuge
2. Shuyak Straits/Northern Afognak
3. Port Gravina/Orca Bay
4. Port Fidalgo
5. Knight Island Passage
6. Kenai Fjords National Park
7. Port Chatham

The Kodiak National Wildlife Refuge is a special concern to our members. The purpose of the refuge is to protect the habitat of brown bear and wildlife. The use and enjoyment of the refuge by people must be compatible with wildlife. Unfortunately, the very essence of the refuge is threatened by large tracts of private inholdings on which enterprises incompatible with the delicate balance of the refuge can occur. Many of these private landowners endorse acquisition of these inholdings on a willing seller basis. Acquisition of refuge inholdings will restore the wholeness of this world class wildlife refuge for present and future generations.

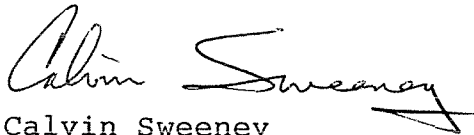
Page 2  
EVOS Trustee Council  
July 28, 1993

The Shuyak Straits/Northern Afognak lands are also of special interest to our members. Not only are these lands and coastal habitat home to many species that suffered substantial injury to the spill, this wilderness also offers magnificent scenic and recreation values. Acquisition of these ecosystems would insure recovery and protect many resources and services from future degradation.

The Kodiak Audubon Society is a dedicated supporter of habitat protection and conservation of all wildlife. We urge your support committing most of the remaining \$600 million EVOS Settlement for habitat acquisition, this is the most significant and permanent restoration action the Trustees can and will implement.

We appreciate the Trustee Council's consideration in reviewing these recommendations.

Respectfully,

A handwritten signature in cursive script that reads "Calvin Sweeney". The signature is written in dark ink and is positioned above the typed name and title.

Calvin Sweeney  
President



WALCOFF

5/7/93

Ken,

Rebecca Log TC  
enclosed letter + response  
form in as a comment to TC  
Brochure. Thanks

The enclosed was received as a  
response to the letter that was  
transmitted concerning proposed  
actions to the various state, federal  
+ local agencies, + Native organizations.

Jan/Jul  
5/4

PS - Rec'd from  
Konrad, Inc.  
John Henrick

INFORMATION ♦ MANAGEMENT ♦ COMMUNICATIONS

635 Slaters Lane, Suite 400, Alexandria, Virginia 22314, Phone (703) 684-5588 / Fax (703) 548-2881 / TDD (703) 684-8226

Walcoff & Associates  
Carol A Paquette  
Project Manager

4/28/93

ST2

RECEIVED MAY 03 1993

RECEIVED  
MAY 07 1993

Dear Ms Paquette:

The accompanying questionnaire represents my views as well as those of my corporation Koniag, Inc pretty much, and the Afognak J. Venture, of which Koniag has a <sup>45% share</sup> Koniag has long maintained that its Karluk and Sturgeon River former Wildlife Refuge lands on the west side of Kodiak must be reacquired to have a bear refuge worthy of the name. Similarly, some of the Afognak J.V. lands in the Shuyak Strait area adjacent to the USFWS Red Peaks unit would make a more logical acquisition <sup>for habitat</sup> than the ~~unit~~ Seal Bay unit with its now excessive timber values. AJV also has the Panamarof area to the south of the Red Peak unit which is excellent wildlife habitat, and is scenic as well. In both cases, AJV would be a willing seller at a fair market value price.

As I stated in the questionnaire, there is an overwhelming public perception that the E.V. trustees have, to date, and will in the future, manage to dribble away the settlement monies mainly to maintain their respective bureaucracies and produce

great quantities of esoteric studies gathering dust,  
rather than do anything of lasting benefit for the public.

Sincerely

John W Merrick

Land + Resource Manager

Koniag Inc

4300 B St #407

Anchorage AK 99503



# National Audubon Society

ALASKA REGIONAL OFFICE  
308 G STREET, SUITE 219 • ANCHORAGE, ALASKA 99501 • (907) 276-7034 • FAX (907) 276-5069

July 20, 1993

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

1083 M  
RECEIVED  
JUL 21 1993

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

Dear Trustees:

On behalf of the National Audubon Society including its 2,700 Alaska members, I'm writing to urge that you strongly support committing most of the remaining \$600 million in Exxon Valdez oil spill settlement monies to acquisition of key fish and wildlife habitats along the track of the spill. These high priority habitats include the following:

1. Kodiak National Wildlife Refuge
2. Port Gravina/Orca Bay
3. Port Fidalgo
4. Kenai Fjords National Park
5. Knight Island Passage
6. Port Chatham
7. Shuyak Straits

Our members have a special concern for and interest in the Kodiak National Wildlife Refuge. This magnificent island ecosystem is renowned the world over for its Kodiak brown bears, bald eagles, salmon runs and associated wildlife in an absolutely spectacular wild setting.

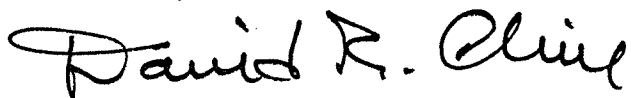
Unfortunately, the very viability of the refuge is threatened by over 800,000 acres of private inholdings on which activities incompatible with refuge purposes can occur. Fortunately, a broad coalition of public interest groups that include sportspeople, commercial fisherpeople, guides, air taxi operators, tourism businesses, environmentalists, everyday citizens and many of the Native landowners themselves favor acquisition of key inholdings on a willing seller basis. Thus we have an historic opportunity to join forces in an acquisition program that will leave a legacy of truly meaningful and lasting response to the tragic Exxon Valdez oil spill.



This is without question a truly win-win opportunity of unprecedented proportions. Not only will acquisition of refuge inholdings restore the integrity of this world class wildlife refuge, but it will benefit island residents and all the American people socially, economically and environmentally for generations to come. Therefore, it without question is the most meaningful and lasting restoration measure the Trustees could ever hope to come up with. Restoring the integrity of the Kodiak National Wildlife Refuge will serve as a living testimony to your courage, foresight and sense of public responsibility.

Your consideration of these recommendations is greatly appreciated. Audubon wishes you well in your important work and are confident you will do what is right.

Sincerely,

A handwritten signature in black ink that reads "David R. Cline". The signature is written in a cursive, flowing style.

David R. Cline  
Regional Vice President



The National Outdoor Leadership School  
 P.O. Box 981, Palmer, Alaska 99645  
 (907) 745-4047

Don Ford  
 Alaska Branch Director

	INITIALS	DATE
CODED		
CODES ✓		
ENTERED	Scb	7/6
ENTRY ✓	JH	7/19

RECEIVED  
 JUN 14 1993  
 EXXON VALDEZ OIL SPILL  
 TRUSTEE COUNCIL  
 5-29-93

Exxon Valdez Oil Spill Restoration Office  
 645 G St  
 Anchorage AK 99501

To whom it concerns,

We are pleased to comment on your Draft Restoration Plan and compliment you on making some information available before the busy summer season. We would like to see the Sound remain the relatively untouched wilderness that it is now. We believe that restoration of species and services are best served by preserving habitat from human development. To answer your specific questions:

**Questions About Issue and Policies**

- #1 Injuries Addressed by Restoration Action: "Target all injured resources ... except those whose populations did not measurably decline."
- #2 Restoration Actions....: Cease restoration actions once a resource recovers.
- #3 Effectiveness of Restoration Actions: We believe that projects which have dramatic results on species and services are fine, that long term restoration rests in allowing nature restore itself.
- #4 Location of Restoration Actions: Limit restoration actions to the spill area only, unless it goes to a parcel which will help restoration of a population of species or service which were damaged.
- #5 Opportunities for human use: Restoration should be limited to impacted services. The term "Human Use" is too broad and this question gives only two choices: more human use or no restoration. We believe that money should be spent on restoring lost services, that new services should not be subsidized by restoration money.

**Questions About Restoration Categories**

- #6 Monitoring and Research: No; Though we believe that basic population monitoring ought to be carried out in the spill area.
- #7 Habitat Protection and Acquisition: Yes: In our experience many areas which have high value as habitat also are highly valued by the user seeking wilderness values. Thus many parcels could meet both criteria. There should be stipulations to preserve wilderness values (ie: timber) and to allow recreational access.

**Questions about Spending**

- #8 Are you in favor of an endowment or savings account....: A small endowment for cleanup of garbage on beaches in PWS would be acceptable because the money needed is small. We do not support a large endowment.
- #9 How endowment should be spent if created: A small endowment for beach cleanup of garbage. If a large one is created it should be spent on Habitat Acquisition.



## Potential Allocations

We support Alternative #2. Given habitat acquisition and baseline population monitoring nature can heal itself best. Furthermore many of the services damaged by the spill, wilderness based tourism for example, would benefit the most by preserving the wilderness values which support such activities.

## Specific Recommendations

We are concerned that the area in the Southwest part of Prince William Sound not be overlooked when making acquisitions. The area was the hardest hit of all the impact area, and has tremendous value for wilderness based tourism and damaged resources. We would specifically encourage the Trustees to acquire either title and surface/subsurface rights, or surface/subsurface rights with stipulations protecting from further development, of private lands in the following areas:


Dangerous Passage	South end of Knight Island
East side of Knight Island	Chenega Island
Bainbridge/Evans/LaTouche Islands	

We see a paradox with this area when looking at "restoration." By concentrating their acquisition efforts to "imminently threatened" areas, the Trustees did not take into account areas which have already been seriously threatened by the spill itself. Thus the paradox: protect areas which are threatened in the near future, or areas which were most heavily hit during the spill. Though we support acquiring areas which are imminently threatened and have restoration value, we would like to see some acquisitions based on past damage. By acquiring the above mentioned lands the Trustees would not only be preserving an area synonymous with the worst of the spill, they would be allowing the resources and services damaged by the spill in that area the best chance of recovery.

We wish you the best in your decisions and continue to offer you our expertise and services when you need them.

Sincerely,

Don Ford  
Director



Paul Twardock  
Land Use Coordinator  
279-0409



1058 M

**NATIONAL RIFLE ASSOCIATION OF AMERICA**  
INSTITUTE FOR LEGISLATIVE ACTION  
1600 RHODE ISLAND AVENUE, N.W.  
WASHINGTON, D.C. 20036

RECEIVED  
JUL 19 1993

June 28, 1993

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

Exxon Valdez Trustee Council  
645 G Street  
Anchorage, AK 99501

Dear Trustee Council:

We, the undersigned representatives of U.S. sport hunting and fishing groups, commend the Exxon Valdez Trustee Council in seeking a meaningful oil spill restoration plan. We recognize you face enormous challenges in balancing restoration of species and resources injured by the oil spill, as well as competing interests within the spill zone.


Our comments are confined to the restoration tool of habitat acquisition, as it relates to the Kodiak National Wildlife Refuge. Specifically, we support acquisition of critical brown bear, bald eagle, anadromous fish, marine mammal and seabird habitat on Native corporation inholdings in the Kodiak National Wildlife Refuge and adjacent lands.


Such acquisitions would meet four restoration objectives which we endorse:

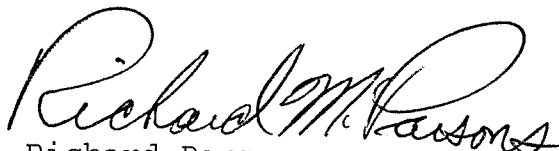
- \* Provide greater public access to lands now closed to such access for both consumptive and non-consumptive uses;
- \* Consolidate the management of the bear refuge and salmon streams by the U.S. Fish and Wildlife Service and the Alaska Department of Fish and Game;
- \* Conserve in perpetuity Kodiak brown bear and other wildlife habitats;
- \* Stimulate economic growth, including hunting related tourism, in areas where such growth should take place for the benefit of Natives and non-Natives alike.

Just as sportsmen led the effort to persuade President Franklin D. Roosevelt to create the Refuge in 1941, we support your efforts to make it whole. Thank you and good luck in your important restoration efforts.

Sincerely,

  
Susan Lamson  
Director, Federal Affairs  
National Rifle Association

  
David Dexter,  
Director, Federal Affairs  
Wildlife Legislative  
Fund of America

  
Richard Parsons,  
General Counsel  
Safari Club International

1649 M



ORG

National Trust for Historic Preservation

August 3, 1993

Exxon Valdez Trustee Council  
645 "G" Street  
Anchorage, AK 99501

Dear Trustee Council:

The National Trust for Historic Preservation is a private, non-profit membership organization chartered by Congress to foster an appreciation of the diverse character and meaning of our American cultural heritage and to preserve and revitalize the liability of our communities by leading the nation in saving America's historic environment.

The National Trust wishes to go on record urging the Exxon Valdez Trustee Council to adopt a restoration plan that would provide a reasonable balance between general restoration activities and property acquisition for impacted cultural sites. An alternative that combines these two objectives will provide the most well-rounded and complete recovery from the impact of the oil spill. The National Trust has particular interest in restoration and site stewardship programs for impacted archeological sites, as well as potential acquisition within the Kodiak Archipelago and Prince William Sound; both areas have unique historic and cultural value.

For example, the acquisition of the Three Saints Bay on Kodiak Island would preserve the Russian fur trader Gregory Shelikof's 1784 settlement, the first permanent European settlement in Alaska. Further, the acquisition of Russian Harbor on the Aliulik Peninsula on Kodiak Island would preserve the four "barabara" house pits where Russian fur-trader Stephen Glotov wintered in 1763. The sites, and others within the spill region, are world class historic sites and have only recently come to the attention of archaeological and cultural preservationists.

Thank you for the opportunity to participate in the public comment process and good luck in developing a meaningful use of the Exxon Valdez settlement.

Sincerely,

Richard Moe  
President



# National Wildlife Refuge Association

Dedicated to the protection and perpetuation of the National Wildlife Refuge System

July 29, 1993

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

1365 M  
EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL  
JUL 29 1993

Dear Members of the Trustee Council:

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

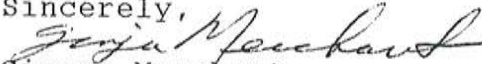
The National Wildlife Refuge Association (NWRA) is a national, non-profit, conservation organization dedicated to the protection and perpetuation of the National Wildlife Refuge System. The NWRA was founded in 1975 by wildlife refuge professionals concerned about the future of the Refuge System and the natural resources it is intended to conserve. The organization represents wildlife professionals and concerned citizens working together to benefit refuges in Alaska and nationwide.

The NWRA appreciates this opportunity to express its views to the Trustee Council concerning the development of the Exxon Valdez Oil Spill Restoration Plan, and supports alternative number two -- "Habitat Protection". Primary emphasis upon the acquisition and protection of strategic habitats, especially on Kodiak Island, are critical in NWRA's view.

The NWRA strongly supports the acquisition (from willing sellers) of Native Corporation lands on Kodiak Island in order to consolidate the Kodiak National Wildlife Refuge and protect essential habitat for the Kodiak bear, bald eagle, anadromous fish, seabirds and marine mammals. Kodiak acquisitions may be particularly beneficial to black oystercatcher, harlequin duck, marbled murrelet and pigeon gillemot that were seriously affected by the spill and are vulnerable to impacts from any future spills.

Utilization of civil settlement monies is especially important to ensure the continued viability of the Kodiak bear. While the bear's important denning habitats are federally owned, the critical feeding habitats are among those lands selected and owned by the Native Corporations. The sale of these areas to private parties and subsequent development as industrial and commercial facilities would be devastating to the bear and to the Refuge. Such development, including construction of fishing and hunting lodges, has occurred in the last couple of years in prime bear feeding habitat.

Escalation of this scenario can be avoided with timely acquisitions of priority tracts from native owners seeking economic self-sufficiency. The NWRA urges the Trustee Council to act to consolidate the Refuge and ensure a more secure future for the Kodiak bear as well as other valuable natural resources of the spill area.

Sincerely,  
  
Ginger Merchant  
Executive Vice-President



# NORTH GULF OCEANIC SOCIETY

P.O. BOX 15244  
HOMER, ALASKA 99603  
(907) 235-6590

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RECEIVED  
JUL 28 1993

Exxon Valdez Trustee Council  
645 "G" Street  
Anchorage, Alaska 99501

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

July 10, 1993

Dear sirs,

We would like to place our support behind the formation of the Exxon Valdez Marine Research Endowment as proposed by Arliss Sturgulewski and others. Monitoring and research would occur under the Endowment. Long-term research is vital but should not be the exclusive realm of state and federal agencies. It is important that proposals (and ideas) be accepted from all sources and receive independent peer review. The endowment should establish a permanent research fund out of which earnings would support a long-term program. A proposed amount of \$30 million would be placed yearly into the fund of which \$7 million a year would be used for research and the other saved in the permanent endowment fund which would total 184 million after eight years. I hope you will seriously consider this proposal.

Sincerely,

  
Craig O. Matkin



1012 #

Interim Response to the Draft Exxon-Valdez Oil Spill  
Restoration Plan  
Summary of Alternatives for Public Comment  
Presented by  
Emil Christiansen,  
President,  
Old Harbor Native Corporation  
At the Public Meeting held in Old Harbor, Alaska  
April 22, 1993

MAY 10 1993

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

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On behalf of the Old Harbor Native Corporation, a village corporation established under the Alaska Native Claims Settlement Act, I would like to welcome the representatives of the Exxon-Valdez Oil Spill Trustee Council to Old Harbor.

We appreciate very much the Trustee Council's taking the time, effort, and interest to have its representatives travel to our village to obtain our comments on the Draft Exxon-Valdez Oil Spill Restoration Plan--Summary of Alternatives for Public Comment. Thank you also for all the hard work the Council and its staff put into preparing the brochure on "alternative ways to help the animals, plants, and people injured by the spill" recently sent to us.

*Submitted at Old Harbor Public Meeting April 22, 1993*

In addition to providing you with these interim comments on the summary of alternatives for the draft Restoration Plan, we intend to submit to the Council additional comments prior to your August deadline as well as a response to the Draft Environmental Impact Statement and Draft Restoration Plan, which your brochure indicates will be circulated this June.

At the outset, I would like to emphasize that the 1989 Exxon-Valdez oil spill which reached our lands on Kodiak and Sitkalidak Islands, damaged our fish and wildlife resources, damaged our commercial fishing industry, adversely affected our subsistence uses of the lands and waters, and continues to impact our very lives even today. Nature may heal the lands and waters in time, but it will never heal the wounds that the oil spill inflicted on our families, our hopes for the future, and our way of life. Simply stated, nothing will ever be quite the same.

The Alutiiq people who live in Old Harbor depend on the sea and the land for their livelihoods, for their food, and for their entire cultural tradition and have done so for generations. The sea and the land are not one thing--

and the culture another. They are intertwined. They are one. Shellfish, Salmon, herring, deer, bear, birds--they are all part of our culture.

We are for the most part a fishing community and have been for countless generations. Today, we use boats with engines but the hard work, the long hours, the stress, and the danger of the sea are still part of our lives as it was for our ancestors.

When we first heard of the oil spill, we hoped it would go someplace else; that it would not interfere with our lives. Our people were frightened. Most of us lived through the tsunami in 1964, and we knew what a major disaster could mean: displacement from our homes and from our economic and cultural base. Within six weeks after the oil spill, we knew that our fears were justified. Oil started coming from the south and from the north, and it covered our water and beaches. It covered the sea with mousse, and the oil on the sea contained dead birds that we normally hunted for our food as part of our way of life. It covered our beaches, and we could not eat the clams, we could not eat the sea urchins (which we call uduks), and the other foods we gather.

The beaches were oiled all over our land, down south toward the end of Kodiak Island, north up into Kiliuda Bay, and all over our land on Sitkalidak Island. Some of our people were hired to go out and clean the beaches, but it was terrible work. We collected bird carcasses and put them into plastic bags; we would see dead deer along the beaches, deer that had eaten seaweed covered with oil. We still find mousse patties on our beaches. We do not know when our beaches will be completely clean.

Our communities have been damaged by the oil spill at every level. In addition to fouling the places where we get food, the oil spill meant that our commercial fishing season was closed down in 1989. The direct and indirect effects of that spill on our families, people's relationships, subsistence, our fish and wildlife, and lands will continue for many years to come.

Many of the small businesses in our community were hurt because money which is normally made in the summer was not in our village that summer. Many people who work in the canneries could not get jobs because the canneries were either closed, or running just part of the time.

They were hurt. But most of all it hurt us as a people. People who saw summer as the time to fish commercially, and to gather resources for winter, and share those resources with other people as part of our culture, did not know what to do. Some just broke down and cried. Some took their own lives. Our way of life was distorted dramatically--there were increased amount of drinking and family problems. In many ways, it was far worse than the tsunami, because we didn't know when it would end. Our people, our birds and the wildlife, our plants and our lands, and water were gravely injured.

Our ancestors have lived on these lands for generation upon generation. They hunted, fished, raised families, worked, and fought to be able to continue to live here. As you can see from looking at our lands, we have taken good care of them. Our history, roots, culture, and our very being are linked to these lands. The conservation and protection of those lands and their resources for us today and for our children's children in the future is of great importance to us as people.

I would like to say a few things in response to your questionnaire in the brochure sent to us recently.

### Issues and Policies

We believe that restoration actions should address as many of the injured resources and services as they can. No one knows for certain what the long term consequences of the oil spill might be. What we do know is that conserving much of the lands and resources in the area today is the best way to help offset the effects of the spill and give nature a chance to restore things to the way they were before and to insure survival of the animals, plants, and people if we ever suffer similar damage to our natural resources again.

### Restoration Categories

We believe that the focus of the financial resources available to address the effects of the oil spill should be in the oil spill area.

While we support restoration actions aimed at creating opportunities for human use of the spill area, we believe, that such actions should be

aimed mainly at conserving the land in a way that people may use and enjoy the fish, wildlife, natural beauty, and other resources of the lands and waters in the spill zone.

We support some degree of ecological monitoring and restoration research. People should continue to learn from this spill so that we will have a better idea of what can be done if this type of disaster hits our's or somebody else's lands in the future.

We believe that habitat protection and acquisition should be a major component of the Restoration Plan. We believe that the public and the resources involved will be best served by a plan that protects key fish and wildlife habitat in perpetuity. This can be done in such a way that there also will be many locations available for tourism and other appropriate commercial development. People want to live, work, and visit these lands because of their natural resources in a wilderness setting. If those resources are conserved, they will be the key to the continuation of the rural Alaska way of life.

## Spending

We support putting a percentage of the civil fund in an endowment which could be left to grow over the next seven years until all payments to the Settlement Fund are made. We would also support the use of the income from an endowment for monitoring and research, general restoration, as well as habitat protection and acquisition.

The allocations of spending from the civil fund which we support are these:

Administration and Public Information	2%
Monitoring and Research	3%
General Restoration	5%
Habitat Protection and Acquisition	85%
Endowment	5%

Our views on what to do on habitat acquisition are reflected in the enclosed document entitled, "The Kodiak Wildlife Habitat Conservation and Acquisition Project."



The purposes of "The Kodiak Project" and the general goals of the Exxon-Valdez Restoration Plan Habitat Protection and Acquisition effort are supportive of one another, we believe. To us, this project offers a unique opportunity to make wise use of public funds to help overcome the adverse impacts of the oil spill on animals, plants, and people and at the same time conserve natural resources and using those resources more effectively to help stimulate economic growth in the Region.

In the enclosed letter to the Trustee Council, we provide our response to the Council's recent letter in March to landowners willing to make lands available for habitat protection. Using the Council's "Habitat Protection Parcel Analysis," "Criteria for Rating Benefit of Parcel to Injured Resources/Services," "Interim Threshold Criteria," and "Interim Evaluation/Ranking Criteria," we believe that our lands warrant a high score.

Those of us who live, hike, recreate, work, and hunt on our Native land, and fish in its waters have always known that our wildlife resources are abundant and sustain life. That is the principal reason our ancestors settled in this area.

The majority of the Kodiak Archipelago is optimum brown bear habitat. Old Harbor's inholdings have significant denning and foraging areas for the bears.

One of the most unique events in the known migration patterns of brown bear occurs each year in the Sitkalidak Strait. Bears swim the Strait to Sitkalidak Island where they live until they return to Kodiak Island in the Spring (bears live there year-round too).

In addition to the Kodiak brown bears, the Kodiak Archipelago is home to millions of birds, both pelagic and migratory. The pelagic or seabirds consists of many species, including glaucous winged and mew galls, murres, kittiwakes, auklets, cormorants, guillemots, murrelets, fulmars, and puffins. The harlequin duck, black oystercatcher and bald eagle are many other species of birds which inhabit this area. The Kodiak Archipelago provides nesting habitat for 96 species of birds and is home to an estimated 1.5 million seabirds and an estimated 150,000 waterfowl during the winter months. It serves as both nesting and feeding habitat to approximately 2 million birds.

The Maritime Refuge has expressed strong interest in acquiring the small islands selected by Old Harbor because of their significance as major bird habitats. The 1978 report entitled "The Breeding Biology and Feeding Ecology of Marine Birds in the Sitkalidak Strait Area, Kodiak Island, 1977 and 1979" by Patricia Baird and Allen Moe estimated that 17,000 birds nest on Cathedral Island every year. In the Sitkalidak Straits, the largest puffin colony in the Kodiak Archipelago can be found on nearby Cathedral Island. There are minor colonies in Kiliuda Bay and on Anee Island, all part of the Old Harbor inholdings. Over 13,000 puffins nest in the Sitkalidak Straits every year. The puffins are a rare bird whose population the Maritime Refuge is anxious to encourage. Obviously, 17,000 birds on the tiny island of Cathedral do not draw their sustenance from that island. Instead, they feed on Sitkalidak, in the Straits or on Old Harbor lands on Kodiak. John Island in Three Saints Bay is also a nesting area for puffins, murrelets, auklets, gulls, kittiwakes, and guillemots. These migratory bird habitats have worldwide significance.

Kodiak Island has all five species of Pacific salmon present and Old Harbor's inholdings support four of those species: sockeye, coho, pink and

chum, plus steelhead and Dolly Varden. The salmon are, of course, a primary source of food for the brown bears as well as the 200 nesting pairs of bald eagles on the Kodiak National Wildlife Refuge.

Old Harbor's inholdings in the Refuge also support many other species of wildlife, including Sitka black-tail deer, river otter, beaver, fox, seals, mountain goat, and sea lions. The Refuge is also home to short-tailed weasel, little brown bat, tundra vole, Roosevelt elk and snowshoe hare. The nearshore areas also support marine mammals such as whales, dolphins, porpoises, sea otters and orcas. More than 250 species of fish, birds and mammals have been documented on the Archipelago.

That abundance of fish and wildlife on the Kodiak Archipelago has made the area one of the hardest hit by the oil spill. For example, according to the United States Fish and Wildlife Service's final bird mortality count from the Exxon-Valdez oil spill, the Kodiak Region sustained higher bird mortality than Prince William Sound. The attached exhibit to my statement provides a breakdown of the mortality for ten species and the spill total for all species. For the 10 listed species, the Kodiak percentage

ranged from a low of 47% of fatalities (bald eagle) to a high of 96% of fatalities (short-tailed shearwater). The Kodiak region bore 64% of all bird fatalities for the oil spill. Clearly, the Kodiak Region's bird populations have been hard hit by the Exxon-Valdez oil spill.

If those populations of birds most damaged by the oil spill are to recover, and if the Kodiak National Wildlife Refuge is to remain a primary habitat for seabirds, waterfowl, and bald eagles, protection of habitat is essential.

This statement is reinforced by the Draft Land Protection Plan prepared for the Kodiak National Wildlife Refuge in October 1992 by the Fish and Wildlife Service. The Draft Land Protection Plan states at Page 1 that "... mixed ownership areas have been difficult to manage and limit the effectiveness of certain refuge objectives, e.g., preserving natural integrity." As a result, the U.S. Fish and Wildlife Service's Alaska Regional Office has rated Kodiak Native Inholdings as their "number one federal acquisition priority in Alaska."

Old Harbor's lands are also rich in historic and archeological resources. Midway and Barling Bays are the sites of at least four ancient villages. There are also at least three ancient Native village sites on Sitkalidak Island. The earthquake of 1964 uncovered masses of artifacts in these areas. These many archeological sites and the many artifacts buried within them reflect the culture of the Alutiiq Native population that originally occupied and still occupies the Kodiak Archipelago. One of the most significant sites to be uncovered in recent years was at "Refuge Rock" on Sitkalidak Island. The tragic story this historic site tells us holds great importance for our people, their culture, and the history of the Kodiak Region.

Kodiak has been referred to as the Egypt of Alaska. Its archeological treasures have only recently begun to be discovered and have yet to be fully understood. They represent an untapped source of history and culture of great importance to our people. We appreciate the Trustee Council's decision to help fund the Kodiak area Native Association museum which will do much to ensure that culture is preserved.

The highest and best use for most of these lands is to conserve them as fish and wildlife habitat forever into the future. As you know, as a Native corporation, we have solemn responsibilities to our shareholders and to others in our village which sometimes places us in a dilemma. While our culture and instincts would have us protect the land its natural resources, our 20th Century fiduciary obligations call for us to create some sort of economic benefit to our people from the only tangible asset we have . . . our lands.

By qualifying for Exxon-Valdez habitat and acquisition funding, we believe that the opportunity to generate economic activity which will benefit directly or indirectly Natives and non-Natives alike and at the same time conserve premier fish and wildlife habitat is one that should not be lost.

As the enclosed letter to the Trustee Council from the President and Chief Executive Officer of Akhiok-Kaguyak, Inc. and Koniag, Inc. respectively and myself indicates, our three Native corporations are very interested in working with the Trustee Council regarding acquisition of a portion of our lands.

We believe that with the commitment of funds from the civil and criminal penalty funds combined with private and federal funding, a comprehensive habitat conservation and acquisition project can be achieved on Kodiak and Sitkalidak Islands.

With the inclusion of the AKI lands of the Alitak Parcel in your first cut at a list of "lost opportunity" lands, the Council has taken the first step in this process. We will aid you in reviewing our lands in any way that you may find helpful.

### CONCLUSION

To summarize our views I would like to make the following points:

- ◆ The Trustee Council and its staff did a good job of identifying the issues for consideration in preparation for a Final Restoration Plan:
  
- ◆ We believe that while Administration and Public Information, Monitoring and Research, General Restoration, and an Endowment should all receive some of the remaining civil



penalty funding, the most productive and long-lasting benefits to be obtained from the Fund would occur from Habitat Protection and Acquisition;

- ◆ The Kodiak Archipelago, including the Old Harbor Native Corporation lands and its natural resources were injured by the Exxon-Valdez oil spill;
- ◆ Our people and the wildlife in our area were injured by the oil spill;
- ◆ Our lands appear to qualify for a high score using the rating system that your Habitat Protection Working Group has developed for evaluating lands in the oil spill zone; and
- ◆ Our strong belief is that, because of the substantial interest throughout our Nation in protecting wildlife habitat on the Kodiak National Wildlife Refuge, a comprehensive wildlife habitat conservation and acquisition project can become a reality IE

there is a strong commitment of funding a portion of the project from the Exxon-Valdez settlement funds.

Thank you for this chance to present our views to the Council. We look forward to working with you in the days ahead.

ATTACHMENTS:

- (1) Letter from Old Harbor Native Corporation to Exxon-Valdez Trustee Council dated April 22, 1993;
- (2) Letter from Akhiok-Kaguyak, Inc., Koniag, Inc., and Old Harbor Native Corporation to the Trustee Council dated March 15, 1993; and
- (3) Briefing Paper: Kodiak Wildlife Habitat Conservation and Acquisition Project.

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

April 22, 1993

EXXON VALDEZ Oil Spill Trustee Council  
645 "G" Street  
Anchorage, AK 99501

Attn: Habitat Protection Working Group

Dear Trustee Council Members:

On behalf of the Old Harbor Native Corporation (OHNC), I am responding to your letter of March 18, 1993, sent to landowners in the Exxon Valdez oil spill zone who are willing to make lands available for habitat protection using the restoration goals of the Trustee Council. We appreciate the efforts you have made. We understand the challenges you face in the restoration process, and reaffirm our desire to work with the Council and participate.

Old Harbor Native Corporation owns land in three habitat protection areas identified by the Habitat Protection Working Group and/or the Clinton Administration. Because negotiations are underway concerning OHNC's property in Seal Bay on Afognak Island, this letter focuses only on our brief preliminary evaluation of our Kodiak National Wildlife Refuge (KNWR) inholdings and our lands in the Alaska Maritime Wildlife Refuge (AMWR). In the attached preliminary analysis, our KNWR and AMWR lands are treated as one unit, although we recognize that the Trustee Council may adopt other valuation methods.

Old Harbor's lands are rich in wildlife resources. For example, Old Harbor inholdings are prime habitat for bald eagles, a species which suffered large numbers of bird deaths from the spill. Forty-seven percent of all bald eagle fatalities caused by the spill were in the Kodiak region.

The Corporation's inholdings also provide nesting and feeding habitat to many other bird populations, including some of those most injured by the spill. These species include the Harlequin duck, the marbled murrelet, the common murre and the pigeon guillemot. The harbor seal, river otter and sea otter, also species injured by the spill, are present on Corporation inholdings.

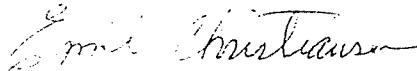
EXXON VALDEZ Trustee Council  
April 22, 1993  
Page 2

Old Harbor lands also contain significant cultural and archeological resources. For example, there are at least three ancient village sites on Sitkalidak Island where the earthquake of 1964 uncovered masses of artifacts. These resources - wildlife, cultural and archeological - should be preserved for future generations.

We are ready to assist the Council and its working groups in any way in the process of your consideration of our lands for acquisition.

Thank you for the opportunity to be part of the EXXON VALDEZ Oil Spill Trustee Council restoration process.

Sincerely,



Emil Christiansen,  
President

cc: Preliminary Old Harbor Habitat  
Protection Parcel Analysis

OLD HARBOR NATIVE CORPORATION'S PRELIMINARY  
ANALYSIS FOR THE HABITAT PROTECTION  
PARCEL SCORE OF ITS LAND IN THE  
EXXON VALDEZ OIL SPILL ZONE

Under the Interim Threshold Criteria and the Interim Evaluation/Ranking Criteria approved by the Trustee Council, Old Harbor's Kodiak Refuge and Alaska Maritime Refuge inholdings are suitable for acquisition according to the Trustee Council's restoration goals (1/19/93).

Utilizing the Habitat Protection Parcel Analysis, the Parcel Ranking Analysis and the Scoring Formula adopted by the Habitat Protection Working Group, OHNC believes its lands deserve a score of 54 pending results of further analysis of our lands by the EXXON VALDEZ Oil Spill Trustee Council wildlife, biological, and land management staff.

OHNC believes its lands offered for habitat acquisition score HIGH for five Injured Resources/Services:

- a. Anadromous Fish
- b. Bald Eagle
- c. Cultural Resources
- d. Subsistence
- e. Wilderness

OHNC believes that its lands score MODERATE for eight Injured Resources/Services:

- a. Black Oystercatcher
- b. Harlequin Duck
- c. Harbor Seal
- d. Marbled Murrelet
- e. Pigeon Guillemot
- f. Recreation/Tourism
- g. River Otter
- h. Sea Otter

OHNC probably scores LOW for one Injured Resource/Service:

- a. Intertidal/subtidal biota

OHNC is unable at this time to provide a score for:

- a. Common Murre

**PRELIMINARY**  
**OLD HARBOR HABITAT PROTECTION PARCEL ANALYSIS**  
 April 22, 1993

Landowner: Old Harbor  
 Native Corp.

Parcel  
 Acreage: 90,000

Affected  
 Acreage: Unknown

INJURED RESOURCE/ SERVICE	POTENTIAL FOR BENEFIT	COMMENT
Anadromous Fish	High	Chum, coho, pink, sockeye, steelhead, dolly varden
Bald Eagle	High	Documentable sites
Black Oystercatcher	Moderate	Known feeding and breeding
Common Murre	Unknown	Pending field visit
Harbor Seal	Moderate	Known haul-out concentration area that historically supported large numbers of seals. Feeding in nearshore waters and haul-outs on nearshore rocks
Harlequin Duck	Moderate	Known feeding and loafing along shoreline
Intertidal/subtidal biota	Low	Rich intertidal and subtidal biota; recruitment value appears to be low because of distance to oiled shorelines.
Marbled Murrelet	Moderate	Known feeding and loafing along shoreline
Pigeon Guillemot	Moderate	Documentable birds in area; nesting and feeding along shore

River Otter	Moderate	Documentable populations on OHNC lands
Sea Otter	Moderate	Known feeding area
Recreation/Tourism	Moderate	Recreational fishing and hunting; moderately difficult access
Wilderness	High	Village and buildings confined to one area, plus half dozen isolated cabins, abandoned whaling station
Cultural Resources	High	Abundant archaeological sites, Ocean Bay culture, 1st Russian settlement in Alaska, 'Refuge Rock,' 1st Russian Orthodox parish in North America
Subsistence	High	Resource harvest area crab, marine fish, marine invertebrates, plants, marine mammals, salmon, deer, waterfowl
<p><b>ECOLOGICAL SIGNIFICANCE:</b> This parcel contains high value anadromous fish, bald eagle and bear habitat adjacent to a highly productive estuary and marine ecosystem; very high seabird populations; shoreline was moderately oiled.</p>		
<p><b>ADJACENT LAND MANAGEMENT:</b> Kodiak National Wildlife Refuge; Alaska Maritime Wildlife Refuge</p>		
<p><b>IMMINENT THREAT/OPPORTUNITY:</b> Recreational development (lodges, cabins, tour boats); Old Harbor Native Corp has expressed interest in participating in habitat protection/acquisition</p>		
<p><b>PROTECTIVE OBJECTIVE:</b> Maintain anadromous fish habitat; bald eagle nesting opportunities; sea mammal haul-outs; subsistence resources; world-class cultural resources; high wilderness values; numerous seabird rookeries/islets</p>		
<p><b>USEFUL PROTECTION TOOL(S):</b> Fee title acquisition; conservation easement; cooperative management agreement</p>		

RECOMMENDED ACTION: Request Old Harbor to provide interim protection; discuss long term protection options; high potential for equivalent resource protection

OLD HARBOR NATIVE CORP'S PRELIMINARY ANALYSIS OF PARCEL RANK

PARCEL	RANKING CRITERIA								SCORE
	1	2	3	4	5	6	7	8	
OHNC 5H 8M		Y	Y	Y	Y	<del>N</del> N	<del>H</del> Y	Y	54

Parcel Score = Sum of H + (0.5 x Sum of M) x Sum of Y



AKHIOK-KAGUYAK, INC.  
5028 Mills Drive  
Anchorage, AK 99504

KONIAG, INC.  
4300 B Street  
Suite 407  
Anchorage, AK 99503

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

March 15, 1993

EXXON-VALDEZ Oil Spill Trustee Council  
645 G Street  
Anchorage, Alaska 99501

Dear Members of the Trustee Council:

On behalf of Akhiok-Kaguyak, Inc. Koniag, Inc., and Old Harbor Native Corporation--Alaska Native corporations which are the major owners of inholdings within the boundaries of the Kodiak National Wildlife Refuge--we are expressing to you our interest in working with the Trustee Council and its staff to facilitate the acquisition of our landholdings through the use of EXXON-VALDEZ Trust Funds.

We are very pleased to learn that the restoration staff had conducted a preliminary evaluation of 138,000 acres owned by Akhiok-Kaguyak, Inc. You should be aware that over 250,000 acres belonging to all three corporations are available for consideration. (In fact, Koniag, Inc. submitted a project proposal to your staff for its 112,000 acres in June, 1992 as did Old Harbor for its 35,000 acres).

We understand that on February 16, you voted to instruct your staff to contact all major landowners in the oil spill zone about their willingness to participate in discussions which could lead to acquisition of Wildlife habitat. Please accept this letter as our early and positive response to your action.

As we have advocated to the Council over the past year, our corporations are committed to a comprehensive habitat conservation and acquisition project within the National Wildlife Refuge system on the Kodiak Archipelago. The Project's potential benefit for all concerned--the public at large, the wildlife, Native and non-Native residents of the area, the people of Kodiak, as well as the rest of Alaska--in substantial.

The Kodiak Project would:

- Provide public access to lands now closed to such access;

Exxon-Valdez Oil Spill Trustee Council  
March 15, 1993  
Page 2

- Consolidate and enhance the management of the Refuge by the U.S. Fish and Wildlife Service and the management of Fish and Game by the State of Alaska;
- Conserve in perpetuity "brown bear" and other wildlife, as well as fish habitat so essential to a viable fishing industry;
- Stimulate economic growth including tourism in areas where such growth should take place for the benefit of Native and non-Natives alike; and
- Help protect the long-range viability of the rural Alaskan way of life and provide a lasting and positive legacy of our country's largest oil spill.

Our corporations are committed to working together to ensure that any acquisitions of our lands are accomplished in a fair and comprehensive way. We are, therefore, eager to provide your staff with any information which would aid them in their evaluation of our lands.

We look forward to discussions with the Council or your representatives at the earliest opportunity.

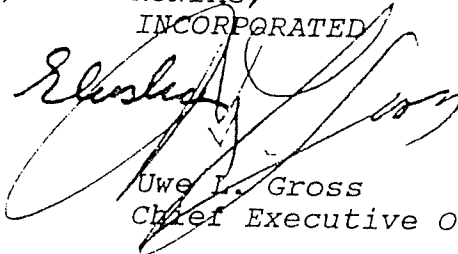
Sincerely,

AKHIOK-KAGUYAK,  
INCORPORATED



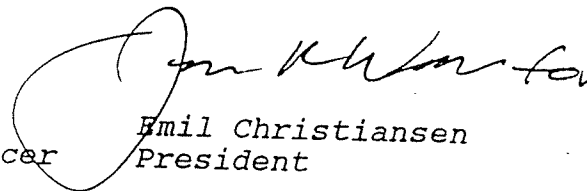
Ralph Eluska  
President

KONIAG,  
INCORPORATED



Uwe L. Gross  
Chief Executive Officer

OLD HARBOR NATIVE  
CORPORATION



Emil Christiansen  
President

*Exxon-Valdez Oil Spill Trustee Council*  
*March 15, 1993*  
*Page 3*

*bcc: Mr. Uwe L. Gross*  
*Mr. Ralph L. Eluska*  
*Mr. Emil Christiansen*  
*C. Walter Ebell, Esq.*  
*Roy Jones, Esq.*  
*William H. Timme, Esq.*  
*Mr. Tim Richardson*

*P.S. to Bill:*

*You may want to forward a copy of this on to Tim Mahoney.*

## KODIAK WILDLIFE HABITAT CONSERVATION AND ACQUISITION PROJECT

### I. Purposes

The purposes of the Kodiak Wildlife Habitat Conservation and Acquisition Project include:

- A. Providing public access to lands (principally Native inholdings within the National Wildlife Refuge System on the Kodiak Archipelago) which are now closed to such access;
- B. Helping to heal some of the injuries resulting from the Exxon Valdez oil spill to the fish and wildlife, lands and waters, and the people who live in the area covered by the Project through restoration action including habitat protection and acquisition;
- C. Conserving in perpetuity the lands in their natural state as brown bear, other wildlife, and fish habitat;
- D. Consolidating and enhancing the management of the Kodiak and Maritime National Wildlife Refuge by the U.S. Fish and Wildlife Service as well as the management of fish and game by the State of Alaska through fully and finally resolving the land ownership and use issues which presently exist within the refuge;
- E. Generating economic activity for Alaska Native communities within the refuge system boundaries from their own assets--their lands;
- F. Protecting the long-range viability of the rural Alaskan way of life, including opportunities for subsistence.
- G. Consummating the underlying congressional purpose of the Alaska Native Claims Settlement Act (ANCSA) to provide Alaska Native corporations the meaningful opportunity for economic self-sufficiency as an integral part of the settlement of aboriginal claims;
- H. Stimulating an increase in tourism for the benefit of both the non-Native and Native communities in Alaska in general and in the Kodiak archipelago in particular;

### II. Need For the Project

There is a growing pressure among Native corporation shareholders to realize a tangible benefit from the ANCSA settlement. If meaningful economic opportunities are not otherwise attainable, and if a fair comprehensive land acquisition package cannot be achieved, there is a real and present danger that shareholders will require corporations to distribute title to the land received by the Native corporations under ANCSA, creating further threats to the integrity of the Refuge system on the Kodiak Archipelago. For example, one Native corporation has already made a distribution of 10-acre parcels of land to shareholders in sensitive bear habitat areas. That will inevitably be repeated if the lands are not acquired or otherwise protected soon.

Another Native corporation is preparing to develop major lodge facilities in the midst of pristine bear country. Although such facilities are desirable for economic development if they are located on private lands outside of or at the periphery of the refuge away from prime bear habitat, they present serious adverse impacts on the bears and other wildlife and fish resources within the refuge if permitted to be established within its boundaries in prime bear habitat.

If the lands, or certain interests in those lands, are not obtained for habitat and refuge conservation purposes by purchase or exchange, the Native corporations will have no alternative but to seek creative ways (potentially detrimental to wildlife and their habitat) to use their lands for economic gain. An historic window of opportunity to acquire these lands is closing and time is running out.

Additionally, unless Native villages are able to use the one significant tangible asset they own (their land) to generate income, it is very likely they will not be viable into the future. If they do not survive, with them will go the traditional rural Alaskan way of life in their region.

If more and more parcels of land with brown bear habitat are sold for development, bear encounters will continue and along with them "defense of life and property bear kills." Such increases along with permanent facilities in important bear habitat areas will have serious, adverse repercussions on bear denning, migration, rearing and other activities.

The real and substantial threats to both the refuge and the traditional Alaska rural lifestyle can be avoided by taking advantage of the current opportunity during which the parties are willing to consider all reasonable means by which most interests can be protected and preserved in perpetuity. However, the opportunity will not last forever; action must be taken now.

### III. Overview of the Project

The concept of this project is to develop a legislative and administrative package containing authorization and direction by law to obtain from willing sellers, private parcels of land within the boundaries of Kodiak National Wildlife Refuge. Such lands total approximately 330,000 acres with 138,000 acres in one Native region, 112,000 acres in another, and 90,000 acres in yet another.

The project would consist of initial acquisitions of land with private sector (philanthropic, sportsmen, and environmental organizations) funds along with a short-term option to obtain the remaining lands through purchase, donation or exchange from each of the Native corporations with land holdings inside the refuge boundaries. This effort could help freeze further land sales within the refuge long enough to secure passage of the necessary legislation while providing "earnest money" to the Native communities to indicate to them that this overall effort is underway.

The second step in the project is to seek a commitment of funding from the Exxon Valdez Settlement Trust for the acquisition of Native inholdings, individual allotments and non-Native inholdings within the refuge boundaries. This commitment, if made, would then be used to help obtain an authorization and appropriation by the Congress and the President to provide funding from the Land and Water Conservation Fund.

The funding from a fourth source would be generated by authorizing by law equal-value property exchanges between the federal government and both Native and non-Native willing seller land owners. Such exchanges would be authorized by law for the exchange of properties within the jurisdiction of the Federal Deposit Insurance Corporation, the Resolution Trust Corporation, the Department of Defense, the Department of Interior, the General Services Administration and other federal agencies of government with property assets available for disposal. Bidding credits on tracts approved for leasing on the Outer continental Shelf also might be used where appropriate.

There exists a wide variety of land acquisition alternatives which should be considered and assessed. These alternatives would be tailor-made so as to maximize both the public interest in preservation of the wildlife habitat in the refuge, and meeting the specific needs of each of the Native corporations involved. For example, in some cases, inholdings would be obtained by the United States in fee simple. In other areas, in order to keep the purchase costs constrained, property rights obtained would involve non-development easements, public access easements or other incidents of ownership less than fee, but would still be adequate to protect the interests involved.

Finally, some inholdings, identified as not critical to the Kodiak Refuge management, would be retained in fee simple by the Native corporations with no ANCSA subsection 22(g) restrictions on the use of such lands. This approach would craft the package so as to minimize acquisition costs while at the same time to meet the specific needs and interests of all parties involved. In addition, this approach could leave Native inholders with certain limited property rights to historical and archaeological artifacts as well as traditional subsistence rights which would have the benefit of protecting the land in perpetuity as refuge lands while not severing cultural ties of the Native communities to lands on which they have lived for centuries.

#### IV. Nexus to Exxon Valdez Oil Spill

Federal wildlife damage assessments show that nearly 90% of all bird deaths from the Exxon Valdez oil spill occurred outside of Prince William Sound and many of those deaths occurred in the vicinity of the Kodiak archipelago. The Kodiak region suffered the highest mortality rate for bald eagles of any affected region.

Also, oil inundated the Kodiak archipelago contributing to the closure during 1989 of the commercial fishing season on the vast majority of the waters in and around Kodiak. Many areas still show the effect of the oil spill.

Under the Exxon Valdez Agreement and Consent Decree, among the purposes for which amounts paid by Exxon to the Settlement Trust could be used was to "implement . . . replacement of Natural Resources . . . or archeological sites and artifacts injured, lost, or destroyed as a result of the Oil Spill, or the acquisition of equivalent resources . . ."

For those coastal areas seriously damaged by the oil spill, acquisition of coastal lands within the boundaries of the Kodiak Refuge would be most appropriate as "acquisition of equivalent resources".

Therefore, using some portion of the Exxon Valdez Settlement funds to acquire wildlife habitat within the Kodiak National Wildlife Refuge would be in furtherance of the objectives of the Agreement and Consent Decree.

#### V. Summary

There appears to be a unique confluence of events and of key personnel at this time in local, state, and federal governments, the Exxon-Valdez Trustee Council, the Native corporations established by the Alaska Native Claims Settlement Act whose villages are within the boundaries of the refuge, and in the private sector associated with this effort. This has created a historic opportunity to make a lasting achievement on Kodiak for Alaskans and other American citizens by protecting in perpetuity important wildlife habitat in a premiere national wildlife refuge, and in doing so, preserving the uniquely rural Alaskan lifestyle in the region.

An important first step for the Project has recently begun with the selection of two Native owned parcels within the Refuge by the Department of Interior in their Land and Water Conservation Fund Selections for Fiscal Year 1994.

This project, if successful, would ensure that Alaskans as well as other Americans, many generations from now, would be able to enjoy and prosper from the fishing, hunting, recreation, and wilderness experiences of this remarkable place and its wildlife as we know it today.

Without this project, this opportunity will be lost. Current economic conditions in the United States provide a difficult challenge to lawmakers and other leaders in both the public and private sectors. The challenge is not to lose the ability to develop innovative solutions to human and natural resources problems which must be solved before the opportunity to solve them satisfactorily disappears.

The need is real on Kodiak . . . the solution realistic. If the resource problems in this high priority area in Alaska cannot be addressed wisely and satisfactorily, it is unlikely that similar problems anywhere else can be so addressed.

Discussions with numerous leaders in the public and private sectors indicate that there is great hope that Kodiak brown bear and other wildlife habitat can be conserved in a way similar to that outlined above. If done so wisely, it would provide great benefit now and in the years to come to the public at large, the Alaska Native community in the region, fishermen, sport hunters, recreationists, environmentalists, historians, archaeologists, as well as local, state, and federal governments.

# PACIFIC RIM VILLAGES COALITION, LTD

3333 Denali Street, Suite 220-H  
Anchorage, AK 99503  
Tel. (907) 277-5706 Fax (907) 279-6862

RECEIVED  
AUG 03 1993  
FROM [unclear]  
TRUSTEE COUNCIL

July 30, 1993

EVOS Trustee Council  
645 "G" Street  
Anchorage, AK 995

Dear Ladies and Gentlemen:

I am providing comments to the draft restoration plan and supplement on behalf of the shareholders of the Pacific Rim Villages Coalition, Ltd., Chenega Corporation, Port Graham Corporation, English Bay Corporation, Chugach Alaska Corporation and the Tatitlek Corporation.

## INTRODUCTION

Shareholders of the Pacific Rim Villages Coalition include Tatitlek Corporation, Chenega Corporation, Port Graham Corporation, Chugach Alaska Corporation and English Bay Corporation. Our shareholders own virtually all of the private land holdings in Prince William Sound, the Kenai Fjords and Lower Kenai Peninsula. Our shareholders are each owned by Alaska Native residents who are subsistence users of resources in the oil impacted area. Our shareholders' and their ancestors have occupied those shores for over 11,000 years.

We have read your draft plan and we have commented. Residents of our villages have commented, and have seen their comments discounted from 22 individual letters to a single letter, from 35 names on a petition to a single entry. We do not believe the system intended to restore the EVOS area is working, nor do we believe you can ignore our concerns. I will discuss, below, why we believe your draft plan and your as supplemental material are not acceptable.

We have proposed, and our constituents have agreed, that the restoration plan should involve a mix of restoration objectives. Oil ought to be removed because persistence constitutes a major threat to the environment, and attention should be given to a model which seeks to restore. We supported a mix of moderate restoration/comprehensive restoration. The Trustees do not indicate whether those models are even still under consideration.



What is apparent is that the Trustees have expended over 25% of the settlement. There is no clear direction. For instance, the public comments addressed injured resources and reduced or lost services. The supplement expressly notes that "injuries persist most strongly in the upper intertidal zones" p. B-15. The report also states that "natural recovery ... will occur in stages as the different species in the community respond to improved environmental conditions" see B-15. The report concludes that "full recovery will take more than a decade ...." see B-16. The report ties such damages to oil persistence: "Subsurface oil persists in many heavily oiled beaches, and in mussel beds, which were avoided during the cleanup" see B-15. Yet, not a drop of subsurface oil nor a single mussel bed has been remediated!

The restoration plan supplement does not even address the earlier concepts of "moderate" and "comprehensive" restoration. Section D of the draft discusses "General Restoration", an experiment.

For instance, the draft proposes subsistence harvests of seals and sea otters may be "voluntarily reduced" if it was mutually agreed a subsistence resource was being over-harvested. See D-3. The problem, however, is that harvesting may not be as great a threat as continued oiling. See e.g., p. B-5, which notes a trend of high concentrations of hydrocarbons in bile of seals as well as damage to nerve cells in the thalamus of seal brains, "which is consistent with relatively high concentrations of ... hydrocarbons" see B-4. The risks posed by oil persisting in the intertidal communities, and continuing threat to ducks and otters is also noted see B-15.

Moreover, the funding for general restoration appears inverse of subsistence concerns. The Council has set out six examples of general restoration. See Section D. Commercial fish resources might be restored by improving spawning and rearing habitats at a cost of \$150,000 - 1.9 mm 1 year see D-4 through 5, while subsistence restoration involves voluntary harvest restrictions. Yet, removing harmful quantities of unweathered oil continues to be experimental. See D-7. And that only pertains to "eliminating oil from mussel beds" see D-7.

We believe that restoration requires removing the unweathered oil and cleaning the mussel beds.

"Recovery monitoring and research", is presently in the developmental stage. This component would involve, however, "the causes of poor or slowed development and design, develop, and implement new technologies and approaches to restore injured resources and reduced or lost services" see E-3. Those resources include seals, salmon, and archaeological resources. We urge you

to promptly implement recovery. Services include subsistence, as one of four services to be monitored. We have recommended immediate implementation of appropriate technology to remove oil, which we assert needs no further study as the cause of continued "poor or slow development".

Section C, "Habitat Protection and Acquisition", also presents more questions than answers. We do not understand the benefit rating system proposed in the draft. See C-17-19. It is not clear whether other resources will be included, and what happened to "subsistence" and "archaeology". The notes indicate that "the comprehensive process may be different from the imminent threat process in other ways as well. See C-19. If you have not figured out a ranking system you ought to so state. How can we comment on something you have not figured out?

We also fault your discussion concerning how such parcels will be managed. Your proposal is overly broad and too general, "i.e. they will be managed in a manner that is consistent with the restoration of the affected resources and services". See C-2. The "threat" aspects appear to be an important criteria. Threat is defined as "habitat degradation", which appears to be "human activity", inclusively. (Does this include limiting subsistence?)

Section C thus appears to be inconsistent, internally and in comparison with other sections of the supplement. As noted, Section B refers to habitat degradation on account of the persistence of oil. Section C refers to degradation on account of human activity. It also includes a discussion of protection on public land, see C-20. This discussion relates to "modifying statutes and regulations". Id. One such suggestion is to provide a "level of protection not provided by existing regulations and management activities". Id. What does this mean?

#### CONCLUSION

The draft supplement appears to be a fundamental reworking of the draft restoration plan and there is inadequate time to comment on a new model. The draft and the supplement leave too many matters unanswered which would appear to us crucial to a restoration plan. There is precious little concern for the human environment. The supplement discounts public comment, over-emphasizes habitat acquisition, and understates the benefits of moderate to comprehensive restoration. As a result, recovery of resources and services necessary to the existence of our communities is being shelved for decades. Indeed, comments from the impacted communities appear to have received no attention.


EVOS Trustees Council  
July 30, 1993  
Page 4

The supplement also leaves too much unexplained to provide meaningful public comment. There is an inadequate explanation of the apparent decision not to proceed with a more comprehensive restoration model. The land acquisition/protection section raises fundamental questions without any clear objective statements. The general restoration section appears unfounded and inconsistent with the recognized injuries to resources and services addressed at Section B. We fail to understand why restoration of Kenai Lake is acceptable, under your view, while restoration of Sleepy Bay mussel beds which bubbles and buries fresh unweathered North Slope crude must be studied.

More emphasis is required an moderate to comprehensive restoration, including the continuing damage caused by concentrated quantities of unweathered oil in upper and middle intertidal areas and mussel beds, on archaeological sites and to our constituents' existence, economy, and way of life.

Very truly yours,

PACIFIC RIM VILLAGES COALITION

By:   
Charles W. Totemoff,  
President & CEO

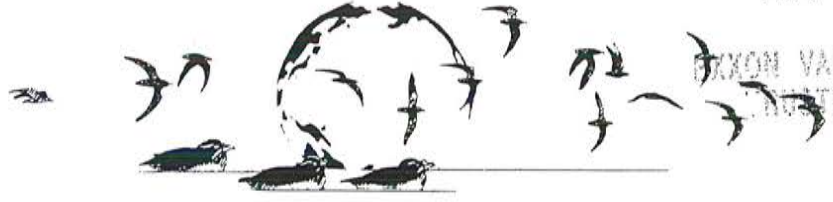
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AUG 11 1993

**Pacific  
Seabird  
Group**



EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

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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

August 6, 1993

BY FAX (hard copy to follow)

Dr. David R. Gibbons  
Exxon Valdez Oil Trustee Council  
645 G Street  
Anchorage, Alaska 99501

**Re: Comments on April 1993 "Restoration Plan"**

Dear Dr. Gibbons:

This letter contains the Pacific Seabird Group's (PSG) comments on a document entitled "draft restoration plan" dated April 1993. PSG expected to receive a draft environmental impact statement (DEIS) that would contain the details of the Trustee Council's proposed restoration plan. By letter dated June 21, 1993, we learned that the DEIS is not yet available. PSG's primary interest at this time is to comment on a DEIS, but we reiterate here our ideas concerning the draft restoration plan that we have submitted to the EVOS Trustee Council during the past two years. PSG recognizes the enormity of the Trustee Council's task in formulating a restoration plan, but urge it to make some hard decisions soon. PSG believes that there is ample scientific evidence and public consensus to proceed with some programs, including predator removal. PSG will object if the 1994 field season is funded in the absence of a final restoration plan.

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 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. Issues relating to damages from the spill and restoration of seabird populations have been discussed by our members for years. Consensus on many issues was reached long ago.

For example, we have previously observed that the best means to restore Alaska's seabird populations would be to remove rats, foxes and other alien creatures from colonies and former colonies. We stand by this opinion. We hope that, as we requested by letter dated November 20, 1992, the U.S. Fish & Wildlife Service will soon submit to PSG for comment a multi-year plan that outlines a comprehensive approach to removing all exotic predators from seabird islands in Alaska within five years.

PSG supports habitat acquisition. Our March 19, 1993 testimony to the House Committee on Merchant Marine and Fisheries concerning the restoration of Prince William Sound (copy enclosed) identified the islands that should be purchased. The Trustee Council solicits comment on whether 35%, 50%, 75% or 91% is an appropriate percentage of funds that should be spent to purchase habitat. There is insufficient information in the April 1993 document to consider intelligently the trade-offs that these funding levels would entail. For example, would the 91% level preclude endowing chairs in marine ornithology? Would the 75% level preclude a comprehensive predator control program? PSG objects to setting funding levels at this time.

As stated in our letter to the Trustee Council dated April 14, 1993, PSG supports the endowment of chairs in marine ornithology at the University of Alaska as an appropriate use of some of the Exxon Valdez settlement funds. This use is justified under the enhancement provisions in the settlement documents. Endowed chairs can provide independent (non-government) research, expertise for contract studies, public education and a source of well-trained scientists to advise or be employed by the responsible agencies.

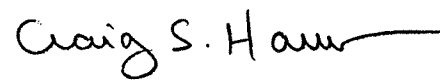
Most birds killed in the spill were migratory. PSG reiterates its strong objection to limiting seabird restoration to the geographic area that the Trustee Council has identified as the spill area. The Trustee Council has spent too much effort attempting to restore seabird colonies at infeasible sites within the spill area instead of planning for compensatory restoration in breeding areas that may be far from the spill area.

Finally, according to federal estimates published in 56 Federal Register 14687 (April 11, 1991), the government processed the following numbers of oiled birds: common murre (10,428 plus some of the 8,851 unidentified murre), harlequin ducks (213), marbled murrelets (612 plus some of the 413 unidentified murrelets), pigeon guillemots (614) and black oystercatchers (9). PSG is concerned that the Trustee Council seems to limit restoration to species that account for about 21,000 of the 35,000 birds that were processed. Restoration should include the species that account for the other 14,000 dead birds (the actual number of dead birds being an unknown multiple of 14,000). As a reference point for this magnitude of injury to seabirds, the federal government is currently pursuing a major law suit in central California concerning a spill that it alleges oiled or damaged about 4,200 seabirds. The Trustee Council should include in its restoration plan the damaged species it

now seems to ignore, including yellow-billed loons, tufted puffins, grebes, shearwaters, cormorants, oldsquaw, scoters, black-legged kittiwakes and ancient murrelets.

In conclusion, PSG urges the Trustees to (1) fund the removal of predators from seabird colonies; (2) purchase seabird habitat; (3) endow university chairs; (4) expand restoration for migratory birds to include the entire state of Alaska; and (5) include all damaged species of seabirds in its restoration efforts.

Sincerely,

A handwritten signature in black ink that reads "Craig S. Harrison" with a long horizontal flourish extending to the right.

Craig S. Harrison

Enclosure

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**Pacific  
Seabird  
Group**



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EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

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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

March 19, 1993

Honorable Gerry E. Studds, Chairman  
Committee on Merchant Marine and Fisheries  
Room 1334, Longworth House Office Building  
Washington DC 20515-6230

**Re: Oversight Hearing on Restoration of Prince William Sound**

Dear Chairman Studds:

The Pacific Seabird Group (PSG) thanks the Chairman for this opportunity to provide our perspective on the restoration of Prince William Sound after the Exxon Valdez oil spill. 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, including Russia, Canada, Japan, Mexico, Australia and New Zealand. Among PSG's members are biologists who study seabirds, state and federal officials who manage seabird refuges, and individuals interested in marine conservation. During the past twenty years, PSG has hosted symposia on the biology and management of virtually every seabird species that the oil spill affected. PSG has commented extensively on the Trustees' restoration plans and one of our founders, James G. King, serves on the Trustees' Public Advisory Group.

**I. Seabirds Were Severely Damaged by the Oil Spill**

Seabirds are particularly vulnerable to oil spills and were perhaps the single resource most damaged by the Exxon Valdez spill. The Trustees estimate that the spill killed as many as 645,000 seabirds, including murrelets, loons, cormorants, pigeon guillemots, grebes, sea ducks, marbled murrelets, Kittlitz' murrelets, black oystercatchers, Bonaparte's gulls, arctic terns, black-legged kittiwakes and tufted puffins. PSG is particularly concerned about marbled murrelets because last September the U.S. Fish & Wildlife Service (FWS) listed the population of this species from Washington to California as threatened under the Endangered Species Act.

## II. Restoration Activities, 1989-1992

PSG recognizes that establishing an infrastructure to plan and implement wisely a \$1 billion restoration program is difficult and demanding. While PSG had some initial problems with opportunities to comment on the Trustees' work plans in a timely manner, we believe that the Trustees have resolved their organizational problems and intend to provide meaningful public involvement in the restoration process. We are especially encouraged that the Trustees have selected a Public Advisory Group and expect that the Trustees will give the opinions of the advisory group much weight.

Despite improvements in the Trustees' procedures, PSG is concerned about some restoration policies. The Trustees seem to be applying an agency pork barrel approach to funding decisions and spend too much money on overhead and projects that do not directly restore natural resources. The Trustees will spend \$38 million on restoration during 1993 that will have little tangible benefit to seabirds. We discuss below PSG's recommended approach to the future restoration of seabirds. PSG also believes that federal and state agencies should use their existing authorities to protect species damaged by the spill. For example, logging on government and private lands (e.g., inholdings in Kachemak Bay State Park and Afognak Island) that are prime habitat for marbled murrelets and harlequin ducks should be curtailed. The National Marine Fisheries Service should enforce the Migratory Bird Treaty Act to protect marbled murrelets in Prince William Sound that drown in gillnets.

PSG believes that the Trustees should ensure that they use the very best available science in making restoration decisions. Restoration requires a multi-disciplinary approach that uses a wide variety of expertise. It is especially important that the Trustees obtain a broad range of peer reviews from biologists who have international reputations in seabird restoration ecology. Many of the most qualified scientists live in Canada or the United Kingdom and, to the best of our knowledge, are not consulted during the reviews of project proposals. PSG would like an opportunity to submit names of additional peer reviewers to the Trustees. We also suggest that the Trustees establish procedures to ensure that their peer reviewers reveal any conflicts of interest that might influence their assessment and/or sponsorship of various restoration projects. On occasion, we believe that the Trustees have proposed studies that cannot be justified scientifically.

In general, we believe that the damage assessment projects for seabirds have been worthwhile. PSG believes that understanding the magnitude of harm is important to decide the types and extent of restoration activities that may be necessary. PSG also believes that the studies on marbled murrelet and harlequin duck habitat requirements should prove to be very useful in assessing potential land acquisitions for these species. These studies also should assist federal and state forestry agencies in establishing the width of forested buffer strips that are necessary to protect the breeding sites of harlequin ducks.



### III. Suggested Restoration Activities, 1993 and Beyond

PSG understands that the restoration team is working on a draft Restoration Plan that will soon be available for public review. PSG intends to be as involved with that process as possible. PSG supports using restoration funds for options that are technically feasible, have a high potential to improve the recovery of injured resources and pass muster under a benefit/cost test. PSG believes that restoration options should be evaluated from the perspective of whether they benefit more than a single resource. PSG's preferred options generally would benefit an entire community of seabirds (and often other organisms), not just a single species.

PSG is concerned that the Trustees have limited their consideration of the restoration of seabirds to the geographic area of the oil slick. While such a geographic criterion may be appropriate for inter-tidal organisms, it ignores the fact that seabirds are migratory. Oiled seabirds were seen in the Pribilof Islands during 1989 and seabirds from the Shumagin and Aleutian Islands probably were killed. Birds may be moving into the oil spill area from elsewhere in Alaska to replace dead birds. The Trustees have thus far refused to implement restoration projects for seabirds elsewhere in Alaska that were directly or indirectly depleted by the spill. Our recommended approach, which we hope will be contained in the Trustees' draft Restoration Plan, focuses on habitat acquisition and the restoration of the natural bio-diversity of seabird breeding islands.

#### A. Habitat Acquisition

Because protecting habitat benefits seabirds and all other wildlife species, PSG supports habitat acquisition as a means of restoring the actual or equivalent resources that the spill injured. Besides acquiring specific seabird colonies (Enclosure 1), PSG strongly supports the purchase of any old growth areas in Prince William Sound, the Kenai Peninsula and Afognak Island. These habitats are important to nesting marbled murrelets, bald eagles and harlequin ducks. Protecting these areas would benefit many other forms of wildlife such as salmon and black oystercatchers as well as enhance recreation opportunities. Land acquisition, however, can be extremely expensive and the Trustees should ensure that the lands purchased are valuable to wildlife and that the benefits are worth the cost. PSG suggests the Trustees consider the use of conservation easements as well as fee purchase. Restrictions on use and development may provide adequate protection at less cost, allowing more land to be protected.

#### B. Restoring Natural Bio-Diversity of Seabird Breeding Islands

PSG is disappointed that the Trustees have not begun to restore the natural bio-diversity of the seabird colonies in the Alaska Maritime National Wildlife Refuge and elsewhere by promoting a program to eliminate exotic rats, foxes and other creatures that

have caused the local extinction of seabird colonies.<sup>1/</sup> Foxes that farmers released on seabird islands and later abandoned depress the breeding population of seabirds on the Alaskan Maritime National Wildlife Refuge by several million each year. FWS should humanely end the suffering of the foxes that were deserted in this hostile environment and barely survive by depredating seabird colonies. The Canadian Wildlife Service is using funds from the Nestucca oil spill to restore seabird habitat in the Queen Charlotte Archipelago, British Columbia, by removing introduced rats and raccoons. This means of restoration is financially feasible and highly effective.

Predator removal has the highest yield of any action that the Trustees might take to restore the actual or equivalent populations of the twenty or so seabird species that the oil spill killed. It would help the entire seabird community to recover, including island-nesting sea ducks, dabbling ducks, oystercatchers, wintering waterfowl, puffins, murrelets, gulls and terns. For example, after farmers stocked Kaligagan Island with foxes in 1921, its seabird population plunged so low that the renowned Alaska naturalist Olaus Murie recommended that it continue as a fox farm. In the 1980s, after foxes had died out, Kaligagan supported 125,000 burrowing seabirds. There is simply no scientific question that introduced predators such as rats and foxes devastate seabird colonies or that removing such creatures can enable the restoration of the natural bio-diversity to the breeding islands.

#### IV. Conclusion

PSG remains cautiously optimistic that the restoration can be a success. We believe that the Trustees have developed procedures to ensure that the trust funds will be spent wisely. We encourage the Trustees to use the very best science in making their decisions. Finally, we strongly encourage the Trustees to include in the draft Restoration Plan our suggestions to acquire appropriate seabird habitat and to restore the natural bio-diversity of seabird breeding islands. Non-native predators on breeding islands kill as many seabirds each year as several Exxon Valdez oil spills. Thank you for this opportunity to lend our expertise and views on these important issues.

Sincerely,

*Craig S. Hanson*

Enclosure

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<sup>1/</sup> FWS had budgeted \$50,000 in 1992 to remove introduced foxes from islands in the Alaska Maritime National Wildlife Refuge. We understand that the Director's office in Washington DC reprogrammed those funds elsewhere over the objections of the Alaska Regional Director and PSG.

# PACIFIC SEABIRD GROUP

## RECOMMENDED SEABIRD COLONIES TO ACQUIRE

### Alaska Peninsula (South Side)

High  
Sutwik  
Ugaiushak  
Fox  
Hydra  
Central  
2 Unnamed islands (Nakalilok Bay)  
Unnamed Islands between Unavikshak and Kumlik  
Spitz  
Brothers  
Cherni  
Sanak

### Fox Islands (Eastern Aleutians)

Tanginak (Akun)  
Kaligagan (including 7 islets on north side)  
Derbin (Tigalda)  
Poa (Tigalda)  
Tangik (Tidgaldal)  
Unnamed islet (Trident Bay)  
Unnamed islet (Akun Strait)  
Puffin  
Ogangan (Unalaska)  
Emerald (Unalaska)  
Ship Rock (Umnak Pass)  
Kigul (Umnak Pass)  
Ogchul (Umnak)  
Vesvidof (Umnak)  
Adugak (Umnak)  
Ananuliak (Umnak)

### Kodiak Island Vicinity

Flat  
Tugidak  
Triplets  
Catherdra  
Ladder  
Sheep  
Cub  
Anee  
Nut  
Puffin  
John  
Chinak Island and Rocks  
Utesistol  
Suitlak  
Middle  
Kekur

### Bering Sea

King  
Fairway Rock  
Egg (Norton Sound)

### Gulf of Alaska

Sand  
Gull  
Middleton

1479 M

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AUG 04 1993

Pine St.Chinese Benevolent Assoc.  
124 Pine Street  
San Anselmo, CA 94960

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

July 30, 1993

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

Dear Council Members:

Your Oil Spill Settlement monies offer a rare opportunity to save timber lands for future use and enjoyment by buying land and timber rights from willing sellers without using taxpayer dollars, while giving oil-impacted ecosystems a chance at restoration.

Buying habitat is the very best way to invest Oil Spill Settlement dollars. The majority of remaining Settlement funds should be spent to protect wildlife habitat from further devastation. Large areas, including entire watersheds should be bought and protected (as with the recent 42,000 acre purchase at Seal Bay on Afognak).

The Trustees should buy and protect at least the following areas: Port Gravina/Orca Bay; Port Fidalgo; Knight Island Passage; Kenai Fjords National Park; Port Chatham Shuyak Straits; and the Kodiak National Wildlife Refuge.

With the funds available and the need clear, this is your chance to make a difference that can be an important part of your legacy to mankind. Please take it.

Appreciatively yours,



Pine St.Chinese Benevolent Assoc.

**tion of Restoration Actions:**

**Restoration activities take place in the spill area anywhere in Alaska provided there is a link to injured resources or services, or anywhere in the United States and there is a link to injured resources or services?**

Limit restoration actions to the spill area only.

Undertake restoration actions anywhere in Alaska there is a link to injured resources or services.

Undertake restoration actions anywhere in the United States there is a link to injured resources or services.

No preference  
Comments:

**S**  
**Habitat Protection and Acquisition** Four of the alternatives habitat protection and acquisition as a means of restoring resources or services (human uses).

**Do you agree that habitat protection and acquisition should be emphasized in the plan?**

NO  
YES. Protection and acquisition will include all habitat types, but may emphasize one over another. Please indicate the habitat types, if any, that should be emphasized. Suggest your own approach if it isn't covered here.

Emphasize acquiring and protecting habitat important to injured resources. Important scenic areas and human use areas with little habitat important to injured resources would be less likely to be acquired.

Emphasize acquiring and protecting habitat important for human use (important scenic areas and human use areas). Habitat important to injured resources, but seldom used or viewed by people, would be less likely to be acquired.

Place equal emphasis on acquiring the most important habitats for injured species and on the most important habitats for human use (scenic and human use areas). Parcels that are only moderately important for injured resources or services would be less likely to be acquired.

Other  
Comments:

If funds were placed into an endowment and the principal inflated, the endowment could fund \$3-\$5 million worth of activities indefinitely.

If answered "Yes" to the previous question, please indicate what the annual endowment earnings should be

- In addition to activities that protect or increase existing human use, also conduct actions that encourage appropriate new uses. Examples are new fish runs, commercial facilities, or visitor centers.
- No preference

Comments:

**COMMENTS**

Please use the space below to describe an area you would like the Trustee Council to acquire or protect, or an area appropriate for any other restoration option such as locations for public-use cabins, or fish passes. Or use the space to write any comments you would like the Trustee Council to know about. If you do describe a particular location, please provide enough detail about the location so we can understand where it is, and which injured resource or service it would benefit. Any comment you write will be greatly appreciated.

The Prince William Sound Aquaculture Corporation has borrowed about \$24 million from the state's aquaculture revolving loan fund. Debt service per year is \$2.0 million, and will peak at \$3.0 million.

PWSAC funds and operates three state hatcheries in addition to the two facilities it built. This financial obligation is increased by the state's insistence that PWSAC fully evaluate hatchery stock/wild stock interactions in the fisheries and that PWSAC pay for mandated evaluation projects which the ADP&G cannot afford.

If the Trustee Council paid off PWSAC's debt, PWSAC would be able to continue to deliver 70% of its hatchery production to the common property fisheries and would be able to fund evaluation studies with funds that would otherwise be used to service its debt. These studies would be largely carried out by the ADP&G.

3/10 M

3/10 M



798 ~~1673~~ M  
Prince William Sound Conservation Alliance

P.O. Box 1697  
Valdez, Alaska 99686  
(907) 835-2799  
Fax (907) 835-5395

August 6, 1993

EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL  
EXXON Valdez Oil Spill Restoration Office  
645 "G" Street  
Anchorage, AK 99501

RECEIVED  
AUG 06 1993

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

Dear members of the Trustee Council:

Prince William Sound Conservation Alliance (PWSCA) has been closely following the EXXON Valdez Oil Spill remediation and restoration projects since the earliest days of the spill. We coordinated a successful volunteer beach clean-up effort and have provided a clearing house for spill related and environmental information. We ask that you consider our enclosed comments on the Draft EVOS Restoration Plan.

Habitat acquisition and protection deserve the highest priority for immediate funding. In some cases, only a brief window of opportunity remains before critical habitats are logged and lost for the foreseeable future.

To minimize expenditures, human and physical resources should be pooled between compatible projects. In addition, projects should be put out to competitive bid whenever possible. Federal and State agencies should be carefully scrutinized in order that EVOS settlement monies are not spent on projects that should come under the agencies' legislatively appropriated operating budgets.

We ask the Trustee Council to remember that some of the most valuable resources in the EVOS area are esthetic resources. These are valuable not only as cultural and spiritual resources, but also as economic ones for the tourism and recreation industries. If esthetic resources are significantly impacted by unsustainable and unrestricted logging and development, then the ecosystem damage caused by the EVOS will be compounded and future cultural and economic opportunities will be lost.

Thank you for this opportunity to comment. We will continue our involvement in the EVOS restoration process.

Sincerely,

Karl Becker  
Secretary, PWSCA Board of Directors

**Prince William Sound Conservation Alliance  
Comments on the Draft EVOS Restoration Plan  
August 6, 1993**

**Issues and Policies**

**Injuries Addressed by Restoration Actions**

- **Target restoration activities to all injured resources and services.** In many instances, monitoring of natural recovery may be the only effective restoration activity.

**Restoration Actions for Recovered Resources**

- **Cease restoration actions once a resource recovers.** Recognize that if the Creator had wanted to build a better mouse trap, She would have done so. In addition, extreme caution should be exercised with restoration actions to avoid collateral injuries to other resources or services.

**Effectiveness of Restoration Actions**

- **Conduct only those restoration actions that provide substantial improvement over natural recovery.** Recognize that natural recovery of injured resources and services is the preferred means of restoration in all cases. Restoration activities should only be conducted when residual effects from the spill are clearly limiting the rate of natural restoration.

**Location of Restoration Actions**

- **Limit restoration actions to the spill area only.** In many instances linkages to injured resources and services may be subtle at best. This will be even more the case as distances from the spill affected areas increase.

**Opportunities for Human Use**

- **Conduct restoration actions to protect existing human use.** Restoration of human uses should only be implemented where direct damages from the spill have occurred. If a human use is limiting the recovery of injured resources or services, new methods of managing that use should be implemented. Examples would be educational materials directed at increasing public awareness of the impacts of human uses on natural recovery.

Infrastructure such as trails, developed to mitigate human impacts on the EVOS injured areas, should be located adjacent to and contiguous with existing communities after consultation with the agencies or organizations

which will be responsible for their maintenance. Oil Spill monies should not be spent on infrastructure projects without a clear vision of the future maintenance funding of those projects. In general, PWSCA opposes the development of using EVOS settlement funds to create new capital projects in Prince William Sound.

## Restoration Categories

### Monitoring and Research

- **Ecological monitoring**

- **Restoration research.** PWSCA recognizes the need for research to monitor the recovery of injured marine related species and the marine habitat. We feel that the studies should be incorporated in a comprehensive research plan directed at better understanding the marine environment as it relates to the EVOS injured species and services.

There may be instances when species not listed as having been damaged by the EVOS merit study because of newly recognized links to species and services injured by the spill. If strong evidence points to these links, the Trustees Council should provide funding for carefully planned research to understand how the linked species may impinge on the restoration of the injured species and services.

### Habitat Protection and Acquisition

- **Place equal emphasis on acquiring the most important habitats for injured species and on the most important habitats for human use.** Fisheries, tourism, subsistence users, and recreationists depend on the integrity of the coastal forest/marine ecosystem. Protecting as much of that ecosystem as possible is the biggest bang for our oil spill settlement buck. Habitat acquisition must occur on the scale of entire watersheds or larger areas in order to protect and restore as many of the EVOS injured resources and services. We must remember that pristine habitats and scenic beauty are resources upon which commercial tourism, recreation, and passive use depends. Clear-cut hillsides are generally not included in the pristine and scenic category.

With respect to commercial, subsistence, and sport fisheries, the protection of wild anadromous habitat is the most important vehicle to insure the recovery of damaged stocks of cutthroat trout, dolly varden, pink salmon, and sockeye salmon.

Marbled murrelets, pigeon guillemots, river otter, archeological resources, clean water and sediments, and designated wilderness areas are resources that depend heavily on intact upland and marine habitat. Saving the marine



environment while losing the uplands will result in damages to the ecosystem as great as after the spill.

### **Comments on Spending**

The Trustees must recognize that the terms of some research projects may extend past the remaining years of the settlement. In those cases, funds for the specific studies could be established that will sink over the remaining life of the studies.

PWSCA does not support the creation of research endowments. We also do not support the establishment of research funds unless those funds are clearly linked to the understanding and restoration of EVOS damaged species and services. Simply put, we do not want valuable and limited restoration monies isolated in funds that will eventually be looking for a place to get spent.

#### **Potential Allocations**

**5% Administration and Public information**

**8% Monitoring and Research**

**12% General Restoration**

**75% Habitat Protection and Acquisition**



798 HEB M

Prince William Sound Conservation Alliance

P.O. Box 1697  
Valdez, Alaska 99686  
(907) 835-2799  
Fax (907) 835-5395

LOC = VDZ

August 6, 1993

EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL  
EXXON Valdez Oil Spill Restoration Office  
645 "G" Street  
Anchorage, AK 99501

RECEIVED  
AUG 06 1993

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

Dear members of the Trustee Council:

Prince William Sound Conservation Alliance (PWSCA) has been closely following the EXXON Valdez Oil Spill remediation and restoration projects since the earliest days of the spill. We coordinated a successful volunteer beach clean-up effort and have provided a clearing house for spill related and environmental information. We ask that you consider our enclosed comments on the Draft EVOS Restoration Plan.

Habitat acquisition and protection deserve the highest priority for immediate funding. In some cases, only a brief window of opportunity remains before critical habitats are logged and lost for the foreseeable future.

To minimize expenditures, human and physical resources should be pooled between compatible projects. In addition, projects should be put out to competitive bid whenever possible. Federal and State agencies should be carefully scrutinized in order that EVOS settlement monies are not spent on projects that should come under the agencies' legislatively appropriated operating budgets.

We ask the Trustee Council to remember that some of the most valuable resources in the EVOS area are esthetic resources. These are valuable not only as cultural and spiritual resources, but also as economic ones for the tourism and recreation industries. If esthetic resources are significantly impacted by unsustainable and unrestricted logging and development, then the ecosystem damage caused by the EVOS will be compounded and future cultural and economic opportunities will be lost

Thank you for this opportunity to comment. We will continue our involvement in the EVOS restoration process.

Sincerely,  
*Karl Becker*  
Karl Becker  
Secretary, PWSCA Board of Directors

	INITIALS	DATE
CODED	<u>CS</u>	<u>8/10</u>
CODES ✓	<u>JD</u>	<u>8/11</u>
ENTERED	<u>Bob</u>	<u>8/13</u>
ENTRY ✓	<u>SM</u>	<u>8/16</u>



1017  
Prince William Sound Conservation Alliance

P.O. Box 1697  
Valdez, Alaska 99686  
(907) 835-2799  
Fax (907) 835-5395

RECEIVED  
MAY 17 1993

May 12, 1993

Exxon Valdez Trustee Council  
Exxon Valdez Restoration Office  
645 G Street  
Anchorage, Alaska 99501

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

Dear Trustee Council Members,

We would like to take this opportunity to make three main recommendations regarding the Exxon Valdez Restoration Plan. We may have other comments before the August deadline, but we encourage you to include these suggestions in the Draft Plan.

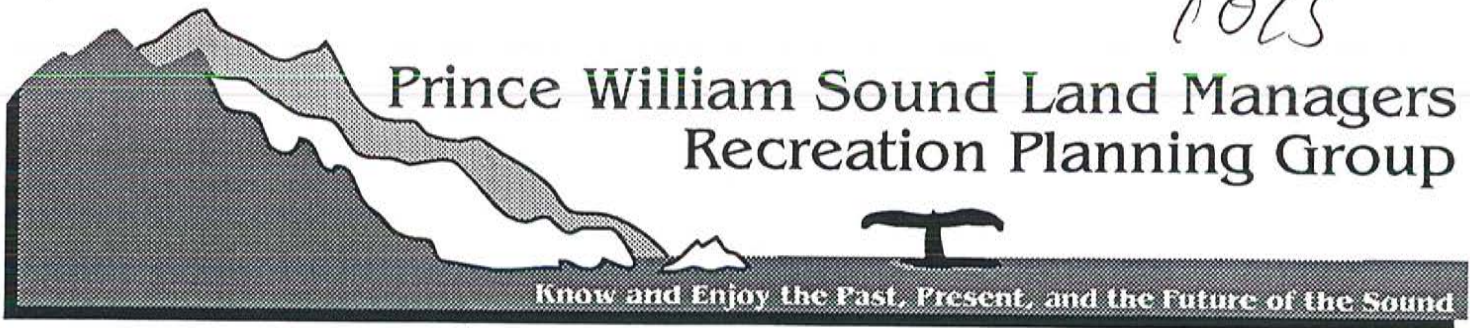
1. We urge you to allocate the bulk of restoration monies to preserving, protecting and enhancing wildlife and fisheries habitats in Prince William Sound. We are unanimous in supporting the acquisition of forests, wetlands, and timber rights to this end. This must be done soon, before logging, mining and recreation developments interfere with the integrity of the ecosystem as a whole.
2. We strongly support City of Cordova's Resolution 93-25, which requests the Exxon Valdez Trustee Council to IMMEDIATELY provide emergency funds for three studies of Prince William Sound fisheries resources. Information provided by these studies will empower local fishermen to better manage their businesses and our collective fisheries resources.
3. We want to discourage using these monies for recreational developments, including docks, cabins, trails, camps, etc. in remote areas of the Sound, EXCEPT for those projects that would benefit local residents and be located near existing communities.

Thank you for seeking our ideas about the best ways to restore the damage done in our beloved Prince William Sound.

Sincerely,

Tony Milionta  
President of the Board of Directors

1065



201 E. 9th Avenue, Suite 206, Anchorage, Alaska 99501 (907) 271-2534

RECEIVED  
MAY 21 1993

May 18, 1993

Mr. Dave Gibbons, Executive Director  
EVOS Restoration Team  
645 "G" Street  
Anchorage, AK 99501

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

Dear Mr. Gibbons:

The Prince William Sound Land Managers' Recreation Planning Group (PWSLMRPG) would like to bring the following issue to your attention in the restoration planning process. Residual oil in the substrate appears to have a continuing effect on some recreation activities. We suggest that if restoration activities are undertaken to assess or mitigate substrate oil effects, that impacts to recreation uses be included in such projects.

We have been working with the recently established Recreation Restoration Working Group in identifying 1994 restoration projects for recreation and cultural resources. We will continue to communicate the consensus views of the PWSLMRPG with respect to recreation and cultural resource restoration needs through the Working Group. The PWSLMRPG will not be commenting as a group on the Restoration Plan, but members may choose to do so individually.

Thank you for your attention.

Sincerely,

*Susan Rutherford*

SUSAN RUTHERFORD  
Chair

**Participating Members**

Alaska Department of Natural Resources  
U.S. Department of Agriculture, Forest Service  
Alaska Department of Fish and Game  
The Eyak Corporation

Alaska Department of Transportation, Division of Marine Highways  
Chugach Alaska Corporation  
The Chenega Corporation  
The Tatitlek Corporation

**RECLAIMERS of ALASKA**

1395 M

PO BOX 1610 CORDOVA, AK 99574 (907) 424-7133

July 30, 1993

Charles E. Cole, Attorney General  
Exxon Valdez Oil Spill Trustee  
645 'G' Street  
Anchorage, AK 99501

RECEIVED  
AUG 02 1993

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

Dear Attorney General Cole;

We are writing to you as a group of concerned citizens regarding the Exxon Valdez settlement funds expenditure. We are apprehensive about the bulk timber buy-back disguised as habitat acquisition and the near total lack of funding for fisheries research and management in comparison.

The Exxon Valdez released 11+ million gallons of crude oil into the waters of Prince William Sound, possibly resulting in damages to the fishing industry. The 1993 herring return was significantly smaller, larger in biomass, and suffering from lesions. A vast portion of the salmon fry this year had to be destroyed due to the infestation of a contagious disease in the hatcheries. This will devastate the salmon return in four years. It is quite apparent that immediate and long term development needs to be secured as a first priority for our fisheries in Prince William Sound.

Timber is a renewable resource that offers a sound economic base for our community. The millions of dollars proposed for this large acquisition will place a moratorium on timber for 3 years **only**. At the end of that time, logging will resume and commercial fishing will be a thing of the past.

*Of the People, For the People, By the People*

We do, however, support the purchase of critical habitat areas including Eyak Lake, Power Creek, and spawning beds. These areas must be protected for the regrowth of our fisheries.

We urge you to make the wisest use of the settlement funds, and not use this as a tool to destroy two fundamental economic bases in Cordova.

Sincerely,

Marla Jean Adkins  
Chair, Reclaimers of Alaska

CC:

Washington Delegation  
Gov. Walter J. Hickel  
Lt. Gov. Coghill  
City of Cordova, City Counsel  
Fish & Game, Cordova  
CDFU, Atten: Jerry McCune  
PWSAC  
PWSCOR  
Eyak Corp.  
Sound Development, Inc.

# Sierra Club

Alaska Field Office

241 E. Fifth Avenue, Suite 205, Anchorage, Alaska 99501

(907) 276-4048 • FAX (907) 258-6807

1634 M



By: Michelle V. Gille

August 6, 1993

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

RECEIVED  
AUG 06 1993

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

RE: "Draft Exxon Valdez Oil Spill Restoration Plan Summary of Alternatives for Public Comment"

Gentlemen:

Thank you for this opportunity to comment. We have not necessarily responded to each of the questions in the "brochure." Instead, we discuss the issues we consider most important, while suggesting a different approach that we believe the restoration plan should take.

1) The Restoration Plan format

The Sierra Club believes that the Restoration Plan should not attempt to name precise percentages or amounts of money to be spent on different categories of activities. We recommend a simple Plan that describes rules and policies for Trustee Council decisions. We recommend the following principles:

Legality: Trustees should clarify what is legal and what is not legal under the oil spill settlement. The settlement is not a "slush fund" for worthy projects. Only projects which advance restoration may be funded. Education and research are worthy goals, but are not legal unless they advance restoration of resources and services damaged in the Exxon Valdez oil spill.

Effectiveness: Trustees should select only those projects which are MOST EFFECTIVE at restoring or preventing further damage to the resources and services which were damaged in the oil spill. The question of whether a project is "time-critical" should no longer be considered relevant. The question of how severely a resource or service was damaged is also not relevant. For example, even though murres were the most damaged of any bird species, it should not follow that murre projects necessarily receive high levels of support. Projects to restore murres -- or any other resources or service -- should be funded only if they will be highly effective at doing so. Massive construction projects do not restore damaged resources and services.

Ecosystem protection: Trustees should give priority to projects which restore and protect whole ecosystems, rather than only one resource or service.

Harmlessness: Trustees should not fund projects which harm a damaged resource or service. For example, a hatchery project which increases the numbers of a certain species but reduces genetic diversity by damaging wild stocks should not be funded. Projects which increase human use at the expense of damaged resources must not be funded.

Geographical priority: Trustees should give preference to projects within the oil spill area, with a diminishing preference as projects move further away from it. However, projects outside the oil spill area should be allowed if they meet the other guidelines, and especially if they can be accomplished more effectively outside the spill area. One of the most effective ways to restore bird habitat is to eliminate predators (such as foxes) which have been introduced to islands by humans. While there are few islands with introduced predators within the spill zone, they do occur along the Alaska Peninsula, the Pribilofs, and the Aleutians. Removal of introduced foxes on these islands is an appropriate and highly effective way to replace bird habitat. Land acquisition outside the spill zone is also appropriate if habitat values are high. Many of the birds and fish killed in the oil spill are migratory.

Long term effectiveness: Trustees should prefer projects which provide lasting protection for injured resources and services. A project which speeds up recovery of a damaged population by a few years is a far less effective use of settlement funds than a project which helps protect populations in perpetuity. Replanting seaweed, or reducing numbers of indigenous avian predators are examples of poor uses of funds because they make only a short term difference in restoration.

No pork: Trustees must not use settlement funds to supplement normal agency functions or to subsidize private enterprise.

Effective schedule: Trustees should not tie the schedule of expenditures directly to the schedule of Exxon's payments. Projects which would be most effective if implemented soon should be implemented, with a schedule of payments over time, if necessary. It is far more sensible to negotiate for large areas of habitat acquisition, and pay for them over time, than to make small purchases each year in order to keep within the scheduled payments from Exxon. On the other hand, a plan for monitoring and study should extend beyond the last payment from Exxon in 2001. Some funds should be set aside for this purpose. However, endowments are not an effective use of settlement funds. Far too little money would be available now, when it is most needed. Also, it would become increasingly difficult to ensure that funds



would be used as intended, to restore damage from the Exxon Valdez oil spill.

2) Habitat Protection

The Sierra Club believes that the best use of oil spill restoration funds is habitat protection. We are on record as favoring expenditure of 80% of the original \$900 million for this purpose. Unfortunately, this appears to be no longer possible, due to the amount of money that has been spent or committed for other purposes. We recognize that there are other legitimate needs for some of the remaining funds. For example, there is a great deal of popular support for studies of damaged fisheries, and this is an appropriate use of some funds.

However, habitat protection is the most effective use of funds. It is legal, it is highly effective, it protects the entire ecosystem, it is harmless, and it provides very long term benefits. Large scale protection could be implemented over the next two years, and paid for over the full eight years of Exxon's payments. Numerous privately owned areas provide high value habitat for damaged resources and opportunities for services. These areas are threatened with degradation which must be prevented through acquisition of land and/or development rights.

The Trustees should pursue large areas for acquisition, not just logging permit areas or buffer strips. Priority areas should include the following (in geographical order, from east to west):

- o Port Gravina/Orca Bay, including Sheep Bay, Simpson Bay, the Rude River drainage, and Hawkins Island (Eyak Corporation)
- o Port Fidalgo (Tatitlek)
- o Knight Island Passage, including Eshamy Bay, Jackpot Bay, and Knight Island (Chenega)
- o Kenai Fjords National Park (Port Graham and English Bay)
- o Port Chatham (English Bay)
- o Shuyak Straits from Red Peaks to Seal Bay (Afognak Joint Venture)
- o Kodiak National Wildlife Refuge (Akhiok-Kaguyak, Old Harbor, Koniag)

3) Administration

The Trustees should reorganize their administration to improve efficiency and reduce conflicts of interest. We recommend a strong executive director, with staff chosen for their expertise in the necessary fields. Trustees should abandon the model of requiring at least one staff member from each agency on each

Oil Spill Restoration Plan Comments  
August 6, 1993  
Page 4

committee. For example, a habitat protection committee should be made up of experts in land acquisition. It does not need staff from agencies which do not manage land. Habitat acquisition should be centralized, rather than divided among different agencies with different procedures, different levels of expertise, and different levels of motivation. Projects should not be proposed and recommended by the agencies that stand to benefit from their funding; this is a conflict of interest which leads to "pork-barrel" projects and diversion of funds to supplement normal agency functions.

Thank you for your attention.

Sincerely,

A handwritten signature in cursive script that reads "Pamela Brodie".

Pamela Brodie

1330 M



# SIERRA CLUB

North Star Chapter

July 28, 1993

RECEIVED  
AUG 02 1993

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

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

Dear Councilmembers:

I would like to respectfully submit comments on the Restoration Plan for Prince William Sound on behalf of the North Star Chapter of the Sierra Club. Our main concern is regarding the use of the funds from the Exxon Valdez Oil Spill settlement. It is our position that these monies could best be used to purchase habitat from private landowners. The preservation of these habitat areas, which are at risk of clearcutting, would provide "safe havens" for wildlife as oil impacted ecosystems recover. Also, preventing clearcutting on these lands would prevent further stresses such as sediment runoff in the already taxed ecosystems within the Sound.

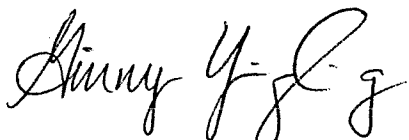
We recommend that the majority of the remaining settlement funds be spent to protect wildlife habitat from further devastation. To accomplish this and to provide ample habitat for larger wildlife, large areas, including entire watersheds, should be bought and protected. At a minimum, as much land as possible in the following areas should be purchased and protected:

1. Kodiak National Wildlife Refuge
2. Kenai Fjords National Park
3. Port Chatham
4. Port Fidalgo
5. Knight Island Passage
6. Shuyak Straits
7. Port Gravina/Orca Bay



After the terrible damage done to habitat and wildlife populations as a result of the Exxon Valdez spill, what could be more appropriate than to use the settlement funds to make amends. The harm of the spill cannot be undone, but we can protect undamaged portions of the ecosystem to aid in the environmental recovery. We strongly urge you to consider this option.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ginny Yingling".

Ginny Yingling  
Conservation Committee Chair

1633 M



United States  
Department of  
Agriculture

Forest  
Service

Chugach  
National  
Forest

201 E. 9th Ave.  
Suite 206  
Anchorage, AK 99501

Reply to: 1600

RECEIVED  
AUG 06 1993

Date: August 6, 1993

Exxon Valdez  
Oil Spill Restoration Office  
645 "G" Street  
Anchorage, Alaska 99501

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

The following comments are offered in response to the Exxon Valdez Oil Spill Restoration Plan Alternatives.

Overall Response to Proposed Alternatives

Although difficult to choose, we prefer Alternative 3 (Limited Restoration) for its overall guiding policies. We generally favor spending oil spill funds within the designated spill area. We favor a program of recreation enhancement within the Sound consistent with the current direction in the Chugach Forest Plan. Included would be trail construction, new cabins and hardened camp sites; and funds over the long term to maintain facilities. The EVOS funded recreation working group could appropriately synthesize the details of recreation development with respect to public views and current management direction.

Within alternative 3 however, we do not favor the creation of new (that is, any facilities in addition to those currently existing or proposed for expansion) hatchery based fish runs in the Sound. The present concerns regarding wild vs. hatchery stocks are of sufficient concern so as to not further promote additional hatchery runs.

Habitat Acquisition Priorities

We favor the placing of equal emphasis on acquiring important habitats for injured species, and important habitats for human use. If important habitat for either purpose has been altered, we would still favor consideration of the parcel. Over the long term, much of the visual quality and surface resources of the land will have been restored. For lands managed by the Chugach National Forest, current Forest Plan Direction provides a high degree of protection.

Funding for an Endowment

We would favor creation of an endowment for long term funding of future projects and activities. A possible organization for the management of the endowment could utilize something similar to the Alaska Permanent Fund. In addition, such an endowment could provide funds for long term maintenance and operation of any





projects and facilities from oil spill funds. We suggest an amount equal to at least 20 percent of the remaining settlement funds may be appropriate. We favor funding of both monitoring and research, as well as habitat protection and acquisition as appropriate.

We also believe that a process based on the long term Restoration Plan needs to be established to allocate such funds on an annual basis. This process could utilize existing agency organizations to administer and implement projects within areas of jurisdiction.

Thank you for the opportunity to comment, if you have any questions please call me.

Sincerely,

*for* BRUCE VAN ZEE  
Forest Supervisor

cc: FLT





United States Department of the Interior

BUREAU OF RECLAMATION  
Upper Colorado Region  
Glen Canyon Environmental Studies  
P.O. Box 1811  
Flagstaff, Arizona 86002-1811



IN REPLY REFER TO:

June 4, 1993

Exxon Valdez  
Oil Spill Restoration Office  
645 "G" Street  
Anchorage, Alaska 99501

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

GLEN CANYON ENVIRONMENTAL STUDIES  
P.O. BOX 22459  
FLAGSTAFF, AZ 86002-2459

Dear Restoration Office:

I have received and reviewed your recent brochure on the DRAFT Exxon Valdez Oil Spill Restoration Plan. The brochure was very well done and reflects well on the many of the basic elements of concern on the alternatives for restoration.

There are several items though that you may wish to consider as you prepare to develop the final alternatives for action:

1. Short-term and Long-term effects.

The majority of the alternatives presented appear to focus on the short-term elements of ecosystem recovery. Equally important is to understand the long-term impacts to population community structure and responses to the chronic effects of the spill. While many of the immediate responses to the spill were well documented, the long-term dynamic variability of the ecosystem components is not well addressed.

The greatest concern that we are dealing with in the Grand Canyon is that many of the publics are wanting an ecosystem that is unchanging and stable. The problem with this concept is that ecosystems by nature are dynamic and respond to fluctuations within normal boundaries and thresholds. The identified discussions in your brochure do not well describe the dynamic issues and the need to understand that dynamism through a form of adaptive management and long-term monitoring and research.

2. Ecological Design of Restoration and Monitoring

The ecological design of the restoration efforts and long-term monitoring programs should include not only the "name" and easily visible species but also those species that make up the food chain and ecosystem variability.

In addition, ecosystem restoration should include not only biological elements but also the processes, elements and habitats that support the main "critical" habitats of the name species. This may mean that ecosystems originally not directly impacted by the oil spill may now be more important in maintaining ecosystem health. Their importance may decrease as the main ecosystem is

restored but until then extra care should be taken to maintain their integrity.

### 3. Adaptive Management and Long-term Monitoring

It is quite likely that even after a set of initial alternatives are agreed upon and a Record of Decision issued that additional changes, based on an evolving system, will be required. In spite of what bureaucrats and administrators may want, the restoration of the aquatic and terrestrial ecosystems around Prince William Sound are going to require extensive and continual monitoring to ensure that the agreed upon actions are indeed satisfying the required endpoints.

One means to accomplish this is by integrating an "Adaptive Management" concept into the monitoring program. Very simply Adaptive Management is defined as continually using the monitoring information as research input to evaluate ecosystem response to action. Monitoring must be looked upon as research in itself and as a continual measure of the effect of restoration.

I have enclosed a paper on the concept of Adaptive Management that was prepared for the issues of ecosystem maintenance in the Grand Canyon.

### 4. Non-Use Value Studies

I know that several non-use studies have been accomplished to date on the issues surrounding the Exxon Valdez issues. From the discussions that I have had with several of those researchers it appears certain that many people "value" the Prince William ecosystem far more than the minor cost of the birds/otters themselves. This should serve as an indicator that the public needs to be fully appraised of the total ecosystem approach to restoration and the needs to look beyond the name species.

We would recommend that a continual public involvement and non-use evaluation be part of the long-term plan.

### 5. Ecosystem Linkages and Thresholds

Little discussion has been made regarding an understanding of the linkages and thresholds that define the ecosystem responses in the Prince William Sound ecosystem. Has this been done or is it being done? A suggestion would be to include dollars for development of a technical paper and brochure for the public on the ecosystem dynamism.

### 6. Decisions and Actions

Who will be responsible for deciding what is accomplished and funded through the restoration program? This should be more fully discussed in the restoration program plan. Will definitive measures of success be developed?



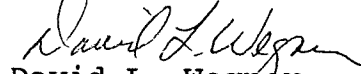
7. Control Areas

Are control areas for identification and measurement of success of the restoration program being set up? This is imperative to identify if your efforts are being successful.

I am sure that many of the points that I have made here are already underway in your efforts to restore the ecosystem however they are not well articulated in the document that I received. I am confident that with the right scientific input that a solid and logical restoration program can be developed.

I would like to remain involved in your efforts and request that you retain me on your mailing list. Thanks and good luck.

Sincerely,



David L. Wegner  
Glen Canyon Environmental  
Studies, Program Manager

**ion of Restoration Actions:**

restoration activities take place in the spill area  
anywhere in Alaska provided there is a link to injured  
resources or services, or anywhere in the United States  
and there is a link to injured resources or services?

Limit restoration actions to the spill area only.

Undertake restoration actions anywhere in Alaska there is a  
link to injured resources or services.

Undertake restoration actions anywhere in the United States  
there is a link to injured resources or services.

No preference  
Comments:

**S**

**Habitat Protection and Acquisition** Four of the alternatives  
emphasize habitat protection and acquisition as a means of restoring  
injured resources or services (human uses).

Do you agree that habitat protection and acquisition should be  
emphasized in the plan?

NO

YES. Protection and acquisition will include all habitat types,  
but may emphasize one over another. Please indicate the habitat  
types, if any, that should be emphasized. Suggest your own  
approach if it isn't covered here.

Emphasize acquiring and protecting habitat important to  
injured resources. Important scenic areas and human use  
areas with little habitat important to injured resources would  
be less likely to be acquired.

Emphasize acquiring and protecting habitat important  
for human use (important scenic areas and human use  
areas). Habitat important to injured resources, but seldom  
used or viewed by people, would be less likely to be  
acquired.

Place equal emphasis on acquiring the most important  
habitats for injured species and on the most important habi-  
tats for human use (scenic and human use areas). Parcels  
that are only moderately important for injured resources or  
services would be less likely to be acquired.

Other  
Comments:

If funds were placed into an endowment and the principal infla-  
tion-adjusted, the endowment could fund \$3-\$5 million worth of  
restoration activities indefinitely.

If you answered "Yes" to the previous question, please  
indicate what the annual endowment earnings should be

or constructing recreation facilities such as public-use cabins.

In addition to activities that protect or increase existing  
human use, also conduct actions that encourage appropriate  
new uses. Examples are new fish runs, commercial facilities,  
or visitor centers.

No preference

Comments:

**COMMENTS**

Please use the space below to describe an area you would like  
the Trustee Council to acquire or protect, or an area appropriate for  
any other restoration option such as locations for public-use cabins,  
or fish passes. Or use the space to write any comments you would  
like the Trustee Council to know about. If you do describe a particu-  
lar location, please provide enough detail about the location so we  
can understand where it is, and which injured resource or service it  
would benefit. Any comment you write will be greatly appreciated.

U.S. Shooting Team

U.S. Shooting  
Team

Consider using  
endowment funds for  
fund. Research  
and Educational  
chairs at  
University of  
Alaska

A23 M

16c

**ation of Restoration Actions:**

**ould restoration activities take place in the spill area , anywhere in Alaska provided there is a link to injured resources or services, or anywhere in the United States provided there is a link to injured resources or services?**

- Limit restoration actions to the spill area only.
- Undertake restoration actions anywhere in Alaska there is a link to injured resources or services.
- Undertake restoration actions anywhere in the United States here is a link to injured resources or services.
- No preference

**ments:**

**IES**

**itat Protection and Acquisition** Four of the alternatives fy habitat protection and acquisition as a means of restoring d resources or services (human uses).

**ou agree that habitat protection and acquisition should be t of the plan?**

- NO
- YES. Protection and acquisition will include all habitat types, ut may emphasize one over another. Please indicate the habitat ypes, if any, that should be emphasized. Suggest your own approach if it isn't covered here.

Emphasize acquiring and protecting habitat important to injured resources. Important scenic areas and human use areas with little habitat important to injured resources would be less likely to be acquired.

Emphasize acquiring and protecting habitat important for human use (important scenic areas and human use areas). Habitat important to injured resources, but seldom used or viewed by people, would be less likely to be acquired.

Place equal emphasis on acquiring the most important habitats for injured species and on the most important habitats for human use (scenic and human use areas). Parcels that are only moderately important for injured resources or services would be less likely to be acquired.

Other

**ment:**

UAF Dept. of Chemistry  
UAF  
Dept. of Chemistry

funds were placed into an endowment and the principal infla- roofed, the endowment could fund \$3-\$5 million worth of ation activities indefinitely.

**ou answered "Yes" to the previous question, please**

Examples are increasing existing sport- or commercial fish runs, or constructing recreation facilities such as public-use cabins.

In addition to activities that protect or increase existing human use, also conduct actions that encourage appropriate new uses. Examples are new fish runs, commercial facilities, or visitor centers.

No preference

**Comments:**

**COMMENTS**

Please use the space below to describe an area you would like the Trustee Council to acquire or protect, or an area appropriate for any other restoration option such as locations for public-use cabins, or fish passes. Or use the space to write any comments you would like the Trustee Council to know about. If you do describe a particular location, please provide enough detail about the location so we can understand where it is, and which injured resource or service it would benefit. Any comment you write will be greatly appreciated.

Long term research in animal health in the area is needed

① To establish new baselines

② monitor future changes due to "hopefully" increased human activity.

452 M

**on of Restoration Actions:**

restoration activities take place in the spill area  
ywhere in Alaska provided there is a link to injured  
es or services, or anywhere in the United States  
d there is a link to injured resources or services?

mit restoration actions to the spill area only.

ndertake restoration actions anywhere in Alaska there is a  
injured resources or services.

ndertake restoration actions anywhere in the United States  
is a link to injured resources or services.

o preference

ts:

**Protection and Acquisition** Four of the alternatives  
bitat protection and acquisition as a means of restoring  
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gree that habitat protection and acquisition should be  
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S. Protection and acquisition will include all habitat types,  
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Emphasize acquiring and protecting habitat important  
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Place equal emphasis on acquiring the most important  
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ts for human use (scenic and human use areas). Parcels  
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rvice would be less likely to be acquired.

Other

Instituted  
Arctic Biology  
Univ of Ak; Fbks

were placed into an endowment and the principal infla-  
i, the endowment could fund \$3-\$5 million worth of  
ctivities indefinitely.

swered "Yes" to the previous question, please

Examples are increasing existing sport- or commercial fish runs,  
or constructing recreation facilities such as public-use cabins.

In addition to activities that protect or increase existing  
human use, also conduct actions that encourage appropriate  
new uses. Examples are new fish runs, commercial facilities,  
or visitor centers.

No preference

Comments:

Under increased human impact  
the management agencies should  
conduct appropriate research

**COMMENTS**

Please use the space below to describe an area you would like  
the Trustee Council to acquire or protect, or an area appropriate for  
any other restoration option such as locations for public-use cabins,  
or fish passes. Or use the space to write any comments you would  
like the Trustee Council to know about. If you do describe a particu-  
lar location, please provide enough detail about the location so we  
can understand where it is, and which injured resource or service it  
would benefit. Any comment you write will be greatly appreciated.

If approximately 2% of  
the ~~income~~ Settlement was placed in  
an endowment, income  
earned could be used to  
establish several  
Professorial Chairs in  
oceanography and biology  
within the University of Alaska  
System. Institute of Arctic Biology, U of F

The individual recipients  
and their graduate students  
could then devote their  
principal research activities  
to impact, restoration and  
long term effects of the  
Saxton Valley oil spill.

Their research legacy  
will be vital to managing

792 M

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1136 M  
RECEIVED  
JUL 26 1993  
EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

UNIVERSITY OF ALASKA  
FAIRBANKS, ALASKA 99701

22 July 1993

Members, EVOS Trustee Council  
654 G Street  
Anchorage, Alaska 99501

Dear Council members,

In addition to mailing in a "newspaper ballot", I take this opportunity to respond to your request for input from the public concerning the fate of settlement funds designated to restore and enhance resources and services damaged by the EVOS of 1989. As a practicing marine scientist and concerned member of the public, I appreciate the kinds of problems that face the council in deciding how to spend the remainder of the settlement funds. Doing this the "first" time is not unlike sailing uncharted waters. As we have all seen, the process of defining damage (beyond the obvious losses of birds, mammals and some fishes) was difficult enough. Attempting to decide how to restore and enhance injured resources appears to be a problem of similar or even greater magnitude. While I may not agree completely about how restoration funding has been allocated in the past, I nevertheless compliment the council for attempting to do something.

In this correspondence I advocate future Trustee Council sponsorship of a comprehensive monitoring and research program to define the recovery of damaged resources and to place the functioning of these resources within the framework of the ecosystem that supports them. We (the scientific community) were caught badly off guard by the EVOS in the spring of 1989. Had there been a general understanding of the form and function of the coastal ecosystem of Prince William Sound, lower Cook Inlet, Kodiak and waters to the west, a much more informed and efficient program of damage assessment and mitigation could have been organized.

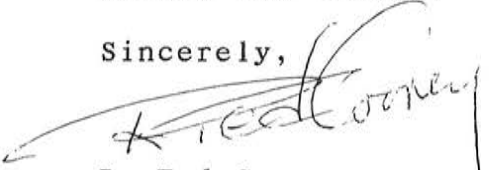
Toward this end, I urge you to establish the Marine Research Endowment crafted by Ken Adams, Ron Dearborn, Bill Hall, Theo Matthews, Jerome Komisar and Arliss Sturgulewski. I realize that the plan needs more work, but the gist of the notion is there. This proposal has the broad support of the organized fishing communities in the spill-affected areas, the regional Aquaculture Corporations, the University of Alaska and (unofficially) state

and federal agency scientists. An endowment of this magnitude could successfully fund the kind of long-term research needed to understand how the coastal ocean community (including birds, marine mammals, and commercial fish and shellfish populations) functions normally in the extremely dynamic oceanographic and meteorological environment that characterizes the northern Gulf of Alaska. This is the kind of information that was missing at the time of the EVOS. This is information that could potentially save hundreds of millions of dollars over the long haul of spill prevention, informed mitigation, damage assessment and future restoration. Without this kind of ecosystem understanding, changes in populations and commercial resources can be attributed to just about anything, and in fact have been.

Only rarely is there a financial opportunity to undertake the kind of focused marine studies needed to describe ecosystem form and function. It is unfortunate that funding for this opportunity was created by a disaster. However, this horrendous event initiated an unprecedented (in U.S. waters) experiment in coastal Alaska. It would be tragic if the over-all ramifications of a cold-water spill of this magnitude were not fully described, and even worse if Alaskans were scientifically unprepared for another event (in Prince William Sound or elsewhere). Providing funding in the form of an Endowment to undertake long-term careful studies of the region will (in my view) pay huge future dividends.

Many will say that enough science has already been done. They must be reminded not to confuse science with the damage assessment activity that was crafted for litigative purposes. While it is true that many of the findings stimulated by the need to assess injury can be used for other purposes, the surface has only been scratched by objective science in the affected region. The means is available now to undertake this task. It must not be lost in squabbles over turf or wranglings over definitions about what constitutes appropriate expenditures. Be bold and secure the future.

Sincerely,



R. Ted Cooney  
School of Fisheries and Ocean Sciences  
University of Alaska Fairbanks  
Fairbanks, Alaska 99775-1080

ideal case, and only tampered with if unlikely to occur over a reasonable time span (ie 10 yrs)

**Restoration Actions:** Should restoration activities take place in the spill area, anywhere in Alaska provided there is a link to injured resources or services, or anywhere in the United States provided there is a link to injured resources or services?

- Limit restoration actions to the spill area only.
- Undertake restoration actions anywhere in Alaska there is a link to injured resources or services.
- Undertake restoration actions anywhere in the United States there is a link to injured resources or services.
- No preference

**Comments:** My choice is based on the belief arbitrary geographical boundaries (ie spill area, AK) are meaningless with respect to biology of many of the species populations of concern

**RIES**

**Habitat Protection and Acquisition** Four of the alternatives identify habitat protection and acquisition as a means of restoring injured resources or services (human uses).

Do you agree that habitat protection and acquisition should be part of the plan?

- NO
- YES. Protection and acquisition will include all habitat types, but may emphasize one over another. Please indicate the habitat types, if any, that should be emphasized. Suggest your own approach if it isn't covered here.

Emphasize acquiring and protecting habitat important to injured resources. Important scenic areas and human use areas with little habitat important to injured resources would be less likely to be acquired.

Emphasize acquiring and protecting habitat important for human use (important scenic areas and human use areas). Habitat important to injured resources, but seldom used or viewed by people, would be less likely to be acquired.

Place equal emphasis on acquiring the most important habitats for injured species and on the most important habitats for human use (scenic and human use areas). Parcels that are only moderately important for injured resources or services would be less likely to be acquired.

Other

**Comment:** UNIVERSITY OF NEVADA RENO  
~ experimental means

funds were placed into an endowment and the principal inflation-proofed, the endowment could fund \$3-\$5 million worth of restoration activities indefinitely.

all answered "Yes" to the previous question please

use, also conduct actions that increase existing human use. Examples are increasing existing sport- or commercial fish runs, or constructing recreation facilities such as public-use cabins.

- In addition to activities that protect or increase existing human use, also conduct actions that encourage appropriate new uses. Examples are new fish runs, commercial facilities, or visitor centers.
- No preference

**Comments:** Options 3 & 4 will have the opposite effect of restoring the spill region to its pre-spill conditions and should therefore not even be considered under the terms of the Restoration Plan

**COMMENTS**

Please use the space below to describe an area you would like the Trustee Council to acquire or protect, or an area appropriate for any other restoration option such as locations for public-use cabins, or fish passes. Or use the space to write any comments you would like the Trustee Council to know about. If you do describe a particular location, please provide enough detail about the location so we can understand where it is, and which injured resource or service it would benefit. Any comment you write will be greatly appreciated.

I believe it is essential that the issue of what "Restoration" entails be addressed. To my mind restoration means to "bring back to former place or condition or use" (Pocket Oxford Dictionary), in other words to return to conditions to those that existed pre-spill. Such a definition is not compatible with the placement of fish runs within the spill area, or other such activities. These behaviours are management (aka gardening). This is not necessarily bad (my personal preference is to avoid such activities) but the use of appropriate terminology in my opinion essential. This issue is routinely ignored by Restoration Biologists and the recognition of it in such a high-profile case would be extremely valuable. Furthermore, I feel that it is important that the ~~steps~~ actions that are taken be accurate

W-PLH



1698 M

**Valdez Convention  
& Visitors Bureau**

P.O. Box 1603 Valdez, Alaska 99686 (907) 835-2984 Fax (907) 835-4845

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

July 8, 1993

RECEIVED

AUG 09 1993

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

Dear Members of the Exxon Valdez Oil Spill Trustee Council:

This letter is written in excited support of the proposed Valdez Visitors & Cultural Center. As an employee of the Valdez Convention & Visitors Bureau I am constantly reminded of the importance The Prince William Sound plays in enriching the Valdez community, as a place of beauty and enjoyment to the visitors and a source of livelihood to many residents who rely on tourism, oil, and fishing. A Center that incorporated information on native history, Prince William Sound education, and showed the effects the Exxon Valdez Oil Spill had on the city and people of Valdez as well as the other communities that were impacted, would enhance the mystique of Prince William Sound while informing the public as to the realities of the Oil Spill and our recovery restoration process.

Valdez needs a place that the importance of the past can be combined with education in the future. Together with Prince William Community College efforts, offices for the VCVB, Valdez Chamber of Commerce, Valdez Native Association, and others, this Center brings together opportunities for studies and preservation of Prince William Sound, and information so that the public can appreciate and understand an important part of our history.

Please recognize all these points of interest as we look towards the future of Valdez and Alaska. Thank you for your time and consideration.

Sincerely,

Suzie Johnson  
Tourism Manager



1019 P

VALDEZ FISHERIES  
DEVELOPMENT ASSOCIATION INC.

P.O. Box 125  
Valdez, Alaska 99686

Admin 907-835-4874  
Fax 907-835-4831  
Hatchery 907-835-5947  
Fax 907-835-5951



April 26, 1993

To: The Exxon Valdez Oil Spill Restoration Council

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

From: Bob Kellar, President

Valdez Fisheries Development Association Inc., would like to request monies from the Exxon Valdez Restoration Plan for the following purpose:

**"Retirement of all hatchery debit for those hatcheries located in Prince William Sound, on Kodiak Island and in Lower Cook Inlet."**

The hatcheries are all located in the Exxon Valdez Oil Spill Impact Area of South Central Alaska and have been greatly affected by this catastrophic spill. The following list includes some of the impacts suffered by the hatcheries, however not all of the impacts are listed because they have not been fully evaluated:

1. Outmigrating hatchery salmon fry were directly exposed to the oil.
2. Both phytoplankton and zooplankton that the outmigration fry feed on were exposed.
3. Dislocation of human resources within the hatchery infrastructure
4. Perception of the hatchery program in the State of Alaska.

The monies allocated for the retirement of the hatchery debit should be disbursed in the following manner.

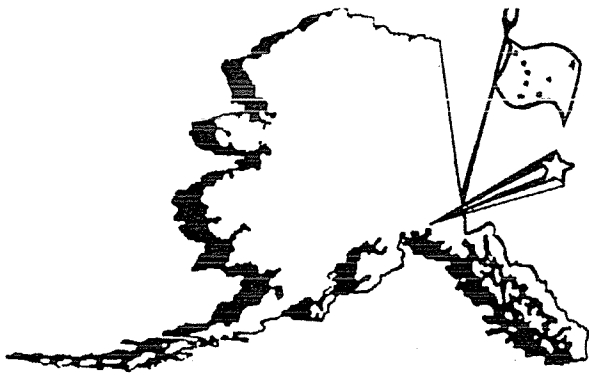
1. Monies would be split with part going back to the revolving loan fund where it originated and part going to an Endowment for Fisheries and Wildlife.
2. By reducing the hatchery debit, the budgets for the hatcheries will also be reduced. This would provide approximately 30-35% more fish to the fishermen through the common property fishery. While this is not a direct disbursement of monies, it is nevertheless a cause and effect response.

The fine points of this proposal still must be worked out with all the involved parties and a consensus must be achieved.

DEDICATED TO THE UTILIZATION, CONSERVATION,  
AND REHABILITATION OF ALASKA'S FISHERY RESOURCE  
WITHIN THE 200-MILE LIMIT

Submitted at Valdez Public Meeting 4/26/93

1764 M



VALDEZ NATIVE ASSOCIATION

P.O. BOX 1108  
VALDEZ, ALASKA 99686  
PHONE: 835-4951

RECEIVED  
AUG 10 1993

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

9th August 1993

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

Dear Sirs,

I have only recently become a member of the Valdez community. Living here has generated within me an awe and wonder of both the many cultural histories and natural histories that belong to this area.

The horror of the 1989 oil spill reached even my far off country of Australia, Where concern for the peoples and the environment of Prince William Sound ran deep. The recovery of the Sound and the efforts to prevent another oil spill tragedy is still being followed with great interest.

Since that time I believe a tremendous amount of effort in both time and money has been invested not only in the clean up but also in the formulation of better preventative practices. This unique and wondrous region can only hold its own, when the industries that work from it are active with its care and protection.

While working as a Community Health Representative, I have come to know and understand the many problems faced by the Alaska Native population as a direct result of the 1989 oil spill. Their lives have been drastically changed and their confidence in the future shaken by the oil spill disaster and consequent changes in their environment.

The monies that have been set aside (by this Trustee Council), to aid in the healing of the areas most affected by the spill, I feel will be most appropriately used to fund a combined cultural/archaeological center. It should be remembered that it is here in Prince William Sound, that the impact of the 1989 oil spill was and still is being felt.

I feel the proposal to build a cultural center replete with its own artifact repository base for collecting and maintaining the heritage of this region is a brilliant one. Alaska Natives of Prince William Sound and the many tourists that visit this area will have a professional center in which the many cultures of this

region will be represented. A center where understanding and learning will be encouraged not only about living cultures and their pasts but also how the oil industry has become apart of their life and times.

The combination of a cultural center and an archaeological center will enable this unique population to maintain and understand their heritage in two ways. Firstly by the interactive nature of a cultural center. In this center people will be actively involved with their cultural heritages through dance, art, story telling, music, and craft. The archaeological center will reinforce and support the different cultures in this region by providing an artifact repository in which artifacts will be treated and studied by professionals.

I strongly urge you to consider this proposal and the many aspects of the life and times of this region it will bring together. This with the support and help from the villages of Chenega, Eyak (Cordova), Tatitlek and Valdez will be a contribution that will live as long as the people in this uniquely beautiful land.

Respectfully,

*Catherine Varra*

Catherine Varra  
Community Health Representative  
Indian Health Services



# Washington Wilderness Coalition

P.O. Box 45187, Seattle, WA 98145-0187 (206) 633-1992 Fax (206) 633-1996

APR 05 1993

3 August, 1993

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

Dear Members of the Trustee Council,

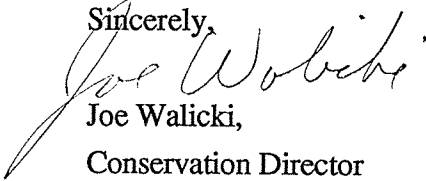
The Washington Wilderness Coalition (WWC) is writing to urge you to support the use of the Exxon Valdez Settlement funds for habitat purchases in Alaska. We feel that buying habitat would be the best possible way to invest the Oil Spill Settlement dollars. The vast majority of the remaining Settlement funds should be spent to buy habitat, which would in turn protect the Alaskan wildlife habitat from further devastation. Large areas, including entire watersheds, should be bought and protected (as with the recent purchase at Seal Bay). Also, the Trustees should buy and protect at least these following habitats:

- 1) Port Gravina/ Orca Bay;
- 2) Port Fidalgo;
- 3) Knight Island Passage;
- 4) Kenai Fjords National Park;
- 5) Port Chatham;
- 6) Shuyak Straits; and
- 7) Kodiak National Wildlife Refuge.

Salmon, Bald Eagles, and Marbled Murrelets are among some of the creatures which were devastated by the oil spill and now depend on the forest habitat. The large-scale logging threat in the oil spill area constitutes what could become a second disaster for these animals. We at the WWC are convinced that using the Settlement dollars to protect the wildlife habitat is the best way to restore their damaged populations.

The Washington Wilderness Coalition is composed of over 40 member organizations and 1,000 individuals, both grass-roots and state-wide, fighting to save wilderness, wild rivers, and wildlife in the United States. Please consider the above-mentioned proposals; we feel that they are the only way to ensure the long-term protection of the oil spill area.

Sincerely,

A handwritten signature in cursive script that reads "Joe Walicki". The signature is written in black ink and is positioned above the printed name and title.

Joe Walicki,

Conservation Director

1359 M



DEAN A. LYDIG  
Chairman  
Spokane

DR. JAMES M. WALTON  
Vice Chairman  
Port Angeles

MITCH JOHNSON  
Puyallup

STATE OF WASHINGTON

WASHINGTON WILDLIFE COMMISSION

600 Capitol Way N. • Olympia, Washington 98501-1091 • (206) 753-3070

TERRY KARRO  
Winthrop

JOHN C. MCGLENN  
Bellevue

NORMAN RICHARDSON  
Yakima

July 28, 1993

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

RECEIVED  
AUG 02 1993

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

Dear Trustees:

This is to complement the trustees on making a great start by using settlement funds to save Kachemak Bay on the Kenai and Seal Bay on Afognak Island.

We know that you are under great pressure to spend the settlement on other projects of little value to restoring fish and wildlife hurt in the spill.

This is to urge you to protect wildlife habitat from further devastation by using the vast majority of remaining settlement funds for buying land and timber rights and protecting habitat.

Sincerely,

WASHINGTON WILDLIFE COMMISSION

*Norman Richardson*

Norman Richardson, Member

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RECEIVED  
AUG 04 1993  
EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

Mark A. Foster  
P. O. Box 101260  
Anchorage, AK 99510  
August 2, 1993

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

Dear Trustees:

As the President of the Western Conference of Public Service Commissioners I hosted a conference in June of this year here in Anchorage. We had over 250 attendees. I was particularly pleased by the substantial number of conferees who have expressed their great pleasure at having had the opportunity to come visit our vast and beautiful state. A number have already begun to make plans to return next year to further their travels.


One theme is clear - they were attracted and will return because we have substantial areas of unspoiled wilderness.

It seems clear that for us to continue to attract significant conventions and visitors we must continue to offer what makes us a great destination - wilderness and wildlife.

As a Trustee, you can help with this investment in our future by making **wildlife habitat acquisition a top priority.**

I would encourage you to target **Port Gravina/Orca Bay, Port Fidalgo, Knight Island Passage, Kenai Fjords National Park, Port Chatham, and Shuyak Straits** for wildlife habitat acquisition.

Your efforts in this regard are greatly appreciated.

Sincerely,  
  
Mark A. Foster

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RECEIVED  
AUG 06 1993

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL

# THE WILDERNESS SOCIETY

August 6, 1993

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

RE: Restoration Plan: Summary of Alternatives for  
Public Comment

Dear Trustee Council:

The Wilderness Society is pleased to provide comments on the proposed Restoration Plan for the Exxon Valdez oil spill. National interests are truly at stake. Most oiled shorelines were within the boundaries of conservation units designated by the Alaska National Interest Lands Act. Designated Wilderness shorelines of Katmai National Park and Becharoff National Wildlife Refuge, proposed Wilderness in Chugach National Forest and Kenai Fjords National Park, and the spectacular defacto wilderness coasts of other national parks and wildlife refuges were harmed by the oil spill. As well, the federal Trustees must represent the public trust of all Americans in their decisions concerning wilderness, wildlife, and other natural resources and services that were damaged by the oil spill.

The cornerstone of the Restoration Plan should be an ecosystem approach that provides restoration by preventing further damage to injured resources by protecting threatened fish and wildlife habitat within coastal forests, rivers, and shorelines by acquiring land, development or timber rights, or conservation easements on a willing seller basis. The Trustee Council needs to move beyond the approach of conducting negotiations by individual agencies for relatively small parcels to a more comprehensive approach supported by a team of top-notch negotiators.

We also believe that the Trustees must be dedicated to a well designed long-term ecological monitoring program using a small portion of the funds. Investigation of on-going damage to fisheries and wildlife resources is necessary and should be done in the context of a comprehensive and well integrated program that addresses not only individual species, but also the relationships between various components of the marine and terrestrial ecosystems.

We oppose endowments due to the imminent need for maximum leeway in

ALASKA REGION

430 WEST 7TH AVENUE, ANCHORAGE, AK 99501

TEL. (907) 272-9453 FAX (907) 274-4145



negotiations for habitat that must occur as soon as possible. We also believe that endowments for research are not needed to ensure that the Trustees make a commitment to a targeted, long-term ecological monitoring program.

Alternatives Presented. We are concerned that the alternatives may be perceived as numerical targets for funding while the rationale for long-term effectiveness for various restoration measures gets lost among the perception of competing interests. Alternative #2 comes the closest to meeting restoration goals since it gives the highest priority to habitat protection and acquisition as our highest priority for restoration but a better concept of a long-term ecosystem monitoring program needs to be included in it. However, the policy questions need to be answered differently (see Table 1 and discussion below).

We oppose alternatives 1,3,4, and 5 because we do not believe they contain adequate priority to habitat protection and acquisition. We believe that the parameters for identifying what kinds of projects are not eligible for Exxon Valdez funds must be clearly laid out so that the Trustec Council does not spend lots of time evaluating proposals that are not suitable.

We oppose virtually all enhancement and manipulation forms of restoration because there is little evidence that they would be effective, and these kinds of restoration generally address only one single species. We find the term "general restoration" misleading, and prefer use of the terms enhancement and manipulation as they are more descriptive as to what is really involved. For all alternatives, manipulation of resources should emphasize management that protects wild fish stocks and natural wildlife diversity and should avoid focusing on only single species. Enhancements should not compromise wilderness and recreational values.

The Draft Plan has exaggerated the effectiveness of "general restoration" listed in the table for alternatives 3, 4, and 5. The only "general restoration" we believe is justified at this time is removal of non-native predators (i.e. alien foxes) on islands that previously supported murre colonies and protection of archeological resources. Except for testing of subsistence foods for contamination, we oppose all options shown for services, especially development of new recreational/tourism facilities and development of new commercial fish runs, hatcheries, other such enhancements. We believe that an option should be added under "Designated Wilderness Areas": priority for habitat acquisition in the Nellic-Juan/College Fjords and other Wilderness Study areas.

We strongly oppose any use of the criminal or civil funds for spill contingency planning and response efforts or research, as we believe there are many other programs where such activities--albeit important--are already mandated and these types of activities do not fall within the parameters of the settlement. This would include any future proposals for "in situ" oil test burns by Alaska Clean Seas/ U.S. Coast Guard or cold water dispersant development.

We also oppose funding for projects, such as roads, ports, "Sealife Centers," trails, cabins, visitor centers, mariculture, or other infrastructure development as these are regular agency programs or are inappropriate under the restoration goals of the civil or criminal settlement. As well, we believe that wetland restoration projects such as have been proposed in the past for Montague Island or hazardous waste cleanups, are regular agency programs that, even if they have merit, should not receive any settlement funds. Furthermore, we do not believe it is appropriate for the Minerals Management Service to seek any funds from the criminal or civil settlement in order to conduct research or its environmental study, assessment, or other pre-lease work for Outer Continental Shelf sales in the spill region or elsewhere in Alaska.

We will discuss our vision for the Ecological Monitoring program, habitat protection goals, and the five policies raised in your newspaper Restoration Plan in more detail.

Long-term recovery monitoring should comprehensively approach the entire ecosystem. Long-term monitoring of the ecological effects of the oil spill is crucial and we support an integrated-ecosystem approach. The goal of this program should be to understand the long-term effects of the oil spill, to evaluate recovery, and to understand the relationships of various components of the spill-affected ecosystem. The Trustee's monitoring program must be better integrated with regular agency monitoring, research, and management so that we best further our understanding of what's going on in the spill affected ecosystem, and also maximize the "bang for the buck".

This program needs to depart significantly from the approach taken for the damage assessment phase dictated by litigation needs which focused investigation on individual species most expected to show dramatic damages. There has also been ample research to document linkages of upland habitats with species injured by the spill and so, continued emphasis on this kind of monitoring is unnecessary.

We believe that the four Proposed Program Components for the monitoring and research program do not clearly distinguish the kinds of information that would be collected and how it would be integrated together. "Recovery monitoring" with the goal of producing a conclusive finding that 'recovery has occurred' for individual species has little relevance if this information is not connected with data about trends in other aspects of the ecosystem, and should not be a primary goal of monitoring. Furthermore, if a definition of "recovery" is used that considers only population-level effects to be significant, this could rule out collecting important data (such as sub-lethal effects) which may give clearer indications of lasting effects throughout the environment. Also, due to lack of baseline information and high natural variability, there may be lasting effects--even to populations--that are not evident from monitoring.

We also believe that it will be virtually impossible to measure the effectiveness rate of most individual restoration projects due to paucity of baseline data and high

natural variability; therefore "restoration monitoring" must be done from a broader ecosystem perspective if it is to be useful. There is little, if any, "Restoration Research" that should be conducted; this should occur only in cases of severe, on-going population declines. We oppose any research into oil spill containment, or oil recovery (such as special cold-water dispersant technology along the lines of the Alaska Clean Seas proposal) under the guise of Restoration research.

"Ecosystem monitoring" should be the framework that all research and monitoring is conducted within. However, this should be done with the goal of understanding the long-term effects of the oil-spill, and better knowledge of the relationships of all parts of the ecosystem. However, the Trustee agencies have the individual responsibilities to assure that there is adequate information in the event of an oil spill or other development. We are specifically opposed to Exxon Valdez settlement funds being used to undertake baseline studies that are needed prior to federal OCS and state offshore oil leasing in areas such as Cook Inlet and Shelikof Strait. While necessary, it is the responsibility of the MMS to assure such studies are done as part of its on-going OCS program.

Employment of local residents should be a priority. The Federal government should make full use of local-hire provisions. Monitoring and long-term research programs, site stewardship of archeological and other cultural resources, and restoration projects should hire rural residents.

In conclusion, a comprehensive program makes the most sense and the Trustee Council needs to develop a new proposal. The "conceptual design" and "conceptual model" for the monitoring program does not appear to provide for adequate participation and decision-making by those with expert traditional indigenous knowledge. This must be an explicit part of the concept of the program. Also, there must be adequate field work, and means of incorporating expert opinion and knowledge from the public.

#### Habitat Protection and Acquisition should be based on Widely Accepted Ecological Concepts

Habitat protection and acquisition should generally occur on a broad scale in order to achieve settlement goals. As Trustees, you have the rare opportunity to protect still intact expanses of habitat used by a diversity of species and that support a range of services which were injured by the spill. Elsewhere, resource managers are left with crumb-sized pieces of habitat for designing nature reserves and from which to decide acquisition priorities. Here, we have the opportunity to apply our finite financial resources creatively and maximize habitat protection on an ecosystem-scale instead of simply biting off a few prime chunks.

The first step is for the state and federal agencies to recognize their role is a

double one and that for their Trustee obligations to be most meaningful, they will commit on-going agency management activities to be compatible with restoration goals. For agencies to use settlement funds to augment existing management actions under the rationale that these are spill-related, and to not work toward the restoration goals in other aspects of its program, thwarts the public interest and commitments made in the settlement.

The public should not be asked to pay from one pocket (restoration funds) to study and restore populations and to protect habitat, while at the same time the government has its hand in another pocket to promote activities that would complicate management or destroy or degrade habitats in this same region -- it is the same wallet, the public's. Since public land managers should already be doing all that they can to restore the ecosystems of Prince William Sound and the Gulf of Alaska, habitat protection efforts should focus on acquisition of large blocks of intact habitat on private lands.

In the spill-affected region, we are blessed with the opportunity to do more than just protect isolated pieces such as nesting sites or streamside buffers. Acquisition of especially rich sites is important, but the integrity of these areas cannot be maintained in isolation from the adjacent habitats, nor is their value independent of the quality of the larger watershed or ecosystem. It is well known that habitat loss causes population declines and can facilitate extinction by transforming large populations into smaller, more isolated ones through the process of habitat fragmentation. *Consensus exists among biologists that, all else being equal, continuous suitable habitat supports more individuals of a species targeted for conservation than does fragmented (discontinuous) habitat* (Thomas et al. 1990).

Certain concepts of conservation strategy widely accepted by specialists in the fields of ecology and conservation biology (Den Boer 1981, Harris 1984, Thomas et al. 1990, Wilcove et al. 1986) that are applicable to Exxon Valdez restoration include:

- o "Bigger is better." Large blocks of habitat are better than small ones.
- o Blocks of contiguous habitat are better than loose aggregations of fragmented blocks due to problems associated with fragmentation and edge effects including increased predation and susceptibility to blow-down, reduced wildlife dispersal and altered movements, erosion, and others.
- o Protected habitats should be distributed across a species' complete geographic distribution.

Our priorities for acquisition are broad areas, including entire watersheds, in these areas:

- ♦ Shuyak Straits - Afognak Island (Afognak Joint Venture holdings) old-growth forest

habitat located along the north part of the island adjacent to and east of the Kodiak National Wildlife Refuge unit on this island.

- ◆ Kenai Fjords National Park - All English Bay and Port Graham inholdings.
- ◆ Kodiak National Wildlife Refuge inholdings on Kodiak Island.
- ◆ Port Gravina / Orca Bay - Eyak Corporation inholdings in Chugach National Forest, including Orca Narrows/Nelson Bay, Sheep Bay, Simpson Lagoon.
- ◆ Port Fidalgo - On-going logging threatens densely forested habitat along sheltered bays near Valdez and Tatitlek.
- ◆ Knight Island Passage - Chenega Corporation inholdings in Chugach National Forest, including Knight Island and Jackpot/Eshamy.
- ◆ Port Chatham - This last stretch of intact forest habitat along the tip of the outer Kenai Peninsula coast, and adjacent to Kenai Fjords National Park, is threatened by logging.

#### Options for the Habitat Acquisition Process

The Restoration Plan must work from the recognition that the ecosystems of Prince William Sound and the Gulf of Alaska were damaged by the spill and approach restoration efforts from the premise that ecosystems need to be restored.

Just as repairing the individual homes or stores flooded out by the Mississippi will not restore the devastated communities, we should not rate the effectiveness of habitat acquisition by judging how well a particular parcel of land might help increase (or sustain) the bald eagle population alone, for example. While we must try to protect, and acquire where threatened, important habitat that serve critical functions for species injured by the spill--we must not look just at the pieces, but at the whole fabric of life that is sustained by intact ecosystems.

A comprehensive approach to acquisition on a large-scale should be taken with a new approach to negotiations. If the criteria developed earlier in the Restoration Framework Supplement from 1992 are to be used, ecosystems will have the best chance for restoration using these options:

- o Concurrent Analysis
- o Imminent Threat Protection process
- o Threshold Set A.

We believe the concurrent analysis with an imminent threat protection process, using the threshold criteria in Set A is the only realistic option for the Trustees in light of the kinds of biological information available and the limitations of existing fisheries and wildlife management programs. Quite simply, the kind of scientific information available about the pre- and post-spill distribution and populations for many fish and wildlife species is inadequate to draw precise conclusions about the effectiveness of most specific management actions. Throughout the world, limitations in our knowledge of ecological systems has led fisheries and wildlife managers to chose protection of wildlife habitat as the best means of protecting wildlife populations.

We support use of the "Imminent threat protection process" described in Fig. 2, not the "Evaluation Process" shown in Fig. 1 of the additional handouts to the Framework Document. Based on the information we have at this time, we prefer Threshold Criteria Set A. We believe that habitat protection and acquisition should be at the top of a hierarchy of restoration options. Considering the options given in the Restoration Framework, we strongly prefer concurrent analysis (Fig. 7--we prefer revised Fig. 7 from handout that shows habitat acquisition on same level as management and manipulation) and are opposed to the hierarchical analysis (Fig. 6) where habitat acquisition may only be considered as a last resort. On both Figs. 6&7, the "adequate" rate and degree of recovery that leads to "no further action" should be changed to reflect that monitoring will continue to assure that further injury wasn't detected or arise later as a result of latent injury or complex ecological interactions.

Table 1. Issues and Policy Questions Addressed in the Alternatives

Issue	Policy Question
Injuries Addressed by Restoration Actions	Address all injured resources and services. There does not have to be a population decline, but priority to species with such declines.
Restoration Actions for Recovered Resources	Continue restoration actions even after a resource has recovered, but priority to species with population declines.
Effectiveness of Restoration Actions	Enhancement and manipulations should be required to produce substantial improvement over natural recovery. High priority to actions that minimize further harm to an injured resource or service.
Location of Restoration Actions	Undertake restoration actions in the entire spill affected ecosystem (i.e. increase boundary to east). Allow actions outside the spill area for species with continuing population declines (lower priority).
Opportunities for Human Use	No restoration actions to develop new human uses of the spill area, or to conduct activities that are regular agency functions for recreation, etc.

## Issues and Policy Questions

### 1. Injuries Addressed by Restoration Actions.

Definition of injury should encompass more than population level effects - We believe that the definition of injury should not focus on detected effects to populations, but should also include degradation of habitats and sub-lethal effects including changes in physiological or biochemical changes or productivity changes. This is crucial since, as the Trustees acknowledge, pre-spill population data is lacking for many species and determination of population declines caused by the spill is complicated by high natural variability or declines that had begun prior to the spill. The public is concerned about habitat and sub-lethal effects. We are pleased that the Trustee Council has begun to give treatment to injuries for which there was no measurable population decline, and believe this could be consistently reflected throughout the Restoration Plan

We are troubled by the definition of "consequential injury" that may give more priority to significant population declines than to habitat degradation or contamination. If habitat or sublethal or chronic effects to adults or any other life stages are continuing, but have not yet been manifested or inferred at the population level, there may still be a problem for which restoration is warranted.

Because this document was based on studies that focused on documenting injury to individual species for legal proof of harm, it seems that potential future environmental injury has been downplayed. Furthermore, the difference between lack of evidence of injury, and lack of effects must be made explicit. For example, the description of Recovery for Sitka Black-Tailed Deer (p. B7, 1993 Supplement to the Summary of Alternatives) should be changed to say, "since there is no evidence that populations of Sitka black-tailed deer were injured or were not injured, no estimate of recovery time can be made.

We encourage the Trustee Council to include in the "Summary of Injury" a more complete description of the more subtle effects; for example, the increased significance of rockfish mortality or physiological changes for such a long-growing species that may live 100 years, or the heavy direct mortality of yellow-billed loons which is of concern since this species has low population numbers. The Summary of Injury should not state there was "no evidence of injury" if there was sub-lethal damage but not population-level effects. "Other Birds" should be listed under "Injured, but no known population decline" on the table of Injured Resources (p.E3, 1993 Supplement).

Recovery concept must include protection of habitat that contributes to natural recovery. We believe that enhancement of ecosystem protection is justified under the terms of the settlement and the recovery concept as written is too narrow. Injury to the ecosystem needs to be described. The summaries of injury to habitats are a good start at describing the injury to the entire ecosystem, but further synthesis of effects on coastal,



riverine, and upland habitats and the array of species they support is needed. As well, food web relationships need greater attention. For example, the ecological significance of uptake of petroleum hydrocarbons by deer from eating kelp was downplayed with the statement "it was determined that the deer were safe to eat," especially since the intertidal habitat section failed to mention the kelp-deer interaction. Initial and potential long-term human health effects from the spill to residents and oil spill workers should be included in the summary since humans are part of the ecosystem.

Better information about Injury to Archeological Resources needed. We recognize that specific information about archeological resources needs to be kept confidential, but if possible, maps or description of which ANILCA conservation units had injured resources would be useful. It is hard for the public to appreciate the magnitude of damage without better information.

## **2. Restoration Actions for Recovered Resources.**

It is warranted to continue restoration actions even after a resource has recovered, although the priority should be for actions for resources with on-going injury. We believe there is a strong basis for maintaining habitat protection indefinitely because there was an permanent loss of the intrinsic value of the fish, wildlife, habitat, and wilderness values lost in the immediate aftermath of the spill. The statement, "As restoration objectives are accomplished over time, some restrictions imposed on management of the lands may be removed," should be deleted from the Step 8, Management, of Habitat Protection and Acquisition on Private Land (p. C9, 1993 Supplement to the Summary of Alternatives).

## **3. Effectiveness of Restoration Actions.**

Enhancement and manipulation actions should be required to produce substantial improvement over natural recovery. High priority to actions that minimize further harm to an injured resource or service.

## **4. Location of Restoration Actions.**

The definition of "oil spill area" could be misinterpreted (for example, the uplands themselves were not oiled but are the logical focus of restoration); we suggest changing it to the "oiled ecosystem." The entire ecosystem affected by the spill should include the entire Prince William Sound east to the outer (east) boundary of the Copper River Delta ecosystem. As a lower priority, allow actions outside the spill area for species with continuing population declines.

## **5. Opportunities for Human Use.**

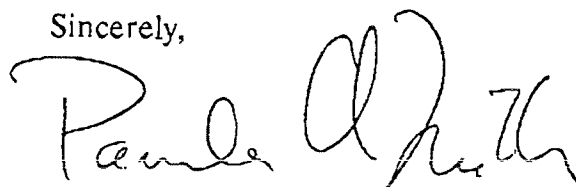
No restoration actions to develop new human uses of the spill area, or to conduct

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activities that are regular agency functions for recreation, etc. We are opposed to trail-building, new roads, docks or ports, lodges or cabins, or other infrastructure or intrusive development.

The Wilderness Society is a national membership organization devoted to preserving wilderness and wildlife, protecting America's prime forests, parks, rivers, and shorelands, and fostering an American land ethic. This non-profit organization has 300,000 members nationwide, nearly 1,400 of whom live in Alaska and many who reside along or use the shorelines of areas affected by the spill. We appreciate this opportunity to comment and look forward to continued involvement in the Restoration Process.

Sincerely,

A handwritten signature in black ink, appearing to read "Pamela A. Miller". The signature is fluid and cursive, with a large initial "P" and a long, sweeping tail.

Pamela A. Miller  
Asst. Regional Director

## References

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