

RPWG
II

STATE OF ALASKA
DEPARTMENT OF LAW
OFFICE OF THE ATTORNEY GENERAL
ENVIRONMENTAL SECTION
1031 W. 4th Avenue, Suite 200
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907/269-5100

Our Fax Number: (907) 278-7022

FAX TRANSMITTAL LETTER

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PLEASE DELIVER THE FOLLOWING PAGES TO:

ERNIE PIPER

FAX NO: 503-3541

Total Number of Pages including cover letter: 10

This is a **PREVIOUSLY FAXED** document.

DATE: 01/09/92

TIME: 1:40 pm

FROM: Alex Swiderski, Assistant Attorney General - Anchorage

IF YOU DO NOT RECEIVE ALL THE PAGES, PLEASE CALL:

bonita nipper or Nina Rebischke at (907) 269-5274.

CHARTER

EXXON VALDEZ OIL SPILL PUBLIC ADVISORY GROUP

1. Official Designation: Exxon Valdez Oil Spill Public Advisory Group

2. Objectives and Scope: In accordance with and pursuant to Paragraph V.A.4 of the Memorandum of Agreement and Consent Decree entered into by the United States of America, through the Department of Justice, and the State of Alaska, through the Attorney General, on August 27, 1991 and approved by the United States District Court for the District of Alaska in settlement of United States of America v. State of Alaska, Civil Action No. A91-081 CV, hereinafter referred to as the MOA, the Public Advisory Group shall advise the Trustees (State of Alaska Department of Law, State of Alaska Department of Fish and Game, State of Alaska Department of Environmental Conservation, U.S. Department of Agriculture, U.S. Department of Commerce and U.S. Department of Interior) through the Trustee Council with respect to the following matters:

All decisions relating to injury assessment, restoration activities, or other use of natural resource damage recoveries obtained by the Governments, including all decisions regarding

(1) the planning, evaluation, and allocation of available funds;

(2) the planning, evaluation, and conduct of injury

assessments;

(3) the planning, evaluation and conduct of restoration activities;

(4) the coordination of (1), (2) and (3).

3. Public Participation. The Public Advisory Group shall establish and implement a public participation program to assist the Public Advisory Group to carry out its responsibilities and functions under the MOA. This program shall be developed considering the public participation plan developed by the Trustees and as a supplement to that program. This program shall conform to all applicable state and federal laws and requirements.

The Public Advisory Group shall:

(1) Review the listing of persons and communities notified of potential action taken or proposed to be taken by the Trustees;

(2) Establish a system for the identification of persons and communities, who or which may be directly or significantly affected by studies authorized by and conducted under the authority of the Trustee Council, or who may be directly and significantly affected by the advice or recommendations given by the Public Advisory Group, as a supplement to the listing prepared by the Trustees; and

(3) Establish review guidelines for and implementation of a system for effective public participation prepared for Trustees to assure that the advice and recommendations of affected persons and communities is presented to the Trustee

Council.

4. Period of Time Necessary for the Group's Activities: By order of the District Court for the District of Alaska, the Public Advisory Group is to advise the Trustees, appointed to administer the fund established in settlement of United States v. Exxon Corporation, Civil Action No. A91-082, and State of Alaska v. Exxon Corporation, Civil Action No. A91-083, both in the United States District Court for the District of Alaska, in all matters described in paragraph V.A.1 of the MOA referenced above. Final payment into the fund is scheduled for September 1, 2001. This Public Advisory Group shall terminate ten years from January 1, 1992 unless extended in writing by unanimous action of the designated Trustees by July 1, 2001.

5. Officials to Whom the Public Advisory Group Reports: The Public Advisory Group shall report to the Exxon Valdez Settlement Trustee Council through the Chair of the Public Advisory Group at Trustee Council meetings or through the Administrative Director of the Resource Recovery Coordination Group.

6. Administrative Support: Administrative support for the Public Advisory Group shall be provided by the Administrative Director and the staff of the Resource Recovery Coordination Group. The Trustee Council shall provide funds to support the functions of the Resource Recovery Coordination Group, including administrative support for the Public Advisory Group, from the joint fund established in the registry of the United States District Court for the District of Alaska in settlement of United States v. Exxon

Corporation and State of Alaska v. Exxon Corporation.

7. Public Advisory Group Composition, Selection, and Service: The Public Advisory Group shall consist of ten members, including a chairperson.

- A. One Chair. The Chair shall be chosen by the Trustees from the members of the Public Advisory Group and shall serve for a term of one year. A member may serve one or more nonconsecutive terms as Chair. The Chair shall rotate between members nominated by Alaska and members nominated by the United States.
- B. Ten Members. The Public Advisory Group shall consist of ten members representing public and private interests which were affected by the Exxon Valdez oil spill or may be affected by proposed studies or restoration projects. The Trustees from the State of Alaska shall nominate five members and the Trustees from the United States shall nominate five members. Each Trustee must concur in the appointment of all members. The Public Advisory Group shall contain one or more representative of the Native Interests as defined in the Consent Decree and Stipulation of Dismissal filed in The Native Village of Chenega Bay v. United States and State of Alaska, Civil Action No. 91-454, U.S. District Court for the District of Alaska, at least one of whom is to be nominated by the United States.
- C. Terms. Each member shall serve a term of two years,

except five of the initial members (three nominated by the State of Alaska and two nominated by the United States) shall serve an initial term of three years. Members are eligible for reappointment.

D. Vacancy. Any vacancy shall be filled in the same manner in which the original appointment was made.

E. Officers. The Public Advisory Group shall have two officers, a chair and a vice-chair, both appointed by the Trustees. The vice-chair will be appointed chair the year following appointment as vice-chair. There shall be no other officers. The Public Advisory Group may appoint subcommittees from its immediate membership and may appoint a chair of such subcommittee from Public Advisory Group membership. The Chair, or the vice-chair in the absence of the Chair, shall represent the Public Advisory Group at the Trustee Council meetings and shall speak for the Public Advisory Group when appropriate, reporting both majority and dissenting opinions. [Designated federal official responsible.]

9. Compensation and Expenses: Compensation and expenses, including travel, per diem and administrative support, shall be borne by the Trustee Council from the joint fund established in settlement of United States v. Exxon Corporation and State of Alaska v. Exxon Corporation.

A. While away from home or regular place of business in performance of the business of the Advisory Group, travel expenses, including per diem in lieu of subsistence,

shall be allowed in the same manner as persons employed intermittently in the United States service under 5 U.S.C. 5703(b).

- B. Time spent in attendance at Advisory Group meetings shall be compensated at an hourly rate not to exceed that provided for level_____ of the Executive Schedule contained in Title 5 of the United States Code.

10. Council Meetings and Records. The Public Advisory Group shall meet as directed by the Trustee Council, but no less than four times per year.

- A. As directed by the Trustee Council, the Public Advisory Group may hold such hearings, take such testimony, receive such evidence and produce reports necessary for it to carry out its responsibilities as enumerated paragraphs 2 and 3.
- B. All Public Advisory Group meetings will be open to the public. Any member of the public is permitted to file a written statement with the Public Advisory Group and any member of the public may speak at a Public Advisory Group meeting.
- C. Detailed minutes of all meetings, including the time, date and place of the meeting, names of the Public Advisory Group members and other staff of the Trustee Council present, names of the public who presented oral or written statements, an estimate of the number of other public present, an accurate description of each matter

discussed and the resolution, if any, made by the Public Advisory Group, and copies of each report or other document received, issued or approved by the Public Advisory Group, shall be prepared and made available to the public through the Administrative Director of the Resource Recovery Coordination Group. The Chair shall certify to the accuracy of all minutes of the Advisory Group.

D. Meetings of the Public Advisory Group shall be held at a reasonable time and in a place reasonably accessible to the public. Notice of meetings shall be published in accordance with AS 44.62.310(e), AS 44.62.175 and 41 C.F.R. 101-6.015(b).

E. All accounts and records of the activities and transactions of the Public Advisory Group shall be kept and maintained by the staff of the Resource Recovery Coordination Group and shall be available for public inspection at the offices of the Resource Recovery Coordination Group.

F. All rules and procedures governing the proceedings of the Public Advisory Group must be approved by the Trustee Council.

11. Administrative Authority. The Public Advisory Group and its officers shall have no administrative authority, except to recommend budget needs to the Administrative Director of the Resource Recovery Coordination Group. The Trustee Council through

the Administrative Director shall procure all needed space, supplies, equipment and support. The office of the Public Advisory Group shall be located with the office of the Resource Recovery Coordination Group in Alaska.

12. Estimated Operating Costs: The first year's estimated total operating cost for the Public Advisory Group is \$150,000. This cost shall be borne by the Joint fund established in settlement of United States v. Exxon Corporation and State of Alaska v. Exxon Corporation.

13. Termination Date: The Public Advisory Group shall terminate on January 1, 2002 unless extended as provided in paragraph 4.

14. Authority: This Public Advisory Group is established as mandated by paragraph V.A.4 of the MOA.

RRCG Meeting
January 9, 1992
10:00 A.M.

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Attendees:

Mark Brodersen
Byron Morris
Ken Rice
Tim Steele
Ernie Piper
Joe Sullivan
Carol Gorbics
Paul Gertler
Sandy Rabinowitch
Cordell Roy
Art Weiner
Marty Rutherford
Mike Dean
Dave Gibbons
Barbara Iseah
Mark Frakker

The following handouts were distributed:

Agenda
Damage Assessment Restoration Summary Sheet
Proposed Oil Year 4 Damage Assessment and Restoration Work Plan
(original and revised copy)
42 USCA
Schedule for Public Meetings on Exxon Valdez Restoration
Recovery Monitoring Projects
Charter - EVOS Public Advisory Group
Public Participation Update Memo
1992 Restoration Implementation Projects
Administrative Staff
Draft Public Participation Plan Budget
EVOS Proposed Organizational Budget
Memo re: Private Lands Liaison Subgroup

A. Public Participation Plan - the following representatives will attend meetings:

January 14th - Seward - Sandy Rabinowitch, Peg Kehrer, Mo McGee - role is to collect information

January 14th - Valdez - Ken Rice, L.J. Evans, Ernie Piper

January 20th - Cordova -

Prior to scheduling public meetings, several questions need to be answered:

Federal Advisory Committee Act ramifications?

What do the trustees envision the public advisory group doing?

Two principle options for the group:

- one less informal group that provides two-way feedback
- one group with the focus of a public participation program taking public testimony and presenting this to the trustees

What is the objective of the group? The information obtained may be totally irrelevant.

Option should be to do more staff work to see what applies. The document should be examined to see if the proposed framework is correct.

Another option would be to operate pending a charter.

Discussion was postponed until this afternoon and review of the document (existing version and option version). The group will not go forward with the proposed schedule for January meetings. It may be possible to do several meetings the end of January.

B. NRDA/Restoration Handouts - summary prepared by Jerome Montague for public meetings

It was decided to review this document during lunch and then discuss the contents after lunch.

C. Policy Questions for Trustee Council

There will be no discussion of the restoration framework status. The group will review information from the package developed on January 2nd and 3rd but will not revisit the entire package. Policy questions will be fleshed out and a list will be developed of projects the group would like to revisit.

Studies which will be revisited:

Damage Assessment

- Archaeology Closeout - request a detailed study plan for \$127,000

Restoration

- Brown Bear
- Pink Salmon (original R-60)
- Killer Whales
- Pigeon Guillemot
- Black Oystercatchers
- Bald Eagles
- Sea Otter

-Shrimp (Adult)

Revisiting entails having the agencies come in with a different approach.

Lunch break until 12:30.

Meeting reconvened and the group began wordsmithing the Damage Assessment and Restoration Work Plan prepared by Jerome Montague. Dave Gibbons maintained a master copy of the revisions. These revisions reflect the consensus of the group. A copy was provide to CACI staff for a draft reflecting the revisions.

Policy Questions:

1. **Secondary Effects** - Shall joint fund monies be utilized for the beneficiation of non-injured species (species not directly affected)?

Specifically, should the RRCG process consider secondary effects resulting from the spill?

Can secondary effects be considered in EVOS spending? Examples include:

1) sockeye salmon - A species injured as a result of overescapement in 1987 (Glacier Bay), 1988 and 1989 (EVOS); resulting in reduced return in 1993-95 and perhaps beyond; very expensive

2) pink salmon - a) oil spill injured wild stocks b) existing mixed-stock fisheries (hatchery-wild stocks) resulting in fishing pressures on injured wild stocks. Changing management could reduce pressure on wild stocks. Is this an appropriate tool paid for by EVOS? Enhancement of wild stocks could be achieved by increasing precision and accuracy of management by:

- ID interaction of hatchery vs. wild stock (i.e. prey, PWS carrying capacity)
- Develop tools to separate stocks

3) rockfish - increased harvest of rockfish resulting from a variety of factors which includes EVOS. Insufficient information exists to manage rockfish. Should EVOS funds be used to develop needed information?

4) archaeology - EVOS resulted in increased vandalism of archeological sites because of increased awareness of locations of artifacts.

2. **Multi-year Commitments**

3. **Consideration of Public Proposals**

4. Appropriations
 5. Public Access to Project Proposals (all)
 6. Lost Services (enhancement of recreational opportunities)
-
7. Legal Team

Damage Assessment Restoration Summary Sheet reviewed for consistency. The following need policy questions answered:

R60
R11
R104
R52
R53
R58
R59
R45
FS27
FS28
FS30

Agenda item, Implementation Project Review, was deferred. A meeting is scheduled for implementation project review and revisiting studies on Tuesday and Wednesday in Juneau. The meeting sites are Fish and Game on Tuesday and Forest Service on Wednesday.

- D. **Organization** - Administrative and Financial Management Group is needed for budget formulation and will be formed from agency personnel as part of the executive director's office. Two people will be identified (one state and one federal). They will replace in the near future the budget and process interim group.
- E. **Simpson Building/Support Staff** - Why is a centralized building needed and why is the Simpson Building needed - the dispersed way is not efficient. Dave will develop a presentation for the meeting tomorrow.
- F. **Formation of "Habitat" Sub-group** - Approval will be requested from the Trustee Council for establishing this group.
- G. **Chief Scientist** - Dave proposed that Bob Spies' contract be extended for eight months.

Handouts of the following items may be provided at tomorrow's council meeting:

NRDA Studies

Restoration Projects for 1992

Public Participation

Formal Adoption of the Operating Procedures

Meeting will reconvene tomorrow at 8:30 to discuss public involvement and the Simpson Building.

AGENDA
RRCG MEETING
JANUARY 9, 1992

1. Public Participation Plan
2. NRDA/Restoration Handouts
3. Policy Questions for Trustee Council
4. Organization
5. Review of material for Trustee Council*
6. Simpson Building/support staff
7. Formation of "Habitat" Sub-group
8. Chief Scientist
9. Implementation Project Review

EXXON VALDEZ POST SETTLEMENT 1-9-92
PROPOSED ORGANIZATIONAL BUDGET

TRUSTEE COUNCIL

| | | |
|----------------|--|------------|
| Seven Members: | - 3 Federal Trustees | |
| | - 3 State Trustees | |
| | - EPA as an Advisor | |
| o | Stipend (Agency support costs) \$25K per member | \$175K |
| o | Per-diem (\$150 X 10 meetings 1st year X 7 members X 2 days per meeting) | 21 |
| o | Travel (\$600 X 10 meetings 1st year X 7 members) | 42 |
| o | Public Meeting Costs - Telaconference, Transcription, Room, etc. (\$8K X 15 meetings) | <u>120</u> |
| Total | | \$358K |

PUBLIC ADVISORY COMMITTEE

Ten Members

| | | |
|-------|---|-----------|
| o | Staff Assistant | \$75K |
| o | Meeting and office space (assume meetings and staff office space co-located with RRCG) | 0 |
| o | Supplies and materials | 20 |
| o | Per-diem (\$150 X 11 members and staff X 10 meetings 1st year) | 15 |
| o | Travel (10 members X \$600 X 10 meetings + Staff travel 10 remote meetings 1st year) | <u>66</u> |
| Total | | \$176K |

RESOURCE RESTORATION COORDINATION GROUP
RRCG

Seven Members: - 3 Federal Trustees
 - 3 State Trustees
 - EPA as an Advisor

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- o Seven full-time FTE (\$75K X 7 Trustees and EPA) \$525K
- o Travel and Per-diem (\$15,000 per year ave. X 7) 105

Subtotal

\$630K

OFFICE OF THE ADMINISTRATIVE DIRECTOR
(Staff and Support)

- o Administrative Director \$80K
- o Clerical & Administrative support for RRCG and RPSG (3ea) 120
- o Travel (Administrative Director, 2 days per week X 50 weeks X \$150 per day + \$600 X 50) 45
- o Space, utilities, phones, security, equipment rental and maintenance agreements, supplies, courier and postage, and other costs (This figure is based upon historic costs and space needs and could change significantly depending upon where business is to be conducted) 200
- Subtotal \$445K

Financial Management

- o Budget Analyst \$55K
- o Travel 15
- o Equipment and supplies 20
- Subtotal \$90K

Restoration Planning Subgroup
(Co-chaired EPA and AK)

- o Seven full-time FTE (\$75K X 7 Trustees and EPA) \$525K
- o Salaries other Tech expertise (GIS, Natural Resource Planning, Economics, Natural Resource Technicians and Technical Writing/Editing) 440
- o Travel and per-diem (\$5,000 per year ave. X 7) (It is assumed these people are co-located) 35
- Subtotal \$1,000K

Scientific Support

| | |
|-------------------|------------|
| o Chief Scientist | \$150K |
| o Peer Reviewers | <u>500</u> |
| Subtotal | \$650K |

Public Outreach

| | |
|---|------------|
| o Public Information Officer | \$55K |
| o Administrative Record Specialist | 55 |
| o Resource Center Coordinator | 55 |
| o Public Outreach Specialist | 55 |
| o Clerical Support (2 persons) | 80 |
| o Public Resource Center - Space, utilities, phones, security, equipment rental and maintenance agreements, supplies, courier, postage, and other costs (These projected costs and space needs could change significantly depending upon how and where business is to be conducted) | 200 |
| o Travel for Public Meetings (8 communities 2 times plus 4 additional meetings X \$10K) | <u>100</u> |
| Total Public Outreach (Less PAG) | \$600K |
| Subtotal Administrative Director | \$2,785K |

TOTAL ORGANIZATIONAL BUDGET

\$3,949K

* NOTE: THIS BUDGET DOES NOT INCLUDE AGENCY PROJECT ADMINISTRATIVE AND OVERHEAD COSTS.

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ADMINISTRATIVE STAFF

| | | |
|--|-------|----------|
| 1 - Administrative Director | - | 1 |
| 2 - Administrative/Clerical support (RRCG Administrative record, Receptionist, etc.) | - | 3 |
| 3 - Public Information Officer (PIO) | - | 1 |
| 4 - Public Resource Coordinator | - | <u>1</u> |
| | Total | 6 |

REASONING:

- We heard you!
- Minimal Budget
- BLM Resources Librarian @ \$50,000/yr.
- Our view of initial needs/response to public
- Policy: Restoration Activities should support itself

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January 10, 1992

**PROPOSED OIL YEAR 4 (March 1992 - February 1993) DAMAGE
ASSESSMENT AND RESTORATION WORK PLAN**

The Resource Restoration Coordination Group (RRCG) met for two weeks in December to decide on an oil year (OY) 4 work plan. A list of proposed projects totaling approximately \$30 million was reviewed and some projects were eliminated or reduced resulting in a program totaling about \$25 million. This was presented to the Trustee Council on December 19, 1991. Based upon the Council's guidance, the RRCG met on January 2 and 3, 1992, to reevaluate the proposed program and consider reductions. This review resulted in deferral or reduction of projects to a program totalling about \$17 million.

INJURY ASSESSMENT ACTIVITIES

Continuation

Full evaluation of the injuries to resources necessitates additional field efforts this year and will require closeout activities in 1993. Nine injury assessment projects are proposed to be continued with field and laboratory work costing \$2.8 million. These include projects on sockeye and pink salmon, mussels, shrimp, river otters, hydrocarbon contamination, and associated technical support for data base management and geographic information systems.

Closeout

Injury assessment studies need to be brought to a logical conclusion in order to present the results of multiyear studies to the public and the scientific community and to provide the basis upon which to plan and implement a restoration program. Thirty-one damage assessment projects are proposed to be completed, at a cost of \$4.9 million, with final reports due this year. These require analyzing existing data and writing reports. A few need additional fieldwork. These projects include 9 bird, 8 subtidal, 8 fish and shellfish, 3 marine mammal, 2 coastal habitat and 1 archaeological study.

RESTORATION ACTIVITIES

Restoration projects have been subdivided into the following categories: (1) monitoring recovery of injured resources; (2) providing information that will improve management of injured resources; (3) manipulating populations and/or habitats to enhance recovery or productivity, and (4) identifying habitats that require protection either through acquisition or changes in agency management action.

Recovery Monitoring

Monitoring includes those projects that monitor species or environments for which injury has been established and recovery or lack thereof can be measured. Ten projects have been proposed at a cost of \$4.5 million which cover subtidal and coastal environments, anadromous fish, sea and river otters, sea birds, and bald eagles.

Restoration Implementation

A. Management Actions

These projects will provide information to enable changes in management actions to help restore injured resources. There are 7 projects at a cost of \$2.1 million includes anadromous fish, rockfish, herring, archaeology, and harbor seals.

B. Manipulation/Enhancement

These projects are intended to enhance production or population sizes above the rate of natural recovery. Two projects are proposed for pink and chum salmon at a cost of \$426,000. Additional implementation proposals are being developed and will be added in the near future.

C. Habitat Acquisition and/or Protection

These projects provide information on high-value habitats and habitat needs for injured resources. They will provide information needed to plan and implement habitat protection measures. Four projects at a cost of \$1.8 million are proposed to provide information on marbled murrelet, harlequin duck, anadromous fish, and general upland habitat to support restoration decisions.



ALASKA DEPARTMENT OF
ENVIRONMENTAL CONSERVATION
EXXON VALDEZ OIL SPILL RESPONSE CENTER
4241 B STREET, SUITE 304
ANCHORAGE, ALASKA 99503
907/563-1126

Release

Walter J. Hickel, Governor

John A. Sandor, Commissioner

Date: January 2, 1992
Subject: Trustee Council Meeting
Contact: L.J. Evans, 563-1126

EXXON VALDEZ TRUSTEE COUNCIL MEETING

A meeting of the *Exxon Valdez* Oil Spill Settlement Trustee Council will be held at 6:30 p.m., Friday, January 10, 1992, at 1016 West Sixth Avenue, Suite 305, Anchorage, Alaska (the hearing room of the Alaska Public Utilities Commission). Access by teleconference will be available in the following communities:

Chenega Bay Volunteer Teleconference Center
Chenega Bay

Cordova Volunteer Teleconference Center
Cordova City Hall

Homer Teleconference Center
126 W Pioneer, #4, Homer

Kodiak Legislative Information Office
112 Mill Bay Road, Kodiak Plaza Building, Kodiak

Seward Volunteer Teleconference Center
Seward Public Library

Kenai Peninsula Legislative Information Office
3482 Kalifornsky Beach Road, Suite A, Soldotna

Valdez Legislative Information Office
Room 13, State Court and Office Building, 121 Hazelet, Valdez

Juneau - Room 211 of the State Capitol Building.

- more -

Agenda items to be discussed include Chief Scientist contract, interim public participation plan, the 1992 Work Plan Matrix summaries for restoration and damage assessment, fiscal issues, the oil spill information center, and facilities for the Resource Restoration Coordination Group. The public will be provided an opportunity to comment.

The Trustee Council consists of: Charles E. Cole, Alaska Attorney General; John A. Sandor, Commissioner of the Alaska Department of Environmental Conservation; Carl Rosier, Commissioner of the Alaska Department of Fish and Game; Michael Barton, U.S. Forest Service Regional Forester Alaska Region; Steve Pennoyer, Director of the Alaska Region of the National Marine Fisheries Service, National Oceanic and Atmospheric Administration; and Curtis McVee, Special Assistant to the Secretary for Alaska, U.S. Department of Interior.

Until the Trustee Council makes long-term arrangements, ADEC's L.J. Evans will be acting information officer. For more information, please contact Evans at 563-1126 or Mary McGee at 278-8008.

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ALASKA DEPARTMENT OF FISH AND GAME
OIL SPILL IMPACT ASSESSMENT AND RESTORATION (OSIAR) DIVISION
P.O. BOX 25526
JUNEAU, AK 99802-5526
FAX NUMBER: (907) 586-9612
PHONE NUMBER: (907) 465-4125

TO: *Dore Gibbons*

DATE/TIME

*1/9/92*FROM: *Jerome Montague*SUBJECT: *92 Work Plan Presentation*

LITIGATION SENSITIVE - ATTORNEY WORK PRODUCT

*This corrects some of the #'s on the
one I sent out last night*

TRUSTEES:

FAX

FAX

| | | | |
|-------------------|--------------|-----------------|--------------|
| COLE, Charles | 907 463-5295 | MADIGAN, Edward | 202 447-7271 |
| KNAUSS, John | 202 377-5270 | ROSIER, Carl | 907 465-2332 |
| LUJAN Jr., Manuel | 202 208-5048 | SANDOR, John | 907 465-2617 |

TRUSTEE COUNCIL:

| | | | |
|--------------|----------|------------------|----------|
| ROSIER, Carl | 465-2332 | COLE, Charles | 463-5295 |
| EWING, Al | 271-3424 | SANDOR, John | 465-2617 |
| BARTON, Mike | 586-7840 | PENNOYER, Steven | 586-7131 |
| MCVEE, Curt | 271-4102 | | |

MANAGEMENT TEAM:

| | |
|----------------------|--------------|
| <u>GIBBONS, Dave</u> | 586-8781 |
| MACMULLIN, Susan | 202 260-5711 |
| MONTAGUE, Jerome | 586-9612 |
| MORRIS, Byron | 789-6608 |
| LEFEBVRE, Dick | 762-2529 |
| BRODERSON, Mark | 465-2378 |
| BERGMANN, Pamela | 271-4102 |
| SPIES, Robert | 415 373-7834 |

LEGAL TEAM

| | |
|----------------------------------|--------------|
| SLEATER, Regina | 271-4143 |
| NICOLL/O'CONNOR/ BELT | 206 526-6665 |
| FOX, Martha | 206 553-0300 |
| LISOWSKI, Maria | 586-7251 |
| SWIDERSKI, Alex | 278-7022 |
| FREEDMAN, Bart | 206 623-7022 |
| CACI/WILLIAMS/STEELE/MACMULLIN | 276-7178 |

OTHERS:

| | | | |
|-------------------------|--------------|----------------------------|----------|
| SULLIVAN, J./FRAKER, M. | 522-3148 | SENNER, S./RICE, K. | 276-7178 |
| RABINOWITCH, S. | 257-2510 | WEINER, A./STEELE, T. | |
| GERTLER, P. | 786-3625 | MACMULLIN, S./ <i>Belt</i> | |
| STRAND, J. | 789-6608 | WILLIAMS, R. | |
| WOLF, D. | 301 231-5764 | | |

**PROPOSED OIL YEAR 4 (March 1992 - February 1993) DAMAGE ASSESSMENT
AND RESTORATION WORK PLAN**

Our first formal meeting to begin deciding on the contents of an oil year (OY) 4 work plan was two weeks in early December 1991. During that meeting a proposed list of projects totaling \$27.5 million was reviewed. Some projects were eliminated or reduced in scope so that by the end of the meeting the proposed plan was reduced by \$4.5 million to a total of \$23 million. This figure was presented to the Trustee Council on December 19, 1991. Our interpretation of the Council's guidance was that the cost of the proposed OY4 program needed to be reduced further. On January 2 and 3, 1992 we met to reevaluate our proposed plan. After many hours of intense and pointed debate we eliminated projects and reduced scope even further to reduce the program by an additional \$6 million to leave a total of about \$17 million. We believe that this is a bare minimum program and perhaps is even less than a logical minimum program. In any case we staunchly defend this figure and do not recommend further cost reductions. If money is available for the restoration of damaged resources we believe that this is the first \$17 million that should be spent.

DAMAGE ASSESSMENT

Continuation

We recommend that 9 damage assessment projects be continued with field and laboratory work at a cost of \$2,792,000. These include projects on sockeye and pink salmon, mussels, shrimp, river otters, hydrocarbon sampling and analyses with associated technical support from data base management and geographic information systems. These are projects whose damages may not be fully elucidated during this oil year and thus will probably require closeout costs next year at a minimum and potentially may require additional field effort in future years. New damage assessment projects may be advisable in the future as well.

Closeout

We recommend that 31 existing damage assessment projects be completed through to a final report this oil year at a cost of \$4,927,000. Most of these only require analyzing existing data and writing reports. While a few while need fieldwork this year. These projects include 9 bird, 8 subtidal, 8 fish and shellfish, 3 marine mammal, 2 coastal habitat and 1 archaeology study.

These costs reflect a concerted effort to end damage assessment and to synthesize the results of the approximately \$100 million in projects into a form useable by the public and the scientific community. The results of this sizeable effort have essentially rewritten the book on the effects oil on natural resources, as it was the first time that a major oil spill had received such immediate and comprehensive study. These unique findings will be

key to instituting changes to improve the way in which oil spills are cleaned-up and assessed in the future. Many of the questions on what to do and not do were answered. Notwithstanding the skills of key negotiators, this effort, along with approximately \$50 million in legal team support resulted in the \$1,025,000,000 settlement to be used for restoration efforts. The research environment and needs for preparing for trial resulted in study efforts being considerably more costly than would normally be the case. Last and most importantly, these results and the continued monitoring of recovery will guide restoration efforts.

RESTORATION

Recovery Monitoring

This category includes those projects that monitor species or environments for which damage has been established and recovery or lack thereof can be measured. There are 10 of these projects at a cost of \$4,518,000. These projects cover subtidal and coastal environments, anadromous fish, sea and river otters, sea birds and bald eagles. We anticipate that barring the finding of new damages, this category of funding should diminish in future years.

Restoration Implementation

A. Management Actions

Projects in this category provide information that support changes in management action to restore damaged resources while allowing concurrent use of the same resources. Without the added precision that such information contributes to management, more people would be prevented from commercial and recreational use in order to protect the damaged resources. The actual implementation of the management action is usually supported by management agencies and is therefore free to the restoration program. There are 7 of these projects at a cost of \$2,324,000 which include anadromous fish, rockfish, herring, archaeology and harbor seals.

B. Manipulation/Enhancement

As their name implies, projects in this category are intended to result in rates of production or total population size above what would occur in an entirely natural environment. Two projects are proposed for pink and chum salmon at a cost of \$426,000.

C. Habitat Acquisition and/or Protection

Projects in this category provide the information on which habitats have high value to injured species and should thus be considered for acquisition or other types of protection. Also in this category are studies to determine habitat requirements of species for which they are unknown. Such information is necessary before habitats can be evaluated for some species. There are 4 of these projects at a cost of \$1,783,000.

In summary the total estimated cost of 64 OY4 projects is \$17,020,400 (\$7,719,400 for damage assessment and \$9,301,000 for restoration). It is our best professional judgement that further reductions in this program would be detrimental and not beneficial to the restoration process. Our philosophy is that no money should be spent unnecessarily but we should be sure that restoration is completed as soon as possible.

TO: Dave Gibbons
FROM: Susan Ruddy, Steve Planchon
DATE: January 9, 1992
SUBJECT: Private Lands Liaison Subgroup

RPWG
II
CONFIDENTIAL

Acquisition of areas critical to restoration is a concept in which a great deal of interest is already being expressed. A number of interest groups and private landowners have proposals either in preparation or already on the table. Immediate acquisition decisions would, of necessity, be primarily political and would run the risk of failing the "red face test" several years down the line.

The Trustees have not yet had the time to establish procedures or criteria for consideration of such acquisitions, nor is the information available yet in a broad and organized manner which would permit the Trustees to make informed decisions about whether acquisition is necessary. Nor would they be able to say today what might be the minimal interest which could be acquired to accomplish the Trustees' goals.

Nevertheless, the pressure to make such decisions will be intense for the very real reason that significant opportunities may be foreclosed in the near future: for instance, logging plans and contracts, some of which have been a matter of record for several years, will be implemented on schedule, and some areas which the Trustees might wish to include in restoration actions will no longer be available or desirable.

For this reason, interest has been expressed in taking action to put some such development activities on "hold" in the oil spill area until the Trustees have the procedures, criteria and information necessary to determine whether the lands at issue are indeed critical to restoration efforts.

There are a variety of mechanisms which the Trustees could use to "buy time" which will meet with the approval of various interest groups and private landowners, and which could provide for tangible restoration simultaneously.

Because of the magnitude, significance, and complexity of such time-buying efforts, and because of the imminence of the real threats to some of the resources, the Trustees might consider an immediate step to develop such a process: the establishment of a Private Lands Liaison Subgroup. Over the long term, the Subgroup could be the Trustees' arm for all acquisition efforts.

The Subgroup's immediate charge, however, should be to develop the framework for various approaches to buying time, with special attention to criteria and valuation issues. If the subgroup is staffed with appropriate expertise (appraiser, attorney, resource economist, realty specialist, biologist...), their activities would integrate with efforts to develop the

Memo 1.9.92
Page Two

CONFIDENTIAL

draft restoration framework and the 1992 restoration plan. They could conceivably be useful in providing assistance to the Legislature which will undoubtedly be faced with a number of acquisition proposals this session.

An immediate and useful function which such a Subgroup could serve is to satisfy the desire of various landowners and interest groups -- and members of the Trustees themselves -- for constructive action. The Subgroup could also be identified by the Trustees as the "front door" through which all acquisition proposals must pass.

MEMORANDUM

STATE OF ALASKA

ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION
EXXON VALDEZ OIL SPILL RESPONSE CENTER
4241 "B" STREET, SUITE #304 ANCHORAGE, ALASKA 99503

TO: Dave Gibbons
RRCG Executive Director

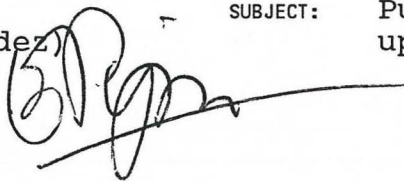
DATE: January 9, 1992

FILE NO:

TELEPHONE NO: 563-1126 FAX: 563-1325

FROM: Ernest Piper
SOSC (Exxon Valdez)

SUBJECT: Public participation
update



The public participation subgroup has met three times since the December 19 Trustee Council Meeting. A draft briefing document and proposal was telefaxed to you and members of the subgroup on January 7. We have general agreement on most of the items in that document but several issues about a proposed public advisory group are unresolved. Before proceeding with development of a charter for the public advisory group, we require direction from the Trustees.

PUBLIC MEETINGS

The Trustees at their Dec. 19 meeting instructed the RRCG to hold community meetings at which we would seek ideas and comment from members of the public about how their interests would be best served in a program of public participation.

Meetings have been scheduled in Cordova (Jan. 20), Juneau (Jan. 22), Chenega Bay (Jan. 27), and Kodiak (Jan. 30). The rest of the spill-area community meetings will be scheduled on appropriate dates up to roughly the middle of February. We are attempting to complete the meetings, synthesize public comment, and draft an actual public participation program proposal to be included in the restoration framework document. The draft framework is scheduled for release about the middle of March; we are, therefore, working on a very tight time schedule.

Each meeting will have two or more RRCG members available to answer questions and collect public comment. Based on what instructions we get from the Trustees on Jan. 10, as well as RRCG comment, we plan to have a set of materials available

to both the presenters and the public that are identical from site to site so the message is consistent.

Please see the attached briefing memorandum for the outline of the agenda for the meetings.

THREE-MONTH PLAN

The principal issue about a three-month plan involved modification of the Oil Spill Public Information Center's duties, and transfer of the facility's management from the U.S. Department of Justice to the Trustee Council and its permanent executive/administrative director. The subgroup reached consensus on the recommendation included in the briefing memorandum.

FEDERAL ADVISORY COMMITTEE ACT

The subgroup and the RRCG has not reached agreement on whether the act applies under all circumstances, nor have the RRCG members (and legal counsel) agreed about our respective interpretations of the Trustees' comments about the public advisory group's purpose.

* The Department of Interior's legal counsel has concluded that the federal law applies.

* The National Atmospheric and Oceanic Administration's general counsel believes that the public advisory group can be structured so that the provisions of the act need not apply. The Alaska Department of Law concurs with NOAA's general reading of the act.

Therefore, issue is not really whether the act applies, in an absolute sense. The issue, rather, is about the purpose of the group, and the activities that are necessary to fulfill that purpose. It is on this point that the RRCG members do not share a clear understanding of the Trustees' intent.

BRIEFING MEMORANDUM
PUBLIC PARTICIPATION SUBGROUP

Report to the Trustees
January 10, 1992

INSTRUCTIONS FROM THE TRUSTEES

At the December 19 Trustee Council meeting, and in subsequent correspondence, the Trustees directed the RRCG to do the following:

1.0 Schedule and conduct a series of public meetings, with options for public participation as one of the principal topics for discussion.

2.0 Determine whether the Federal Advisory Committee Act applies for the purposes of setting up a public advisory group to the Trustees;

3.0 Present a three-month plan for public participation for review and approval;

4.0 Develop a charter for a public advisory group and a process by which members would be selected;

5.0 Provide a cost estimate for a public participation program.

RRCG ACTION

1.0 Public meetings

State and federal staff to the Trustees begin public meetings Jan. 20 and plan to complete the series by early in February. Dates have been selected so far for Cordova (Jan. 20), Juneau (Jan. 22), Chenega Bay (Jan. 27), and Kodiak (Jan. 30). Others will follow as appropriate dates can be arranged in other communities.

Each meeting will include a staff member(s) who can speak credibly about public participation and the restoration planning in general. All participating staff members will be briefed on appropriate responses to general questions based on Trustee Council policies, the settlement documents, restoration planning records, and legal advice from state and federal counsel. With so many agencies and a variety of individuals involved, it is important that the messages and materials offered to the public are consistent from community to community.

Support staff, either from the contractor or from the agencies, will record the meetings on audio tape and take written notes.

1.1 Suggested agenda

* Brief overview of restoration planning, including timetable, key decision points, and summary of injury;

- * Presentation of some options for public involvement;
- * Presentation of a proposal for the public advisory group;
- * Open discussion or public testimony.

(Staff are also soliciting written comment.)

2.0 Federal Advisory Committee Act

Legal interpretations vary among agency counsel. Suggest the Trustees seek formal advice from state and federal counsel, working together.

3.0 Three-month plan

3.1 Summary

JANUARY-FEBRUARY

- * Solicit public comment on components of a public participation program, including purpose and composition of a public advisory group.
- * Begin transfer of Oil Spill Public Information Center from the U.S. Department of Justice to Trustee management.

FEBRUARY-MARCH

- * Synthesize public comment from January meetings and develop final draft proposal, including details of public advisory group formation and function, for Trustee approval by February 15.
- * Solicit nominations for the public advisory group and select members by March 15. This date was selected because it coincides roughly with the presentation of the draft restoration framework to the Trustees. The consensus of RRCG staff is that the public advisory group should be in place and operating by the time the framework document is ready.
- * Develop job descriptions and workplans for approved public information/participation functions.
- * Appoint or reassign personnel based on c) above by April 1.

3.2 Purpose and goals

3.2.1 Mission statement

The public participation program should encourage understanding of restoration needs and goals, and provide timely and meaningful opportunities for the public to influence development and implementation of a restoration program.

3.2.2 Goals

- * Know and involve relevant constituencies.
- * Disseminate information about the restoration process and structure, the injury to the resources, and other matters so that the public is able to receive and understand it in a timely manner.
- * Invite and encourage the public at large to take advantage of opportunities to review, comment on, or otherwise influence the development and implementation of restoration programs.
- * Provide the public with the access and the means to independently understand and evaluate the proposals and programs.
- * Emphasize and encourage involvement from the communities and interests of the affected area, especially by seeking recommendations on restoration activities.
- * Make sure that the Trustees receive and have the opportunity to analyze and consider the advice and comments from the public in a timely manner.

4.0 Institutions

4.1 The Oil Spill Public Information Center

We recommend that the Trustees operate the Oil Spill Public Information Center under the direction of the Executive/Administrative Director and the RRCG. The OSPIC would become the Restoration Resource Center.

The library collection and cataloguing capability should be augmented by a public information officer. The center should have staff to answer or direct general questions from the public and news media, handle informational mailings and public notice. Realistically, this would require the appointment or reassignment of and additional 1-2 specialists to the center.

Primary duties of the center would include:

- * Receive and direct to the appropriate person or agency requests, questions, comments and suggestions;
- * Provide reference and referral services;
- * Code and track replies to specific requests for public comment;
- * Mail Trustee Council agendas to appropriate parties;
- * Write and issue press releases;

* Answer or direct inquiries from news media;

* Coordinate printing and distribution of relevant restoration documents;

* Maintain the official public record as it continues to develop;

* Provide copies of documents or other materials to members of the public (staff expects to charge a reasonable fee for copies or shipping needed to satisfy large or complicated requests, or those that require duplication of expensive originals, such as videotape);

* Serve as the clearinghouse for educational programs and information;

* Promote and publicize public information services and opportunities.

4.2 Public advisory group

The agreements creating the Trustee Council structure require that a public advisory group be formed to work with the Trustees. Based on discussions at the December 19 Trustee Council meeting, the members of the public participation subgroup set out to create the framework for a group that:

* Represents the broad range of interests and communities within the affected area;

* Provides one forum for the exchange of information and facts among key user groups;

* Assures optimal access to information for people of the affected region;

* Provides opportunities for users to reach consensus whenever possible, but does not require consensus;

* Has members who can analyze restoration information and provide informed advice and comment to the Trustees.

4.2.1 Role of the public advisory group within the overall public participation plan

The public advisory group is an innovative and substantive supplement to existing methods of public review, comment, and exchange of facts and information. It highlights the views of people from within the affected area, but it is intended neither to minimize other public comment nor to substitute for the usual process of public review.

In calling for the creation of such a group, the State of Alaska and the United States attempt to make sure that the people most directly affected by the spill and the cleanup have the opportunity and the means to influence decisions on the restoration of natural resource damage in and around their communities.

The group and its activities, however, are not meant to limit or filter other public comment, review, proposals, etc. The Trustee Council meetings and the public information program are designed to solicit and allow consideration of ideas and views from all parties, interests, or individuals.

4.2.2 Mission of the public advisory group

The public advisory group is a forum for the exchange of ideas and views, and facts and information between the Trustee Council and the communities or interests most affected by the oil spill and the cleanup. Members may develop points of consensus, make general recommendations, provide advice and information, and serve as conduits of information both to and from their respective constituencies.

The public advisory group is a working group with a focus on understanding and analyzing information, and providing specific guidance to the Trustees within a regional or institutional perspective.

Among its tasks are:

- * Receive monthly status reports, through its staff, from the RRCG on restoration activities;
- * Review, comment on, or recommend agenda items for Trustee Council meetings;
- * Advise the Trustees on proposed courses of action;
- * Recommend possible restoration activities to the Trustees.

4.2.3 Staff and budget

The public advisory group would have a technical staff member available to it. This staff member would collect and analyze information presented by the RRCG, and provide interpretative services to the public advisory group's members.

Special tasks or projects may be undertaken by this staff member upon request by the chair of the public advisory group to the Trustees or the Executive/Administrative Director. The office of the Executive/Administrative Director would provide clerical support and attempt to fulfill all reasonable requests for mailings and other special support requested by the public advisory group's chair.

Members of the public advisory group would receive travel and per diem for meetings of the group, as well as reimbursement for reasonable telephone, facsimile, and materials costs submitted to the Executive/Administrative Director.

4.2.3 Meetings of the public advisory group

The public advisory group would meet at least quarterly. Requests for additional meetings for specific purposes would be considered by the Trustees upon request by the chair of the public advisory group. The Trustees may request additional meetings, as necessary.

Meetings of the public advisory group would be open to the general public.

4.2.4 Interaction with the Trustees

A portion of each public comment period during the regular meetings of the Trustee Council would be allocated to reports and comment from members of the public advisory group.

4.2.5 Membership and selection

The public advisory group would consist of 10-15 members drawn from the communities and interests most directly affected by the oil spill and the cleanup.

The members would be nominated by the public and appointed by unanimous consent of the Trustees based on the following criteria:

- * Knowledge of the region, its people, its communities and their primary activities;

- * Knowledge of areas affected by the oil spill and the cleanup;

- * Affiliation, either formally or informally, with one of more of the principal interests;

- * Expertise and recognized authority in at least one of the areas of interest;

- * Credibility with the segments of the public whose views the member claims to represent;

- * Ability to analyze restoration information and provide meaningful comment as it relates to the individual member's area(s) of expertise;

- * Ability to communicate information and facts clearly and fairly.

4.2.6 Term of service

The RRCG recommends that the public advisory group members serve two years from the date of the group's first meeting. As a practical matter, the role of the group may change as the programs are developed and implemented; at the end of the first two years the Trustees may want to alter both the structure and the role of the public advisory group based on changes in the program itself.

5.0 Cost of an overall public participation program

Depending on the specific components approved by the Trustees and the activities associated with those components, the cost in each of the first two years of the program would range from \$500,000 to \$800,000. About 20-30 percent of that total would be allocated to a public advisory group's operations, travel, and support.

Keep in mind that once the restoration plan is approved and implemented, public participation costs would likely drop. We assume that the greatest need for public information and involvement would occur during the development of the plan through 1993. Therefore, there would be more of a need during that period for meetings, travel, etc.

A more detailed proposed budget is attached.

family of free and democratic nations of the world.

(7) The Congress has traditionally supported the rights of people to peaceful and democratic self-determination.

PL 102-229, 1991 HJRes 157 FOUND DOCUMENT P 30 OF 41 US-PL P
Sec. 204(a)

(Cite as: 105 Stat 1701, *1715)

(8) As recognized in Article VIII of the Helsinki Final Act of the Conference on Security and Cooperation in Europe, "all peoples always have the right, in full freedom, to determine, when and as they wish, their internal and external political status, without external interference, and to pursue as they wish their political, economic, social and cultural development".

(b) SENSE OF THE SENATE.--It is the sense of the Senate that the President--

(1) should recognize Ukraine's independence and undertake steps toward the establishment of full diplomatic relations with Ukraine should the December 1, 1991, referendum confirm Ukrainian parliament's independence declaration; and

(2) should use United States assistance, trade, and other programs to support the Government of Ukraine and encourage the further development of democracy and a free market in Ukraine.

SEC. 205. The appropriation entitled "Fishing Vessel Obligations Guarantees" in Public Law 102-140 is amended by striking the sum "\$10,000,000" and inserting in lieu thereof the sum "\$24,000,000".

SEC. 206. From the funds made available for Land Acquisition of the United States Fish and Wildlife Service in the fiscal year 1992 Department of the Interior and Related Agencies Appropriations Act (Public Law 102-154), \$965,000 is hereby appropriated by transfer to the Resource Management account of the United States Fish and Wildlife Service.

PL 102-229, 1991 HJRes 157 FOUND DOCUMENT P 31 OF 41 US-PL P
Sec. 207

(Cite as: 105 Stat 1701, *1715)

<< 42 USCA s 1474b NOTE >>

SEC. 207. Notwithstanding any other provision of law, amounts received by the United States for restitution and future restoration (including replacement or acquisition of equivalent natural resources) in settlement of United States v. Exxon Corporation and Exxon Shipping Company (Case No. A90-015-1CR and 2CR), hereinafter the Plea Agreement, United States v. Exxon Corporation et al. (Civil No. A91-082 CIV) and State of Alaska v. Exxon Corporation et al. (Civil No. A91-083 CIV), hereinafter referred to together as the Agreement and Consent Decree, as approved by the United States District Court for the District of Alaska on October 8, 1991, in fiscal year 1992 and thereafter shall be deposited into the Natural Resource Damage Assessment and Restoration Fund established by Public Law 102-154. Such amounts, and the interest accruing thereon, shall be available to the Federal Trustees identified in the Agreement and Consent Decree for necessary expenses for assessment and restoration of areas affected by the discharge of oil from the T/V EXXON VALDEZ on March 23-24, 1989, for fiscal year 1992 and thereafter in accordance with the Plea Agreement and the Agreement and Consent Decree: Provided, That such amounts (and *1716 accrued interest) shall remain available until expended:

PL 102-229, 1991 HJRes 157 FOUND DOCUMENT P 32 OF 41 US-PL P
Sec. 207

(Cite as: 105 Stat 1701, *1716)

Provided further, That such amounts may be transferred to any account, as authorized by section 311(f)(5) of the Federal Water Pollution Control Act (33 U.S.C. 1321(f)(5)), to carry out the provisions of the Plea Agreement and the Agreement and Consent Decree: Provided further, That herein and hereafter any amounts deposited into the Natural Resource Damage Assessment and Restoration

Fund shall be invested by the Secretary of the Treasury in interest bearing obligations of the United States to the extent such amounts are not, in his judgment, required to meet current withdrawals: Provided further, That interest earned by such investments shall be available for obligation without further appropriation: Provided further, That, for fiscal year 1992, the Federal Trustees shall provide written notification of the proposed transfer of such amounts to the Appropriations Committees of the House of Representatives and the Senate thirty days prior to the actual transfer of such amounts: Provided further, That, for fiscal year 1993 and thereafter, the Federal Trustees shall submit in the President's Budget for each fiscal year the proposed use of such amounts.

WAIVER OF CERTAIN RECOVERY REQUIREMENTS

<< 42 USCA s 300aaa-12 >>

PL 102-229, 1991 HJRes 157 FOUND DOCUMENT P 33 OF 41 US-PL P
Sec. 208

(Cite as: 105 Stat 1701, *1716)

SEC. 208. Section 2713(d) of the Public Health Service Act (42 U.S.C. 300aaa-12(d)) is amended by striking "(a)(2)" and inserting "(a)".

<< 40 USCA s 216c >>

SEC. 209. (a) Section 307E of the Legislative Branch Appropriations Act, 1989 (40 U.S.C. 216c), is amended to read as follows:

"SEC. 307E. (a) The Architect of the Capitol, subject to the direction of the Joint Committee on the Library, is authorized to--

"(1) construct a National Garden demonstrating the diversity of plans, including the rose, our national flower, to be located between Maryland and Independence Avenues, S.W., and extending from the Botanic Garden Conservatory to Third Streets, S.W., in the District of Columbia; and

"(2) solicit, receive, accept, and hold gifts, including money, plant material, and other property, on behalf of the Botanic Garden, and to dispose of, utilize, obligate, expend, disburse, and administer such gifts for the benefit of the Botanic Garden, including among other things, the carrying out of any programs, duties, or functions of the Botanic Garden, and for constructing, equipping, and maintaining the National Garden referred to in paragraph (1).

PL 102-229, 1991 HJRes 157 FOUND DOCUMENT P 34 OF 41 US-PL P
Sec. 209(a)

(Cite as: 105 Stat 1701, *1716)

"(b)(1) Gifts or bequests of money under subsection (a)(2) shall, when received by the Architect, be deposited with the Treasurer of the United States, who shall credit these deposits as offsetting collections to an account entitled 'Botanic Garden, Gifts and Donations'. The gifts or bequests described under subsection (a)(2) shall be accepted only in the total amount provided in appropriations acts.

"(2) Receipts, obligations, and expenditures of funds under this section shall be included in annual estimates submitted by the Architect for the operation and maintenance of the Botanic Garden and such funds shall be expended by the Architect, without regard to section 3709 of the Revised Statutes, for the purposes of this section after approval in appropriation Acts. All such sums shall remain available until expended, without fiscal year limitation.

"(c)(1) In carrying out this section and his duties, the Architect of the Capitol may accept personal services, including educationally *1717 related work assignments for students in nonpay status, if the service is to be rendered without compensation.

1992 RESTORATION IMPLEMENTATION PROJECTS

TABLE OF CONTENTS

- Sport Fisheries Restoration and Enhancement in Cook Inlet
- Fry Rearing to Improve Survival and Restore Wild Pink and Chum Salmon Stocks
- Restoration of the Coghill Lake Sockeye Salmon Stock
- Mitigation for Red Lake Sockeye Salmon Fishery
- Red Lake Sockeye Salmon Restoration
- Kodiak Conservation Land Acquisition to Mitigate Sockeye Salmon Impacts
- Identification of Critical Wildlife Habitat Within Mature Forest Where Logging is Planned
- Mitigating Damage to Archaeological Sites

Resource Category: Fish/Shellfish

Study Number:

Study Title: Sport Fisheries Restoration and Enhancement in
Cook Inlet

Sponsoring Agency: ADF&G

Consequential Injury?

Continuing?

Recovery Occurring?

Identifiable Restoration Endpoint?

Provision of sport fishing opportunity to
compensate for loss of Kenai River sockeye

Recommendation:

Should a detailed study plan be prepared?

Yes _____

Yes, in modified form _____

Maybe _____

No _____

SPORT FISHERIES RESTORATION AND ENHANCEMENT IN COOK INLET

Nature of the Resource:

Cook Inlet supports the largest sport fisheries in Alaska. One of the largest single sport fisheries is on Kenai River sockeye salmon. It is estimated that direct expenditures made by sport fishermen fishing for sockeye salmon in the Kenai drainage exceed \$10 million annually.

Careful management of the number of spawning fish is required to maintain this fishery at a high level. Young sockeye salmon spend at least their first year of life (up to 3 years) living and growing in lakes where they rely on microscopic-sized animals (plankton) for food. These animals, in turn, graze on tiny plants. If too many adult salmon spawn in the lake system, an overabundance of the young sockeyes will deplete their limited food source before they migrate to sea. When this happens, large numbers of young salmon die, survivors grow more slowly and smaller numbers migrate to the ocean to mature. So, large numbers of spawners in one year may result in an unusually small run in the next cycle.

Nature of the Injury:

As a direct result the 1989 Exxon-Valdez oil spill, Cook Inlet fisheries were shut down and record numbers of adult sockeye salmon reached spawning grounds on the Kenai River. Extremely low numbers of young salmon from 1989 spawners were counted leaving Kenai drainage lakes in 1991 on their way to the sea. The return of these fish as adults in 1993 and 1994 may be so low that sport fishing in the Kenai River may have to be drastically reduced or entirely forgone. It is unclear how long it might take for Kenai River sockeye to recover to their former level of abundance. The loss of fishing opportunity will have a significant impact on the Cook Inlet economy.

Rationale For Near-Term Action:

If immediate actions are taken, alternative sport fishing opportunities can be provided beginning in 1993. While it is not possible to replace the sockeye salmon in time for the 1993 and 1994 sport fishery, it is possible to provide alternate sport fisheries for rainbow trout and pink and coho salmon to mitigate impacts on the Cook Inlet sport fishery and the economy.

Nature of Restoration Project:

The project will construct a water pipeline to connect the Anchorage Municipal Water System to the Fort Richardson Hatchery. This will permit an immediate doubling of annual production (from 3.9 to 7.7 million young fish), increase dependability, and reduce cost of production. Installation of a water pipeline at Fort

Richardson Hatchery will allow for accelerated fish growth using surplus heated water from the nearby electrical generating plant. Fish will be released at approved sites in Cook Inlet to provide alternative sport fisheries. Sport fishermen will be informed about these alternative sport fisheries via news releases.

An engineering feasibility study funded by the City of Anchorage and an economic review by the Anchorage Economic Development Corporation for this project were completed in 1991 and both are favorable.

With immediate design and construction of the pipeline, the first egg takes of additional trout and salmon would occur in 1992. An additional 210,000 pan-sized rainbow trout would be available release into urban lakes annually beginning 1993. Further, because of the one year ocean residency of coho and pink salmon, an additional 24,000 coho and 20,000 pink salmon adults would be available for sport harvest beginning in 1994 to help replace the loss of sockeye salmon sport fishing. Thus direct mitigation of losses in sport fishing opportunity will be available if this pipeline project is under taken immediately.

Estimated Cost:

- \$3,400,000 for construction of the pipeline (based on engineering feasibility study completed in 1991).
- Annual Operating Costs (line item breakdown)

| | |
|-------------|--------------------------------------|
| (labor) | \$100,000 |
| (travel) | 0 |
| (utilities) | \$50,000 |
| (fish food) | \$250,000 |
| (equipment) | 0 |
| Total | <hr style="width: 100%;"/> \$400,000 |

Resource Category: Fish/Shellfish

Study Number:

Study Title: Fry Rearing to Improve Survival and Restore
Wild Pink and Chum Salmon Stocks

Sponsoring Agency: ADF&G

Consequential Injury?

Continuing?

Recovery Occurring?

Identifiable Restoration Endpoint?

Enhance survival of fry to restore wild pink
and chum salmon stocks

Recommendation:

Should a detailed study plan be prepared?

Yes _____

Yes, in modified form _____

Maybe _____

No _____

FRY REARING TO IMPROVE SURVIVAL AND RESTORE WILD PINK AND CHUM SALMON STOCKS

Nature of the Resource:

Wild pink and chum salmon are important parts of the Prince William Sound (PWS) Commercial fishery and critical elements of Alaska's coastal ecosystems. Their annual migration is part of a cycle that transports millions of pounds of protein and nutrients from the ocean into Alaska's streams to nourish many upland species including bears, mink, river otters, and eagles. Trout feed on salmon eggs in streams while crabs and other fish feed on carcasses at river mouths. Rotting carcasses further support the entire estuarine food web in nearshore habitats. The genetic diversity of Alaska's wild salmon stocks is an important component of this cycle that must be preserved to assure long-term quality of the stocks. Short-term increases in salmon production can be achieved through hatchery programs, but sustained production may be hard to maintain if the genetic diversity in wild stocks is lost. These wild stocks provide new brood stock sources for the hatchery programs and produce an important component of the \$40-50 million PWS fishing industry.

Nature of the Injury:

The Exxon Valdez oil spill severely damaged pink and chum salmon populations in PWS when oil was deposited in intertidal spawning areas where up to 75% of the spawning occurs. Salmon eggs deposited in 1989 and subsequent years have been contaminated, and egg mortality and physical and genetic abnormalities have been found among young salmon from oiled spawning areas.

Young salmon were further damaged in the nearshore marine nursery areas when they consumed oil-contaminated prey. This caused reduced growth and increased mortality. The fish attempted to avoid their contaminated preferred prey by switching to other food organisms. They also migrated away from oiled nursery areas. Oil contamination also increased fry mortality because predators targeted the smaller, slower growing fry. Diminished growth and survival during this lifestage reduced the salmon return to PWS by an estimated 15 to 25 million fish in 1990.

Preliminary results of studies in PWS show genetic mutations that cause sterility in salmon that spawned in oiled habitats. These results suggest that sublethal genetic damages may have also occurred. These damages may prove to be the most insidious detected so far, because sublethal mutations can be transferred to future generations reducing the overall fitness and productivity of wild salmon populations for many years.

Rationale For Near-Term Action:

It is important that this project be initiated in 1992, because significant population declines are likely if no action is taken. Environmental monitoring programs in PWS indicate that wild salmon stocks have been stressed by unfavorable environmental conditions (in addition to oil pollution). In 1991, ocean temperatures were below normal and feeding conditions for fry were poor. These conditions are related to a strong 20-year cycle in ocean climate that caused cold temperatures and weak salmon runs in the early 1970s. A return to unfavorable conditions will drive populations to extremely low levels making them more vulnerable to oil-spill induced genetic damage.

It is very important that action be taken immediately to offset these effects. Ongoing studies of hatchery-produced fish demonstrate that a doubling of fry-to-adult survival is achieved when fry are reared in net pens and released when feeding conditions in the Sound are best. Capture methods and rearing techniques have already been developed in PWS so it will be easy to apply this method to help wild stocks.

If no action is taken significant wild salmon stock declines are expected. Further wild stock declines will exacerbate problems of mixed-stock fishery management in PWS. The health and productivity of wild salmon stocks in PWS is essential to conduct an orderly commercial fishery.

Nature of the Restoration Project:

The timing of wild fry outmigrations in relation to optimal growth conditions strongly affects adult returns. In this project, wild salmon fry will be reared in net pens until optimal growth conditions occur in the ocean. The following objectives will be achieved:

1. Construct fry weirs to capture outmigrating wild pink and chum salmon fry at 7 streams in Prince William Sound in 1992.
2. Transfer the fry to net pens, feed them a commercial diet, and mark fish from each stream using a unique code,
3. Monitor ocean temperatures and food abundances in local nearshore nursery areas and release the fry when growth conditions are optimal.

In the first year of this project, fry weirs will be operated at 7 streams in PWS. The largest pink salmon producing streams where fry weirs can be operated will be given priority. Projects at these sites will produce the greatest benefit and have the greatest impact on subsequent returns of wild salmon. Oiled streams will be given higher priority than non-oiled streams. After the first year, the project will be expanded to a total of 14 streams.

This project will continue until the natural fitness and productivity of wild pink and chum salmon stocks in PWS are restored. Results from monitoring studies will be evaluated annually to determine whether to continue or modify this project.

Estimated costs:

| Line Item | FY92 | FY93 | FY94 | FY95 | FY96 |
|-----------------|-------|-------|-------|-------|-------|
| 100 (personnel) | 245.4 | 460.2 | 460.2 | 460.2 | 460.2 |
| 200 (travel) | 2.3 | 2.3 | 2.3 | 2.3 | 2.3 |
| 300 (contracts) | 34.3 | 68.5 | 68.5 | 68.5 | 68.5 |
| 400 (supplies) | 88.7 | 195.6 | 185.1 | 185.1 | 185.1 |
| 500 (equipment) | 243.6 | 243.6 | 80.0 | 80.0 | 80.0 |
| Total | 614.3 | 970.1 | 796.0 | 796.0 | 796.0 |

Resource Category: Fish/Shellfish

Study Number:

Study Title: Restoration of the Coghill Lake Sockeye Salmon
Stock

Sponsoring Agency: ADF&G/USFS

Consequential Injury?

Continuing?

Recovery Occurring?

Identifiable Restoration Endpoint?

Restore productivity of Coghill Lake to
enhance smolt production which will lead to
substantial improvement in lake productivity
and a strengthened sockeye run

Recommendation:

Should a detailed study plan be prepared?

Yes _____

Yes, in modified form _____

Maybe _____

No _____

RESTORATION OF THE COGHILL LAKE SOCKEYE SALMON STOCK

Nature of the Resource:

Young sockeye (red) salmon grow in lakes for 1-3 years before emigrating to sea, so their production depends on the productivity of rearing lakes. Coghill Lake sockeye salmon have historically supported an important commercial gill net fishery with an average return of 393,000 fish. Recently, stocks have declined and, in 1991, only 9,800 adults escaped into Coghill Lake. When the productivity of a lake rearing system has been depleted as it has in Coghill Lake, it can be restored with the addition of chemical nutrients.

Nature of the Injury:

Results from damage assessment studies on juvenile salmon suggest that the Exxon Valdez oil spill may have accelerated the stock decline through disruption of the smolt migration, contamination of food in nearshore areas, and reduced growth and survival of young fish. Smolts from Coghill Lake typically are very small and they appear to have migrated through the heavily contaminated passages in western PWS. Their small size may have left them more vulnerable to sublethal effects. The ADF&G has already conducted oil-spill damage assessment studies on the stock, including tagging, recovery of tagged adults and escapement.

Rationale for Near-Term Action:

This project should be initiated in 1992 because the Coghill Lake stock is presently at dangerously low levels. Action must be taken to restore the stock before any further decline occurs and too few adults are available. Rehabilitation of the Coghill Lake stock will restore this valuable fishery and reduce mixed-stock management problems in western PWS.

Nature of the Restoration Project:

Studies indicate that fry food resources in the lake have deteriorated because small numbers of spawners do not supply enough enrichment to the system to sustain the food chain. Consequently, the system presently cannot produce large numbers of fish. Artificial enrichment is needed to increase food abundance until natural nutrient input from salmon carcasses is restored.

The goal of this project is to restore the natural productivity of Coghill Lake and the resident sockeye salmon population. This will be a cooperative project with the U.S. Forest Service, which will be responsible for fertilizer application. The ADF&G component of this project will evaluate the effects of the fertilization program. The objectives are:

1. Assure that fertilizer is distributed into Coghill Lake at the right time, concentration and locations.
2. Collect samples monthly during the open-water season to monitor lake productivity and fry prey densities.

3. Estimate the numbers, growth, and condition of fry.
4. Estimate the overwinter growth and survival of juvenile sockeye.
5. Monitor the numbers, size and age of outmigrating smolts to assure that the restoration program is performing correctly

Sampling will be conducted at 2 stations monthly. Surveys will be conducted each fall to estimate the abundance, growth, condition and distribution of fry.

Traps will be used to capture and enumerate sockeye smolts outmigrating from Coghill Lake.

The project will be continued for five years. This is the average generation time for the Coghill Lake sockeye stock. It is important that fertilization and evaluation studies continue for one generation to insure restoration of natural stock productivity.

Estimated cost:

| Line Item | FY92 | FY93 | FY94 | FY95 | FY96 |
|-----------------|------|------|------|------|------|
| 100 (personnel) | 41.0 | 41.0 | 41.0 | 41.0 | 41.0 |
| 200 (travel) | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| 300 (contracts) | 18.3 | 18.3 | 18.3 | 18.3 | 18.3 |
| 400 (supplies) | 6.0 | 6.0 | 6.0 | 6.0 | 6.0 |
| 500 (equipment) | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| Total | 65.3 | 65.3 | 65.3 | 65.3 | 65.3 |

Resource Category: Fish/Shellfish

Study Number:

Study Title: Mitigation for Red Lake Sockeye Salmon Fishery

Sponsoring Agency: ADF&G

Consequential Injury?

Continuing?

Recovery Occurring?

Identifiable Restoration Endpoint?

Creation of alternative commercial fishing
opportunity for sockeye salmon during the
period of reduced run strength owing to
overescapement

Recommendation:

Should a detailed study plan be prepared?

Yes _____

Yes, in modified form _____

Maybe _____

No _____

MITIGATION FOR RED LAKE SOCKEYE SALMON FISHERY

Nature of the Resource:

Red Lake, located on the southwest side of Kodiak Island, has historically been one of the most consistent producers of sockeye salmon for Kodiak's commercial purse seine fishermen. The Department of Fish and Game's annual escapement goal for the system ranges from 200 to 300 thousand sockeye salmon. Since 1980, the catch has ranged from 25,000 to 1.5 million with an average of 450,000. This fishery has had an average annual value to fishermen of about \$2.2 million.

Careful management of the number of spawning fish is required to maintain this fishery at a high level. Young sockeye salmon spend at least their first year of life (up to 3 years) living and growing in lakes where they rely on microscopic-sized animals (plankton) for food. These animals, in turn, graze on tiny plants. If too many adult salmon spawn in the lake system, an overabundance of the young sockeyes will deplete their limited food source before they migrate to sea. When this happens, large numbers of young salmon die, survivors grow more slowly and smaller numbers migrate to the ocean to mature. So, large numbers of spawners in one year may result in an unusually small run in the next cycle.

Nature of the Injury:

In 1989, as a result of the Exxon-Valdez oil spill, commercial salmon fishing was closed over most of Kodiak Island waters. The closure resulted in an escapement of 768,000 sockeye salmon into Red Lake, a 2.5 fold increase over the maximum desired. Data gathered showed low survival for the 1989 escapement year. Surveys showed low levels of juveniles in the lake in the fall of 1990; and, in the spring of 1991, reduced levels of migrant smolts were observed. This means that very low numbers of sockeye will return as four-, five-, and six-year olds in 1993, 1994 and 1995.

The 1989 parent year failure could result in a collapse or weakness of the Red Lake fishery from 1993 to 1995. A displaced purse seine fleet will move to other areas.

Rationale for Near-Term Action:

If immediate actions are taken, alternative commercial sockeye salmon fishing opportunities can be provided beginning in 1994. The focus is to develop alternative fisheries in other areas where returns would be most manageable and wild stocks would be least affected. This proposal will mitigate the impact of the Exxon-Valdez oil spill on future Red Lake Commercial sockeye fisheries.

Nature of the Restoration Project:

To mitigate this projected loss, we propose to create a mitigation fishery for the displaced mobile purse seine fleet. A red salmon

smolt program could be implemented in 1992 to create a new mitigation fishery beginning in 1994. The Pillar Creek Hatchery in Kodiak is currently incubating 2,500,000 early-run (June) red salmon fry which could be used immediately for this program. These fish can be reared in net pens to accelerate their development to a normal sized (3 gram) smolt by late June or early July, 1992. These fish were originally intended to be stocked in isolated, barren lakes, but could be used for mitigation purposes instead. At a forecasted average survival rate of 4%, we could expect a June fishery of 100,000 red salmon between 1994 and 1995. In 1993 to 1995, this program would be repeated with a goal of 5 million zero-age smolts each year which would result in 200,000 adults returning each year in 1995 to 1997.

Immediate action in 1992 is needed to offset the fishery loss in 1994 and 1995.

Estimated costs:

| Line Item | FY92 | FY93 | FY94 | FY95 |
|-----------------|---------|--------|--------|--------|
| 100 (personnel) | 34.000 | 36.000 | 37.800 | 36.690 |
| 200 (travel) | 1.080 | 1.100 | 1.155 | 1.213 |
| 300 (contracts) | 7.200 | 7.600 | 7.980 | 8.379 |
| 400 (supplies) | 25.400 | 27.940 | 30.734 | 32.270 |
| 500 (equipment) | 94.320 | 9.360 | 9.331 | 8.448 |
| Total | 162.000 | 82.000 | 87.000 | 90.000 |

Resource Category: Fish/Shellfish

Study Number:

Study Title: Red Lake Sockeye Salmon Restoration

Sponsoring Agency: ADF&G

Consequential Injury?

Continuing?

Recovery Occurring?

Identifiable Restoration Endpoint?

Restore the Red Lake sockeye salmon run that
was severely damaged by overescapement that
resulted from EVOS fishing closure

Recommendation:

Should a detailed study plan be prepared?

Yes _____

Yes, in modified form _____

Maybe _____

No _____

RED LAKE SOCKEYE SALMON RESTORATION

Nature of the Resource:

Red Lake, located on the southwest side of Kodiak Island, has historically been one of the most consistent producers of sockeye salmon for Kodiak's commercial purse seine fishermen. The Department of Fish and Game's annual escapement goal for the system ranges from 200 to 300 thousand. Since 1980, the catch has ranged from 25,000 to 1.5 million with an average of 450,000. This fishery has had an average annual value to fishermen of about \$2.2 million.

Careful management of the number of spawning fish is required to maintain this fishery at a high level. Young sockeye salmon spend at least their first year of life (up to 3 years) living and growing in lakes where they rely on microscopic-sized animals (plankton) for food. These animals, in turn, graze on tiny plants. If too many adult salmon spawn in the lake system, an overabundance of the young sockeyes will deplete their limited food source before they migrate to sea. When this happens, large numbers of young salmon die, survivors grow more slowly and smaller numbers migrate to the ocean to mature. So, large numbers of spawners in one year may result in an unusually small run in the next cycle.

Nature of the Injury:

In 1989, as a result of the Exxon-Valdez oil spill, commercial salmon fishing was closed over most of Kodiak Island waters. The closure resulted in an escapement of 768,000 sockeye salmon into Red Lake, a 2.5 fold increase over the maximum desired. Data gathered showed low survival for the 1989 escapement year. surveys showed low levels of juveniles in the lake in the fall of 1990; and, in the spring of 1991, reduced levels of migrant smolts were observed. This means that very low numbers of sockeye will return as four-, five-, and six-year olds in 1993, 1994 and 1995. It is anticipated that adult salmon return may be depressed to the extent that the escapement may fall below 150,000. If this happens during one or more of these years, supplemental production would be implemented immediately to restore the population.

Rational for Near-Term Action:

If immediate actions are taken we will have the capability to restore Red Lake sockeye salmon production. There is serious concern that as a result of the oil spill that sockeye salmon returns will be so low in 1993 and 1994 that minimum spawning population goals will not be achieved. If this were to happen, the productivity of this lake would be underutilized and the fishery and economy would be seriously impacted in future years. Immediate action is necessary to guard against this.

Nature of the Restoration Project:

Restoration will involve taking a total of six million early run salmon eggs at Red Lake by August 30 each year. The eggs will be transported and incubated sockeye in a module at the Pillar Creek Hatchery in Kodiak. Fry will be reared until emergence and then released into Red Lake in May of each year.

The project restoration activity will result in restoration by allowing wild and cultured fry to enter the lake at the same period. A forecasted survival rate of 3% from fry to adult could result in 146,000 adults each year to the Red Lake system.

If the sockeye escapement falls below 150,000 by August 1 in 1993, 1994, or 1995, restoration measures would be implemented at Red Lake that year. In order to provide this capability, gear and equipment would have to be purchased in 1992. Operational monies for returns in each year (FY1994, 1995, and 1996) should be held as a contingency pending escapement counts in each of those years.

Estimated costs:

| Line Item | FY93 | FY94 | FY95 | FY96 | FY97 |
|-----------------|--------|--------|--------|--------|--------|
| 100 (personnel) | 0 | 26.250 | 27.562 | 28.940 | 30.387 |
| 200 (travel) | 0 | 1.010 | 1.092 | 1.147 | 1.204 |
| 300 (contracts) | 0 | 21.200 | 22.260 | 24.486 | 26.935 |
| 400 (supplies) | 11.000 | 12.800 | 13.440 | 14.784 | 16.262 |
| 500 (equipment) | 34.000 | 9.710 | 9.646 | 7.643 | 5.212 |
| Total | 45.000 | 71.000 | 74.000 | 77.000 | 80.000 |

Resource Category: Fish/Shellfish

Study Number:

Study Title: Kodiak Conservation Land Acquisition to Mitigate Sockeye Salmon Impacts

Sponsoring Agency: ADF&G

Consequential Injury?

Continuing?

Recovery Occurring?

Identifiable Restoration Endpoint?

Acquisition of lands important to conservation and management of Red Lake sockeye salmon

Recommendation:

Should a detailed study plan be prepared?

Yes _____

Yes, in modified form _____

Maybe _____

No _____

KODIAK CONSERVATION LAND ACQUISITION TO MITIGATE SOCKEYE SALMON IMPACTS

Nature of the Resource:

Red Lake, located on the southwest side of Kodiak Island, has historically been one of the most consistent producers of sockeye salmon for Kodiak's commercial purse seine fishermen. The Department of Fish and Game's annual escapement goal for the system ranges from 200 to 300 thousand sockeye salmon. Since 1980, the catch has ranged from 25,000 to 1.5 million with an average of 450,000. This fishery has had an average annual value to fishermen of approximately \$2.2 million.

Careful management of the number of spawning fish is required to maintain this fishery at a high level. Young sockeye salmon spend at least their first year of life (up to 3 years) living and growing in lakes where they rely on microscopic-sized animals (plankton) for food. These animals, in turn, graze on tiny plants. If too many adult salmon spawn in the lake system, an overabundance of the young sockeyes will deplete their limited food source before they migrate to sea. When this happens, large numbers of young salmon die, survivors grow more slowly and smaller numbers migrate to the ocean to mature. So, large numbers of spawners in one year may result in an unusually small run in the next cycle.

Nature of the Injury:

In 1989, as a result of the Exxon Valdez oil spill, commercial salmon fishing was closed over most of Kodiak Island waters. The closure resulted in an escapement of 768,000 sockeye salmon into Red Lake, a 2.5 fold increase over the maximum desired. Data gathered showed low survival for the 1989 escapement year. Surveys showed low levels of juveniles in the lake in the fall of 1990; and, in the spring of 1991, reduced levels of migrant smolts were observed.

Rational For Near Term Action:

The 1989 parent year may result in collapse or weakness in the 1993 to 1995 period. Further, a displaced purse seine fishery will be redirected to other fishing areas, compounding fishing pressure at other sites.

Nature of the Restoration Project:

To mitigate resource damage, we propose that a long term investment be made to insure that Kodiak salmon resources can be managed to maintain healthy and productive populations. Specifically, we propose to purchase Native lands. The land areas identified below are essential for ensuring ecosystem protection, rehabilitation, and continuation of the most critical Kodiak area salmon resources, especially for sockeye salmon.

Upper Station: 5 acres
 Akalura: 5 acres
 Dog Salmon Flats: 15 acres
 Karluk River: 2 - 5 acre tracks
 Litnik: 5 acres
 Red River: 5 acres
 Pauls Bay: 5 acres
 Waterfall: 5 acres
 Kitoi Bay Hatchery: 36 acres
 Perenosa: 5 acres
 Thorsheim: 5 acres
 Malina: 5 acres
 Horse Marine: 5 acres
 Karluk Lake: 5 acres

The Department of Fish and Game has been unable to obtain long-term lease arrangements for these lands; typically the lease agreements are negotiated once every three years with no provision for renewal. Lease prices have been accelerating well beyond normal inflation levels. This, coupled with the uncertainty of budgets and lease renewal options, make it important to effect purchase agreements soon. Our proposal calls for Native lands to be purchased over a three-year period starting in 1992.

Duration: 1992, 1993, and 1994

FY 92

Estimated Cost:

| | | |
|---------------------|----------------|-----------|
| 1. Dog Salmon Flats | \$ 300,000 | |
| 2. Kitoi Bay | <u>720,000</u> | |
| Subtotal | \$1,020,000 | 1,020,000 |

FY 93

| | | |
|------------------|----------------|---------|
| 1. Red River | \$100,000 | |
| 2. Upper Station | 100,000 | |
| 3. Karluk River | 200,000 | |
| 4. Litnik | 100,000 | |
| 5. Karluk Lake | <u>100,000</u> | |
| Subtotal | \$600,000 | 600,000 |

FY 94

| | | |
|-----------------|----------------|---------|
| 1. Akalura Lake | \$100,000 | |
| 2. Pauls Bay | 100,000 | |
| 3. Waterfall | 100,000 | |
| 4. Persenosa | 100,000 | |
| 5. Thorsheim | 100,000 | |
| 6. Malina | 100,000 | |
| 7. Horse Marine | <u>100,000</u> | |
| Subtotal | \$700,000 | 700,000 |

| | | |
|-------|--|-------------|
| TOTAL | | \$2,320,000 |
|-------|--|-------------|

Resource Category: Birds/Terrestrial Mammals

Study Number:

Study Title: Identification of Critical Wildlife Habitat
Within Mature Forest Where Logging is Planned

Sponsoring Agency: ADF&G

Consequential Injury?

Continuing?

Recovery Occurring?

Identifiable Restoration Endpoint?

Identification of critical bird and
terrestrial mammal habitat that lies in these
areas that are scheduled to be logged as soon
as 1992. Important habitat would be
identified for potential purchase.

Recommendation:

Should a detailed study plan be prepared?

Yes _____

Yes, in modified form _____

Maybe _____

No _____

IDENTIFICATION OF CRITICAL WILDLIFE HABITAT WITHIN MATURE FOREST WHERE LOGGING IS PLANNED

Nature of the Resource

Mature forests provide critical habitat for a variety of species directly or indirectly injured by the Exxon Valdez oil spill (EVOS). During the next two years, significant acreages that are privately owned will be logged, resulting in additional injury and long-term habitat loss. Critical habitat on these private lands within Prince William Sound (PWS), on the Kenai Peninsula, and on Afognak Island must be identified so negotiations for purchase can begin in 1992. Public ownership of important wildlife habitat within mature forests will allow management of those lands specifically for restoration and enhancement of injured species.

Bald eagle, marbled murrelet, and harlequin ducks all use mature forests for nesting. Mink and river otter depend upon mature forests for denning. Black-tailed deer use mid- and high-volume mature forest stands for food and shelter during winter. Brown bear rely on these stands for escape cover.

Nature of the Injury

At least 144 bald eagles died as a result of direct exposure to oil or eating oiled carrion, and bald eagles have also experienced higher rates of nest failure in oiled areas. In excess of 200 harlequin ducks died from direct exposure to oil in 1989, and studies indicate they may have suffered a complete reproductive failure in oiled areas of PWS during 1990 and 1991. River otter likely declined drastically within the oiled area and may be suffering chronic organ damage from continuing exposure to hydrocarbons. Mink have likely suffered similar injury. Deer and brown bear may not have been dramatically impacted. However, mortality did likely occur. And, questionnaires indicated deer hunting opportunity may have been lost in 1989 because hunters avoided the oiled area.

Rationale for Near-Term Action

Logging of mature forest on private land within, or adjacent to, the area impacted by EVOS is in progress. A minimum of 4,000 acres are expected to be cut during 1992 and this level of cutting may be sustained in future years until all private forest lands are logged. This will result in long term (in excess of 100 years) loss of mature forest habitat and disturbance that will add to the injury already documented from EVOS. Critical habitat that will disappear during 1992 and 1993 must be identified immediately and negotiations for purchase must begin or the opportunity to avoid additional near-term injury will be lost.

Logging is in progress in the Port Fidalgo area in eastern PWS, in Windy Bay on the Kenai Peninsula and on Afognak Island. A significant new logging operation is planned for southern Montague Island during 1992. Road building is scheduled to begin during spring 1992 and cutting will start shortly thereafter. Approximately 10,000 acres have been identified for harvest on Montague Island during the next decade.

Nature of the Restoration Project

This project will be a two year, joint effort, between Wildlife Conservation and Habitat Divisions to identify critical wildlife habitat where logging is in progress or is imminent. It will be integrated with the stream habitat survey proposed by Habitat Division, if that project is approved. The effort will be prioritized so that final recommendations to state negotiators concerning purchase of specific blocks of land will be completed every six months, with lands of highest value to wildlife examined first.

Existing information available from state and federal agencies and private land owners will be assembled, interpreted, summarized and portrayed on preliminary maps. Ground truthing will then be done to verify and refine this preliminary effort into a final map product using an automated geographic information system (GIS). All information obtained will be compiled into a final report. This project will coordinate with any similar long-term restoration efforts to minimize duplication of effort and maximize data compatibility.

Substantial amounts of information on species distribution and relative densities already exists in agency files. State habitat and wildlife guides provide very general information. More specific data is in agency reports of surveys and research projects, including EVOS damage assessment studies. Results of timber inventories are available from Department of Fish and Game, Department of Natural Resources and U.S. Forest Service.

Ground truthing to verify and augment existing information will be done after obtaining consent from land owners. Composition, age, and volume of timber stands will be checked. Known bald eagle nesting activity will be verified and any new nests recorded. Active and abandoned river otter and mink latrine sites will be located and described. Deer use will be estimated using pellet group transects. Bear use will be verified by recording sightings and presence of tracks and scats. Indications of use by other species will be recorded opportunistically. Methods may be modified to assure coordination with long-term restoration studies.

| | | |
|----------------------------------|-------------|-----------|
| Estimated Cost (per year) | Personnel | \$130,000 |
| | Travel | 18,200 |
| | Contractual | 52,000 |
| | Supplies | 13,000 |
| | Equipment | 19,500 |
| | Total | \$232,700 |

Resource Category: Archaeology

Study Number:

Study Title: Mitigating Damage to Archaeological Sites

Sponsoring Agency: ADNR/ADF&G

Consequential Injury?

Continuing? Yes, oil is progressively contaminating more artifacts. Sites are vulnerable to vandalism and unauthorized collecting.

Recovery Occurring?

Identifiable Restoration Endpoint?

Salvage archaeology of damage sites in areas too remote to be protected

Recommendation:

Should a detailed study plan be prepared?

Yes _____

Yes, in modified form _____

Maybe _____

No _____

MITIGATING DAMAGE TO ARCHAEOLOGICAL SITES

Nature of the Resource

The archaeological sites damaged as a result of the Exxon Valdez oil spill contain information about the economy and social structure of a culture which has almost totally disappeared. The irreplaceable information can be retrieved only through archaeological excavation of the sites, each of which has its own unique story to tell.

Five archaeological sites on State land have been documented as injured by the spill or related activities. The five, of more than 400 sites in spill area, are either village sites in segments of coast where few villages existed or are waterlogged sites in which rare wooden artifacts have been preserved from decay through the centuries. Each site contains ground slate spear or lance points, stone adzes, ground slate knives and represent part of the picture of late prehistoric life. The Gore Point Village Site is the largest village site found along the entire outer Kenai Peninsula coastline. The Port Dick Cabin Site is a smaller settlement which contains information about the late prehistoric use of a significant fish resource at the head of Port Dick. These two sites document different aspects of resource use by an almost extinct Aleut group represented by a few modern inhabitants of Port Graham and English Bay.

The Perevalnie Passage Site is the most northern village of Shuyak group of Koniag people, a group which has not lived in significant numbers in the area for over 100 years. The site contains abundant sea mammal and fish remains to an extent not documented elsewhere on Shuyak. Burials and houses are exposed along the beach bluff.

The two waterlogged sites, SEL-215 and AFG-098, contain wooden artifacts which are rarely preserved in Alaskan sites. Excavation will provide insight into a normally unknown aspect of late prehistoric Pacific Eskimo (Alutiq) culture. Together with the stone artifacts in the sites, the wood and bone artifacts in the sites will provide an uncommonly complete look at culture of the late prehistoric period.

Nature of the Injury

Sites damaged from the Exxon Valdez oil spill were damaged either from direct physical destruction of cultural remains or more subtly through contamination from the oil. Oil contamination of wood and charcoal in sites can cause erroneous results of the radiocarbon dating process, the primary method by which age estimates of sites can be obtained.

A recent study on the effect of petroleum hydrocarbon on the radiocarbon dating process suggests samples can be partially cleaned but that some uncontrollable error in results still remains. Uncertainties about the validity of radiocarbon dates constitutes a major injury to sites AFG-098, the Perevalnie Passage Site (AFG-046), and SEL-215.

Vandalism and uncontrolled use related to cleanup activities negatively effected the Port Dick Village Site (SEL-178), the Gore Point Village

Vandalism and uncontrolled use related to cleanup activities negatively effected the Port Dick Village Site (SEL-178), the Gore Point Village Site (SEL-129), and the Perevalnie Passage Site (AFG-046). The latter site suffered from both heavy oiling and vandalism related to cleanup. The Port Dick and Gore Point sites both had trails, worn by clean-up crews, that deeply eroded into the cultural deposits which destroyed valuable information about prehistoric use of the site. The Port Dick Cabin Site also had a helicopter pad and re-fuel station placed in the middle of the site. Construction of the pad and storage of fuel barrels damaged cultural remains in the center of the site.

Rationale for Near-Term Action

The sites which have been impacted by foot traffic and cleanup, are as a result of the oil spill much more widely known to large numbers of people. The remote nature of the sites makes monitoring to prevent vandalism and destructive artifact collecting nearly impossible. As time passes loss of data to unauthorized artifact collectors will increase rapidly. Collection of data before continued vandalism occurs is the most cost effective means of salvaging the information otherwise irretrievably lost.

Contaminated carbon from petroleum will undoubtedly spread through cultural deposits with normal movement of ground water. Immediate excavation of contaminated deposits needs to be undertaken to minimize spread of the damage. As petroleum hydrocarbons chemically degrade, the contaminating carbon will release into the site and render sample cleaning prior to treatment no longer a viable alternative in obtaining usable dates. Data needs to be collected and any contaminants in the site removed before spread of the degraded contaminant begins.

Nature of the Restoration Project

Restoration of the damaged sites consists of collecting information from the sites. The information will provide data needed to document the chronology of prehistoric cultures along the Gulf of Alaska coast. A cultural chronology is a necessary first step in deciding the importance of individual sites so that reasoned management decisions may be made by land managers. Additionally, the data obtained will provide a picture of prehistoric life which can be used to answer the questions asked by a curious public. Through use of this information, the public can be educated about the importance of the protected archaeological sites.

Estimated Cost

| | <u>FY93</u> | <u>FY94</u> |
|---------------|--------------|-------------|
| Labor | \$216,000 | \$212,000 |
| Travel | 38,000 | 33,000 |
| Contracts | 88,000 | 52,000 |
| Expendables | 5,000 | 6,000 |
| Equipment | <u>3,000</u> | <u>-0-</u> |
| Yearly Totals | \$350,000 | \$303,000 |

1992 RESTORATION IMPLEMENTATION PROJECTS

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- Sport Fisheries Restoration and Enhancement in Cook Inlet
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- Identification of Critical Wildlife Habitat Within Mature Forest Where Logging is Planned
- Mitigating Damage to Archaeological Sites

Resource Category: Fish/Shellfish

Study Number:

Study Title: Sport Fisheries Restoration and Enhancement in
Cook Inlet

Sponsoring Agency: ADF&G

Consequential Injury?

Continuing?

Recovery Occurring?

Identifiable Restoration Endpoint?

Provision of sport fishing opportunity to
compensate for loss of Kenai River sockeye

Recommendation:

Should a detailed study plan be prepared?

Yes _____

Yes, in modified form _____

Maybe _____

No _____

SPORT FISHERIES RESTORATION AND ENHANCEMENT IN COOK INLET

Nature of the Resource:

Cook Inlet supports the largest sport fisheries in Alaska. One of the largest single sport fisheries is on Kenai River sockeye salmon. It is estimated that direct expenditures made by sport fishermen fishing for sockeye salmon in the Kenai drainage exceed \$10 million annually.

Careful management of the number of spawning fish is required to maintain this fishery at a high level. Young sockeye salmon spend at least their first year of life (up to 3 years) living and growing in lakes where they rely on microscopic-sized animals (plankton) for food. These animals, in turn, graze on tiny plants. If too many adult salmon spawn in the lake system, an overabundance of the young sockeyes will deplete their limited food source before they migrate to sea. When this happens, large numbers of young salmon die, survivors grow more slowly and smaller numbers migrate to the ocean to mature. So, large numbers of spawners in one year may result in an unusually small run in the next cycle.

Nature of the Injury:

As a direct result the 1989 Exxon-Valdez oil spill, Cook Inlet fisheries were shut down and record numbers of adult sockeye salmon reached spawning grounds on the Kenai River. Extremely low numbers of young salmon from 1989 spawners were counted leaving Kenai drainage lakes in 1991 on their way to the sea. The return of these fish as adults in 1993 and 1994 may be so low that sport fishing in the Kenai River may have to be drastically reduced or entirely forgone. It is unclear how long it might take for Kenai River sockeye to recover to their former level of abundance. The loss of fishing opportunity will have a significant impact on the Cook Inlet economy.

Rationale For Near-Term Action:

If immediate actions are taken, alternative sport fishing opportunities can be provided beginning in 1993. While it is not possible to replace the sockeye salmon in time for the 1993 and 1994 sport fishery, it is possible to provide alternate sport fisheries for rainbow trout and pink and coho salmon to mitigate impacts on the Cook Inlet sport fishery and the economy.

Nature of Restoration Project:

The project will construct a water pipeline to connect the Anchorage Municipal Water System to the Fort Richardson Hatchery. This will permit an immediate doubling of annual production (from 3.9 to 7.7 million young fish), increase dependability, and reduce cost of production. Installation of a water pipeline at Fort

Richardson Hatchery will allow for accelerated fish growth using surplus heated water from the nearby electrical generating plant. Fish will be released at approved sites in Cook Inlet to provide alternative sport fisheries. Sport fishermen will be informed about these alternative sport fisheries via news releases.

An engineering feasibility study funded by the City of Anchorage and an economic review by the Anchorage Economic Development Corporation for this project were completed in 1991 and both are favorable.

With immediate design and construction of the pipeline, the first egg takes of additional trout and salmon would occur in 1992. An additional 210,000 pan-sized rainbow trout would be available release into urban lakes annually beginning 1993. Further, because of the one year ocean residency of coho and pink salmon, an additional 24,000 coho and 20,000 pink salmon adults would be available for sport harvest beginning in 1994 to help replace the loss of sockeye salmon sport fishing. Thus direct mitigation of losses in sport fishing opportunity will be available if this pipeline project is under taken immediately.

Estimated Cost:

- \$3,400,000 for construction of the pipeline (based on engineering feasibility study completed in 1991).
- Annual Operating Costs (line item breakdown)

| | |
|-------------|-----------------|
| (labor) | \$100,000 |
| (travel) | 0 |
| (utilities) | \$50,000 |
| (fish food) | \$250,000 |
| (equipment) | 0 |
| Total | <hr/> \$400,000 |

Resource Category: Fish/Shellfish

Study Number:

Study Title: Fry Rearing to Improve Survival and Restore
Wild Pink and Chum Salmon Stocks

Sponsoring Agency: ADF&G

Consequential Injury?

Continuing?

Recovery Occurring?

Identifiable Restoration Endpoint?

Enhance survival of fry to restore wild pink
and chum salmon stocks

Recommendation:

Should a detailed study plan be prepared?

Yes _____

Yes, in modified form _____

Maybe _____

No _____

FRY REARING TO IMPROVE SURVIVAL AND RESTORE WILD PINK AND CHUM SALMON STOCKS

Nature of the Resource:

Wild pink and chum salmon are important parts of the Prince William Sound (PWS) Commercial fishery and critical elements of Alaska's coastal ecosystems. Their annual migration is part of a cycle that transports millions of pounds of protein and nutrients from the ocean into Alaska's streams to nourish many upland species including bears, mink, river otters, and eagles. Trout feed on salmon eggs in streams while crabs and other fish feed on carcasses at river mouths. Rotting carcasses further support the entire estuarine food web in nearshore habitats. The genetic diversity of Alaska's wild salmon stocks is an important component of this cycle that must be preserved to assure long-term quality of the stocks. Short-term increases in salmon production can be achieved through hatchery programs, but sustained production may be hard to maintain if the genetic diversity in wild stocks is lost. These wild stocks provide new brood stock sources for the hatchery programs and produce an important component of the \$40-50 million PWS fishing industry.

Nature of the Injury:

The Exxon Valdez oil spill severely damaged pink and chum salmon populations in PWS when oil was deposited in intertidal spawning areas where up to 75% of the spawning occurs. Salmon eggs deposited in 1989 and subsequent years have been contaminated, and egg mortality and physical and genetic abnormalities have been found among young salmon from oiled spawning areas.

Young salmon were further damaged in the nearshore marine nursery areas when they consumed oil-contaminated prey. This caused reduced growth and increased mortality. The fish attempted to avoid their contaminated preferred prey by switching to other food organisms. They also migrated away from oiled nursery areas. Oil contamination also increased fry mortality because predators targeted the smaller, slower growing fry. Diminished growth and survival during this lifestage reduced the salmon return to PWS by an estimated 15 to 25 million fish in 1990.

Preliminary results of studies in PWS show genetic mutations that cause sterility in salmon that spawned in oiled habitats. These results suggest that sublethal genetic damages may have also occurred. These damages may prove to be the most insidious detected so far, because sublethal mutations can be transferred to future generations reducing the overall fitness and productivity of wild salmon populations for many years.

Rationale For Near-Term Action:

It is important that this project be initiated in 1992, because significant population declines are likely if no action is taken. Environmental monitoring programs in PWS indicate that wild salmon stocks have been stressed by unfavorable environmental conditions (in addition to oil pollution). In 1991, ocean temperatures were below normal and feeding conditions for fry were poor. These conditions are related to a strong 20-year cycle in ocean climate that caused cold temperatures and weak salmon runs in the early 1970s. A return to unfavorable conditions will drive populations to extremely low levels making them more vulnerable to oil-spill induced genetic damage.

It is very important that action be taken immediately to offset these effects. Ongoing studies of hatchery-produced fish demonstrate that a doubling of fry-to-adult survival is achieved when fry are reared in net pens and released when feeding conditions in the Sound are best. Capture methods and rearing techniques have already been developed in PWS so it will be easy to apply this method to help wild stocks.

If no action is taken significant wild salmon stock declines are expected. Further wild stock declines will exacerbate problems of mixed-stock fishery management in PWS. The health and productivity of wild salmon stocks in PWS is essential to conduct an orderly commercial fishery.

Nature of the Restoration Project:

The timing of wild fry outmigrations in relation to optimal growth conditions strongly affects adult returns. In this project, wild salmon fry will be reared in net pens until optimal growth conditions occur in the ocean. The following objectives will be achieved:

1. Construct fry weirs to capture outmigrating wild pink and chum salmon fry at 7 streams in Prince William Sound in 1992.
2. Transfer the fry to net pens, feed them a commercial diet, and mark fish from each stream using a unique code,
3. Monitor ocean temperatures and food abundances in local nearshore nursery areas and release the fry when growth conditions are optimal.

In the first year of this project, fry weirs will be operated at 7 streams in PWS. The largest pink salmon producing streams where fry weirs can be operated will be given priority. Projects at these sites will produce the greatest benefit and have the greatest impact on subsequent returns of wild salmon. Oiled streams will be given higher priority than non-oiled streams. After the first year, the project will be expanded to a total of 14 streams.

This project will continue until the natural fitness and productivity of wild pink and chum salmon stocks in PWS are restored. Results from monitoring studies will be evaluated annually to determine whether to continue or modify this project.

Estimated costs:

| Line Item | FY92 | FY93 | FY94 | FY95 | FY96 |
|-----------------|-------|-------|-------|-------|-------|
| 100 (personnel) | 245.4 | 460.2 | 460.2 | 460.2 | 460.2 |
| 200 (travel) | 2.3 | 2.3 | 2.3 | 2.3 | 2.3 |
| 300 (contracts) | 34.3 | 68.5 | 68.5 | 68.5 | 68.5 |
| 400 (supplies) | 88.7 | 195.6 | 185.1 | 185.1 | 185.1 |
| 500 (equipment) | 243.6 | 243.6 | 80.0 | 80.0 | 80.0 |
| Total | 614.3 | 970.1 | 796.0 | 796.0 | 796.0 |

Resource Category: Fish/Shellfish

Study Number:

Study Title: Restoration of the Coghill Lake Sockeye Salmon
Stock

Sponsoring Agency: ADF&G/USFS

Consequential Injury?

Continuing?

Recovery Occurring?

Identifiable Restoration Endpoint?

Restore productivity of Coghill Lake to
enhance smolt production which will lead to
substantial improvement in lake productivity
and a strengthened sockeye run

Recommendation:

Should a detailed study plan be prepared?

Yes _____

Yes, in modified form _____

Maybe _____

No _____

Nature of the Resource:

Young sockeye (red) salmon grow in lakes for 1-3 years before emigrating to sea, so their production depends on the productivity of rearing lakes. Coghill Lake sockeye salmon have historically supported an important commercial gill net fishery with an average return of 393,000 fish. Recently, stocks have declined and, in 1991, only 9,800 adults escaped into Coghill Lake. When the productivity of a lake rearing system has been depleted as it has in Coghill Lake, it can be restored with the addition of chemical nutrients.

Nature of the Injury:

Results from damage assessment studies on juvenile salmon suggest that the Exxon Valdez oil spill may have accelerated the stock decline through disruption of the smolt migration, contamination of food in nearshore areas, and reduced growth and survival of young fish. Smolts from Coghill Lake typically are very small and they appear to have migrated through the heavily contaminated passages in western PWS. Their small size may have left them more vulnerable to sublethal effects. The ADF&G has already conducted oil-spill damage assessment studies on the stock, including tagging, recovery of tagged adults and escapement.

Rationale for Near-Term Action:

This project should be initiated in 1992 because the Coghill Lake stock is presently at dangerously low levels. Action must be taken to restore the stock before any further decline occurs and too few adults are available. Rehabilitation of the Coghill Lake stock will restore this valuable fishery and reduce mixed-stock management problems in western PWS.

Nature of the Restoration Project:

Studies indicate that fry food resources in the lake have deteriorated because small numbers of spawners do not supply enough enrichment to the system to sustain the food chain. Consequently, the system presently cannot produce large numbers of fish. Artificial enrichment is needed to increase food abundance until natural nutrient input from salmon carcasses is restored.

The goal of this project is to restore the natural productivity of Coghill Lake and the resident sockeye salmon population. This will be a cooperative project with the U.S. Forest Service, which will be responsible for fertilizer application. The ADF&G component of this project will evaluate the effects of the fertilization program. The objectives are:

1. Assure that fertilizer is distributed into Coghill Lake at the right time, concentration and locations.
2. Collect samples monthly during the open-water season to monitor lake productivity and fry prey densities.

3. Estimate the numbers, growth, and condition of fry.
4. Estimate the overwinter growth and survival of juvenile sockeye.
5. Monitor the numbers, size and age of outmigrating smolts to assure that the restoration program is performing correctly

Sampling will be conducted at 2 stations monthly. Surveys will be conducted each fall to estimate the abundance, growth, condition and distribution of fry.

Traps will be used to capture and enumerate sockeye smolts outmigrating from Coghill Lake.

The project will be continued for five years. This is the average generation time for the Coghill Lake sockeye stock. It is important that fertilization and evaluation studies continue for one generation to insure restoration of natural stock productivity.

Estimated cost:

| Line Item | FY92 | FY93 | FY94 | FY95 | FY96 |
|-----------------|------|------|------|------|------|
| 100 (personnel) | 41.0 | 41.0 | 41.0 | 41.0 | 41.0 |
| 200 (travel) | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| 300 (contracts) | 18.3 | 18.3 | 18.3 | 18.3 | 18.3 |
| 400 (supplies) | 6.0 | 6.0 | 6.0 | 6.0 | 6.0 |
| 500 (equipment) | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |
| Total | 65.3 | 65.3 | 65.3 | 65.3 | 65.3 |

Resource Category: Fish/Shellfish

Study Number:

Study Title: Mitigation for Red Lake Sockeye Salmon Fishery

Sponsoring Agency: ADF&G

Consequential Injury?

Continuing?

Recovery Occurring?

Identifiable Restoration Endpoint?

Creation of alternative commercial fishing
opportunity for sockeye salmon during the
period of reduced run strength owing to
overescapement

Recommendation:

Should a detailed study plan be prepared?

Yes _____

Yes, in modified form _____

Maybe _____

No _____

MITIGATION FOR RED LAKE SOCKEYE SALMON FISHERY

Nature of the Resource:

Red Lake, located on the southwest side of Kodiak Island, has historically been one of the most consistent producers of sockeye salmon for Kodiak's commercial purse seine fishermen. The Department of Fish and Game's annual escapement goal for the system ranges from 200 to 300 thousand sockeye salmon. Since 1980, the catch has ranged from 25,000 to 1.5 million with an average of 450,000. This fishery has had an average annual value to fishermen of about \$2.2 million.

Careful management of the number of spawning fish is required to maintain this fishery at a high level. Young sockeye salmon spend at least their first year of life (up to 3 years) living and growing in lakes where they rely on microscopic-sized animals (plankton) for food. These animals, in turn, graze on tiny plants. If too many adult salmon spawn in the lake system, an overabundance of the young sockeyes will deplete their limited food source before they migrate to sea. When this happens, large numbers of young salmon die, survivors grow more slowly and smaller numbers migrate to the ocean to mature. So, large numbers of spawners in one year may result in an unusually small run in the next cycle.

Nature of the Injury:

In 1989, as a result of the Exxon-Valdez oil spill, commercial salmon fishing was closed over most of Kodiak Island waters. The closure resulted in an escapement of 768,000 sockeye salmon into Red Lake, a 2.5 fold increase over the maximum desired. Data gathered showed low survival for the 1989 escapement year. Surveys showed low levels of juveniles in the lake in the fall of 1990; and, in the spring of 1991, reduced levels of migrant smolts were observed. This means that very low numbers of sockeye will return as four-, five-, and six-year olds in 1993, 1994 and 1995.

The 1989 parent year failure could result in a collapse or weakness of the Red Lake fishery from 1993 to 1995. A displaced purse seine fleet will move to other areas.

Rationale for Near-Term Action:

If immediate actions are taken, alternative commercial sockeye salmon fishing opportunities can be provided beginning in 1994. The focus is to develop alternative fisheries in other areas where returns would be most manageable and wild stocks would be least affected. This proposal will mitigate the impact of the Exxon-Valdez oil spill on future Red Lake Commercial sockeye fisheries.

Nature of the Restoration Project:

To mitigate this projected loss, we propose to create a mitigation fishery for the displaced mobile purse seine fleet. A red salmon

smolt program could be implemented in 1992 to create a new mitigation fishery beginning in 1994. The Pillar Creek Hatchery in Kodiak is currently incubating 2,500,000 early-run (June) red salmon fry which could be used immediately for this program. These fish can be reared in net pens to accelerate their development to a normal sized (3 gram) smolt by late June or early July, 1992. These fish were originally intended to be stocked in isolated, barren lakes, but could be used for mitigation purposes instead. At a forecasted average survival rate of 4%, we could expect a June fishery of 100,000 red salmon between 1994 and 1995. In 1993 to 1995, this program would be repeated with a goal of 5 million zero-age smolts each year which would result in 200,000 adults returning each year in 1995 to 1997.

Immediate action in 1992 is needed to offset the fishery loss in 1994 and 1995.

Estimated costs:

| Line Item | FY92 | FY93 | FY94 | FY95 |
|-----------------|---------|--------|--------|--------|
| 100 (personnel) | 34.000 | 36.000 | 37.800 | 36.690 |
| 200 (travel) | 1.080 | 1.100 | 1.155 | 1.213 |
| 300 (contracts) | 7.200 | 7.600 | 7.980 | 8.379 |
| 400 (supplies) | 25.400 | 27.940 | 30.734 | 32.270 |
| 500 (equipment) | 94.320 | 9.360 | 9.331 | 8.448 |
| Total | 162.000 | 82.000 | 87.000 | 90.000 |

Resource Category: Fish/Shellfish

Study Number:

Study Title: Red Lake Sockeye Salmon Restoration

Sponsoring Agency: ADF&G

Consequential Injury?

Continuing?

Recovery Occurring?

Identifiable Restoration Endpoint?

Restore the Red Lake sockeye salmon run that
was severely damaged by overescapement that
resulted from EVOS fishing closure

Recommendation:

Should a detailed study plan be prepared?

Yes _____

Yes, in modified form _____

Maybe _____

No _____

RED LAKE SOCKEYE SALMON RESTORATION

Nature of the Resource:

Red Lake, located on the southwest side of Kodiak Island, has historically been one of the most consistent producers of sockeye salmon for Kodiak's commercial purse seine fishermen. The Department of Fish and Game's annual escapement goal for the system ranges from 200 to 300 thousand. Since 1980, the catch has ranged from 25,000 to 1.5 million with an average of 450,000. This fishery has had an average annual value to fishermen of about \$2.2 million.

Careful management of the number of spawning fish is required to maintain this fishery at a high level. Young sockeye salmon spend at least their first year of life (up to 3 years) living and growing in lakes where they rely on microscopic-sized animals (plankton) for food. These animals, in turn, graze on tiny plants. If too many adult salmon spawn in the lake system, an overabundance of the young sockeyes will deplete their limited food source before they migrate to sea. When this happens, large numbers of young salmon die, survivors grow more slowly and smaller numbers migrate to the ocean to mature. So, large numbers of spawners in one year may result in an unusually small run in the next cycle.

Nature of the Injury:

In 1989, as a result of the Exxon-Valdez oil spill, commercial salmon fishing was closed over most of Kodiak Island waters. The closure resulted in an escapement of 768,000 sockeye salmon into Red Lake, a 2.5 fold increase over the maximum desired. Data gathered showed low survival for the 1989 escapement year. surveys showed low levels of juveniles in the lake in the fall of 1990; and, in the spring of 1991, reduced levels of migrant smolts were observed. This means that very low numbers of sockeye will return as four-, five-, and six-year olds in 1993, 1994 and 1995. It is anticipated that adult salmon return may be depressed to the extent that the escapement may fall below 150,000. If this happens during one or more of these years, supplemental production would be implemented immediately to restore the population.

Rational for Near-Term Action:

If immediate actions are taken we will have the capability to restore Red Lake sockeye salmon production. There is serious concern that as a result of the oil spill that sockeye salmon returns will be so low in 1993 and 1994 that minimum spawning population goals will not be achieved. If this were to happen, the productivity of this lake would be underutilized and the fishery and economy would be seriously impacted in future years. Immediate action is necessary to guard against this.

Nature of the Restoration Project:

Restoration will involve taking a total of six million early run salmon eggs at Red Lake by August 30 each year. The eggs will be transported and incubated sockeye in a module at the Pillar Creek Hatchery in Kodiak. Fry will be reared until emergence and then released into Red Lake in May of each year.

The project restoration activity will result in restoration by allowing wild and cultured fry to enter the lake at the same period. A forecasted survival rate of 3% from fry to adult could result in 146,000 adults each year to the Red Lake system.

If the sockeye escapement falls below 150,000 by August 1 in 1993, 1994, or 1995, restoration measures would be implemented at Red Lake that year. In order to provide this capability, gear and equipment would have to be purchased in 1992. Operational monies for returns in each year (FY1994, 1995, and 1996) should be held as a contingency pending escapement counts in each of those years.

Estimated costs:

| Line Item | FY93 | FY94 | FY95 | FY96 | FY97 |
|-----------------|--------|--------|--------|--------|--------|
| 100 (personnel) | 0 | 26.250 | 27.562 | 28.940 | 30.387 |
| 200 (travel) | 0 | 1.010 | 1.092 | 1.147 | 1.204 |
| 300 (contracts) | 0 | 21.200 | 22.260 | 24.486 | 26.935 |
| 400 (supplies) | 11.000 | 12.800 | 13.440 | 14.784 | 16.262 |
| 500 (equipment) | 34.000 | 9.710 | 9.646 | 7.643 | 5.212 |
| Total | 45.000 | 71.000 | 74.000 | 77.000 | 80.000 |

Resource Category: Fish/Shellfish

Study Number:

Study Title: Kodiak Conservation Land Acquisition to
Mitigate Sockeye Salmon Impacts

Sponsoring Agency: ADF&G

Consequential Injury?

Continuing?

Recovery Occurring?

Identifiable Restoration Endpoint?

Acquisition of lands important to conservation
and management of Red Lake sockeye salmon

Recommendation:

Should a detailed study plan be prepared?

Yes _____

Yes, in modified form _____

Maybe _____

No _____

KODIAK CONSERVATION LAND ACQUISITION TO MITIGATE SCKEYE SALMON IMPACTS

Nature of the Resource:

Red Lake, located on the southwest side of Kodiak Island, has historically been one of the most consistent producers of sockeye salmon for Kodiak's commercial purse seine fishermen. The Department of Fish and Game's annual escapement goal for the system ranges from 200 to 300 thousand sockeye salmon. Since 1980, the catch has ranged from 25,000 to 1.5 million with an average of 450,000. This fishery has had an average annual value to fishermen of approximately \$2.2 million.

Careful management of the number of spawning fish is required to maintain this fishery at a high level. Young sockeye salmon spend at least their first year of life (up to 3 years) living and growing in lakes where they rely on microscopic-sized animals (plankton) for food. These animals, in turn, graze on tiny plants. If too many adult salmon spawn in the lake system, an overabundance of the young sockeyes will deplete their limited food source before they migrate to sea. When this happens, large numbers of young salmon die, survivors grow more slowly and smaller numbers migrate to the ocean to mature. So, large numbers of spawners in one year may result in an unusually small run in the next cycle.

Nature of the Injury:

In 1989, as a result of the Exxon Valdez oil spill, commercial salmon fishing was closed over most of Kodiak Island waters. The closure resulted in an escapement of 768,000 sockeye salmon into Red Lake, a 2.5 fold increase over the maximum desired. Data gathered showed low survival for the 1989 escapement year. Surveys showed low levels of juveniles in the lake in the fall of 1990; and, in the spring of 1991, reduced levels of migrant smolts were observed.

Rational For Near Term Action:

The 1989 parent year may result in collapse or weakness in the 1993 to 1995 period. Further, a displaced purse seine fishery will be redirected to other fishing areas, compounding fishing pressure at other sites.

Nature of the Restoration Project:

To mitigate resource damage, we propose that a long term investment be made to insure that Kodiak salmon resources can be managed to maintain healthy and productive populations. Specifically, we propose to purchase Native lands. The land areas identified below are essential for ensuring ecosystem protection, rehabilitation, and continuation of the most critical Kodiak area salmon resources, especially for sockeye salmon.

Upper Station: 5 acres
 Akalura: 5 acres
 Dog Salmon Flats: 15 acres
 Karluk River: 2 - 5 acre tracks
 Litnik: 5 acres
 Red River: 5 acres
 Pauls Bay: 5 acres
 Waterfall: 5 acres
 Kitoi Bay Hatchery: 36 acres
 Perenosa: 5 acres
 Thorsheim: 5 acres
 Malina: 5 acres
 Horse Marine: 5 acres
 Karluk Lake: 5 acres

The Department of Fish and Game has been unable to obtain long-term lease arrangements for these lands; typically the lease agreements are negotiated once every three years with no provision for renewal. Lease prices have been accelerating well beyond normal inflation levels. This, coupled with the uncertainty of budgets and lease renewal options, make it important to effect purchase agreements soon. Our proposal calls for Native lands to be purchased over a three-year period starting in 1992.

Duration: 1992, 1993, and 1994

FY 92

Estimated Cost:

| | | |
|---------------------|----------------|-----------|
| 1. Dog Salmon Flats | \$ 300,000 | |
| 2. Kitoi Bay | <u>720,000</u> | |
| Subtotal | \$1,020,000 | 1,020,000 |

FY 93

| | | |
|------------------|----------------|---------|
| 1. Red River | \$100,000 | |
| 2. Upper Station | 100,000 | |
| 3. Karluk River | 200,000 | |
| 4. Litnik | 100,000 | |
| 5. Karluk Lake | <u>100,000</u> | |
| Subtotal | \$600,000 | 600,000 |

FY 94

| | | |
|-----------------|----------------|-------------|
| 1. Akalura Lake | \$100,000 | |
| 2. Pauls Bay | 100,000 | |
| 3. Waterfall | 100,000 | |
| 4. Persenosa | 100,000 | |
| 5. Thorsheim | 100,000 | |
| 6. Malina | 100,000 | |
| 7. Horse Marine | <u>100,000</u> | |
| Subtotal | \$700,000 | 700,000 |
| TOTAL | | \$2,320,000 |

Resource Category: Birds/Terrestrial Mammals

Study Number:

Study Title: Identification of Critical Wildlife Habitat
Within Mature Forest Where Logging is Planned

Sponsoring Agency: ADF&G

Consequential Injury?

Continuing?

Recovery Occurring?

Identifiable Restoration Endpoint?

Identification of critical bird and
terrestrial mammal habitat that lies in these
areas that are scheduled to be logged as soon
as 1992. Important habitat would be
identified for potential purchase.

Recommendation:

Should a detailed study plan be prepared?

Yes _____

Yes, in modified form _____

Maybe _____

No _____

IDENTIFICATION OF CRITICAL WILDLIFE HABITAT WITHIN MATURE FOREST WHERE LOGGING IS PLANNED

Nature of the Resource

Mature forests provide critical habitat for a variety of species directly or indirectly injured by the Exxon Valdez oil spill (EVOS). During the next two years, significant acreages that are privately owned will be logged, resulting in additional injury and long-term habitat loss. Critical habitat on these private lands within Prince William Sound (PWS), on the Kenai Peninsula, and on Afognak Island must be identified so negotiations for purchase can begin in 1992. Public ownership of important wildlife habitat within mature forests will allow management of those lands specifically for restoration and enhancement of injured species.

Bald eagle, marbled murrelet, and harlequin ducks all use mature forests for nesting. Mink and river otter depend upon mature forests for denning. Black-tailed deer use mid- and high-volume mature forest stands for food and shelter during winter. Brown bear rely on these stands for escape cover.

Nature of the Injury

At least 144 bald eagles died as a result of direct exposure to oil or eating oiled carrion, and bald eagles have also experienced higher rates of nest failure in oiled areas. In excess of 200 harlequin ducks died from direct exposure to oil in 1989, and studies indicate they may have suffered a complete reproductive failure in oiled areas of PWS during 1990 and 1991. River otter likely declined drastically within the oiled area and may be suffering chronic organ damage from continuing exposure to hydrocarbons. Mink have likely suffered similar injury. Deer and brown bear may not have been dramatically impacted. However, mortality did likely occur. And, questionnaires indicated deer hunting opportunity may have been lost in 1989 because hunters avoided the oiled area.

Rationale for Near-Term Action

Logging of mature forest on private land within, or adjacent to, the area impacted by EVOS is in progress. A minimum of 4,000 acres are expected to be cut during 1992 and this level of cutting may be sustained in future years until all private forest lands are logged. This will result in long term (in excess of 100 years) loss of mature forest habitat and disturbance that will add to the injury already documented from EVOS. Critical habitat that will disappear during 1992 and 1993 must be identified immediately and negotiations for purchase must begin or the opportunity to avoid additional near-term injury will be lost.

Logging is in progress in the Port Fidalgo area in eastern PWS, in Windy Bay on the Kenai Peninsula and on Afognak Island. A significant new logging operation is planned for southern Montague Island during 1992. Road building is scheduled to begin during spring 1992 and cutting will start shortly thereafter. Approximately 10,000 acres have been identified for harvest on Montague Island during the next decade.

Nature of the Restoration Project

This project will be a two year, joint effort, between Wildlife Conservation and Habitat Divisions to identify critical wildlife habitat where logging is in progress or is imminent. It will be integrated with the stream habitat survey proposed by Habitat Division, if that project is approved. The effort will be prioritized so that final recommendations to state negotiators concerning purchase of specific blocks of land will be completed every six months, with lands of highest value to wildlife examined first.

Existing information available from state and federal agencies and private land owners will be assembled, interpreted, summarized and portrayed on preliminary maps. Ground truthing will then be done to verify and refine this preliminary effort into a final map product using an automated geographic information system (GIS). All information obtained will be compiled into a final report. This project will coordinate with any similar long-term restoration efforts to minimize duplication of effort and maximize data compatibility.

Substantial amounts of information on species distribution and relative densities already exists in agency files. State habitat and wildlife guides provide very general information. More specific data is in agency reports of surveys and research projects, including EVOS damage assessment studies. Results of timber inventories are available from Department of Fish and Game, Department of Natural Resources and U.S. Forest Service.

Ground truthing to verify and augment existing information will be done after obtaining consent from land owners. Composition, age, and volume of timber stands will be checked. Known bald eagle nesting activity will be verified and any new nests recorded. Active and abandoned river otter and mink latrine sites will be located and described. Deer use will be estimated using pellet group transects. Bear use will be verified by recording sightings and presence of tracks and scats. Indications of use by other species will be recorded opportunistically. Methods may be modified to assure coordination with long-term restoration studies.

| | | |
|---------------------------|-------------|---------------|
| Estimated Cost (per year) | Personnel | \$130,000 |
| | Travel | 18,200 |
| | Contractual | 52,000 |
| | Supplies | 13,000 |
| | Equipment | <u>19,500</u> |
| | Total | \$232,700 |

Resource Category: Archaeology

Study Number:

Study Title: Mitigating Damage to Archaeological Sites

Sponsoring Agency: ADNR/ADF&G

Consequential Injury?

Continuing? Yes, oil is progressively contaminating more artifacts. Sites are vulnerable to vandalism and unauthorized collecting.

Recovery Occurring?

Identifiable Restoration Endpoint?

Salvage archaeology of damage sites in areas too remote to be protected

Recommendation:

Should a detailed study plan be prepared?

Yes _____

Yes, in modified form _____

Maybe _____

No _____

Nature of the Resource

The archaeological sites damaged as a result of the Exxon Valdez oil spill contain information about the economy and social structure of a culture which has almost totally disappeared. The irreplaceable information can be retrieved only through archaeological excavation of the sites, each of which has its own unique story to tell.

Five archaeological sites on State land have been documented as injured by the spill or related activities. The five, of more than 400 sites in spill area, are either village sites in segments of coast where few villages existed or are waterlogged sites in which rare wooden artifacts have been preserved from decay through the centuries. Each site contains ground slate spear or lance points, stone adzes, ground slate knives and represent part of the picture of late prehistoric life. The Gore Point Village Site is the largest village site found along the entire outer Kenai Peninsula coastline. The Port Dick Cabin Site is a smaller settlement which contains information about the late prehistoric use of a significant fish resource at the head of Port Dick. These two sites document different aspects of resource use by an almost extinct Aleut group represented by a few modern inhabitants of Port Graham and English Bay.

The Perevalnie Passage Site is the most northern village of Shuyak group of Koniag people, a group which has not lived in significant numbers in the area for over 100 years. The site contains abundant sea mammal and fish remains to an extent not documented elsewhere on Shuyak. Burials and houses are exposed along the beach bluff.

The two waterlogged sites, SEL-215 and AFG-098, contain wooden artifacts which are rarely preserved in Alaskan sites. Excavation will provide insight into a normally unknown aspect of late prehistoric Pacific Eskimo (Alutiq) culture. Together with the stone artifacts in the sites, the wood and bone artifacts in the sites will provide an uncommonly complete look at culture of the late prehistoric period.

Nature of the Injury

Sites damaged from the Exxon Valdez oil spill were damaged either from direct physical destruction of cultural remains or more subtly through contamination from the oil. Oil contamination of wood and charcoal in sites can cause erroneous results of the radiocarbon dating process, the primary method by which age estimates of sites can be obtained.

A recent study on the effect of petroleum hydrocarbon on the radiocarbon dating process suggests samples can be partially cleaned but that some uncontrollable error in results still remains. Uncertainties about the validity of radiocarbon dates constitutes a major injury to sites AFG-098, the Perevalnie Passage Site (AFG-046), and SEL-215.

Vandalism and uncontrolled use related to cleanup activities negatively effected the Port Dick Village Site (SEL-178), the Gore Point Village

Vandalism and uncontrolled use related to cleanup activities negatively effected the Port Dick Village Site (SEL-178), the Gore Point Village Site (SEL-129), and the Perevalnie Passage Site (AFG-046). The latter site suffered from both heavy oiling and vandalism related to cleanup. The Port Dick and Gore Point sites both had trails, worn by clean-up crews, that deeply eroded into the cultural deposits which destroyed valuable information about prehistoric use of the site. The Port Dick Cabin Site also had a helicopter pad and re-fuel station placed in the middle of the site. Construction of the pad and storage of fuel barrels damaged cultural remains in the center of the site.

Rationale for Near-Term Action

The sites which have been impacted by foot traffic and cleanup, are as a result of the oil spill much more widely known to large numbers of people. The remote nature of the sites makes monitoring to prevent vandalism and destructive artifact collecting nearly impossible. As time passes loss of data to unauthorized artifact collectors will increase rapidly. Collection of data before continued vandalism occurs is the most cost effective means of salvaging the information otherwise irretrievably lost.

Contaminated carbon from petroleum will undoubtedly spread through cultural deposits with normal movement of ground water. Immediate excavation of contaminated deposits needs to be undertaken to minimize spread of the damage. As petroleum hydrocarbons chemically degrade, the contaminating carbon will release into the site and render sample cleaning prior to treatment no longer a viable alternative in obtaining usable dates. Data needs to be collected and any contaminants in the site removed before spread of the degraded contaminant begins.

Nature of the Restoration Project

Restoration of the damaged sites consists of collecting information from the sites. The information will provide data needed to document the chronology of prehistoric cultures along the Gulf of Alaska coast. A cultural chronology is a necessary first step in deciding the importance of individual sites so that reasoned management decisions may be made by land managers. Additionally, the data obtained will provide a picture of prehistoric life which can be used to answer the questions asked by a curious public. Through use of this information, the public can be educated about the importance of the protected archaeological sites.

Estimated Cost

| | <u>FY93</u> | <u>FY94</u> |
|------------------|--------------|-------------|
| Labor | \$216,000 | \$212,000 |
| Travel | 38,000 | 33,000 |
| Contracts | 88,000 | 52,000 |
| Expendables | 5,000 | 6,000 |
| <u>Equipment</u> | <u>3,000</u> | <u>-0-</u> |
| Yearly Totals | \$350,000 | \$303,000 |

RPWG
II

DRAFT PUBLIC PARTICIPATION PLAN
BUDGET

1-9-92

PUBLIC ADVISORY GROUP

Ten Members

| | | |
|--|-------|--------|
| o Staff Assistant | \$75K | |
| o Meeting and office space (assume meetings and staff office space co-located with RRCG) | 0 | |
| o Supplies and materials | 20 | |
| o Per-diem (\$150 X 11, members and staff, X 10 meetings 1st year) | 15 | |
| o Travel (10 members X \$600 X 10 meetings + Staff travel 10 remote meetings 1st year) | 66 | |
| Total Public Advisory Group | | \$176K |

PUBLIC OUTREACH

| | | |
|---|-------|--------|
| o Public Information Officer | \$55K | |
| o Administrative Record Specialist | 55 | |
| o Resource Center Coordinator | 55 | |
| o Public Outreach Specialist | 55 | |
| o Clerical Support (2 persons) | 80 | |
| o Public Resource Center - Space, utilities, phones, security, equipment rental and maintenance agreements, supplies, courier, postage, and other costs (These projected costs and space needs could change significantly depending upon how and where business is to be conducted) | 200 | |
| o Planning Staff travel for Public Meetings (8 communities, 6 staff, 3 times plus 4 additional meetings) | 100 | |
| Total Public Outreach | | \$600K |
| | | ----- |
| TOTAL PUBLIC PARTICIPATION BUDGET | | \$776K |

NOTE: Office space costs for Public Outreach Personnel are included in the Resource Center line item. Also, a reasonable cost recovery policy is expected to recover expenses for large reproduction and postage costs.

DAMAGE ASSESSMENT RESTORATION SUMMARY SHEET
3 Jan. 1992

Restoration

- Recovery Monitoring
R6, R101, R102, R103, R95, R60, R90, R11, R13, R20
- Technical Support
R92

Restoration Implementation

Management Actions
R73, R104*, R106, R52*, R53, R58*, R59*

Manipulation/enhancement
R105, R45

Habitat acquisition/protection
R15, R71, R96, R47

Damage Assessment

Closeout

ST1A, ST1B, ST2A, ST2B, ST3A, ST3B, ST6, ST7, CH1A, CH1B, TM4,
MM1, MM2, MM5, MM6, ARCH1, FS1, FS2, FS3, FS4A, FS4B, FS5, FS11,
FS13, B2, B3, B4, B6, B7, B8, B9, B11, B12, B13

Continuation

ST4, ST5, ST8, TM3, FS27*, FS28*, FS30*, TS1, TS3

Policy

R52 (secondary impacts)
Management Funding levels vs injury
Consideration of Public Proposals
FS27 & R53 (overescapement & multi-year commitment)
Increased management needs as a result of the EVOS
*Revisit proposals for management vs oil spill costs
(FS27-30)



Oil Spill Public Information Center

645 G Street ■ Anchorage, Alaska 99501 ■ (907) 278-8008 ■ Fax: (907) 276-7178

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Date: January 10, 1992
Subject: Public Meetings on Exxon Valdez Restoration
Contact: L.J. Evans at 563-1126 or Mary McGee at 278-8008

Exxon Valdez Restoration Meetings Planned

A series of public meetings about restoration of natural resource damage from the Exxon Valdez oil spill will be held in January. The meetings will be led by staff to the Trustee Council, established to manage Exxon Valdez oil spill restoration programs following the settlement among Exxon and the state and federal governments.

The meetings will focus on development of a public participation program that optimizes the ability of the public to understand and provide comments regarding restoration program development and implementation. Among specific items to be discussed are the development of a charter for a public advisory group to the Trustees, which is required by the settlement.

Meetings are scheduled in Chenega Bay, Cordova, Homer, Kodiak, Seward, and Valdez, with teleconferencing to English Bay, Port Graham, Tatitlek, Seldovia, Whittier, and villages on Kodiak Island. Meetings are also scheduled in Juneau to facilitate input by state legislators, and meetings will be scheduled in Anchorage and Fairbanks for those who do not live in the spill area.

An initial series of meetings, concentrating on general restoration information, was held in 1991. The third round of meetings, scheduled for spring 1992, will be on the restoration programs themselves.

The meeting schedule for January:

Homer Monday, January 13, 5-7:00 pm
City Council Chambers

Seward Tuesday, January 14, 7:00 pm
City Council Chambers

- more -



Valdez **Tuesday, January 14, 1992 7:00 pm**
Civic Center Conference Room

Cordova **Monday, January 20, 7:00 p.m.**
Council Chambers, Cordova Public Library

Juneau **Wednesday, January 22, 7:00 pm**
Centennial Hall, Egan room

Chenega Bay **Monday, January 27, 11:00 a.m.**
Chenega Community Center

Kodiak **Thursday, January 30, 7:30 pm**
Borough Assembly Chambers

For more information, please contact L.J. Evans at 563-1126 or Mary McGee at 278-8008.

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RPWA
II

January 10, 1992

**PROPOSED OIL YEAR 4 (March 1992 - February 1993) DAMAGE
ASSESSMENT AND RESTORATION WORK PLAN**

The Resource Restoration Coordination Group (RRCG) met for two weeks in December to decide on an oil year (OY) 4 work plan. A list of proposed projects totaling approximately \$30 million was reviewed and some projects were eliminated or reduced resulting in a program totaling about \$25 million. This was presented to the Trustee Council on December 19, 1991. Based upon the Council's guidance, the RRCG met on January 2 and 3, 1992, to reevaluate the proposed program and consider reductions. This review resulted in deferral or reduction of projects to a program totalling about \$17 million.

INJURY ASSESSMENT ACTIVITIES

Continuation

Full evaluation of the injuries to resources necessitates additional field efforts this year and will require closeout activities in 1993. Nine injury assessment projects are proposed to be continued with field and laboratory work costing \$2.8 million. These include projects on sockeye and pink salmon, mussels, shrimp, river otters, hydrocarbon contamination, and associated technical support for data base management and geographic information systems.

Closeout

Injury assessment studies need to be brought to a logical conclusion in order to present the results of multiyear studies to the public and the scientific community and to provide the basis upon which to plan and implement a restoration program. Thirty-one damage assessment projects are proposed to be completed, at a cost of \$4.9 million, with final reports due this year. These require analyzing existing data and writing reports. A few need additional fieldwork. These projects include 9 bird, 8 subtidal, 8 fish and shellfish, 3 marine mammal, 2 coastal habitat and 1 archaeological study.

RESTORATION ACTIVITIES

Restoration projects have been subdivided into the following categories: (1) monitoring recovery of injured resources; (2) providing information that will improve management of injured resources; (3) manipulating populations and/or habitats to enhance recovery or productivity, and (4) identifying habitats that require protection either through acquisition or changes in agency management action.

Recovery Monitoring

Monitoring includes those projects that monitor species or environments for which injury has been established and recovery or lack thereof can be measured. Ten projects have been proposed at a cost of \$4.5 million which cover subtidal and coastal environments, anadromous fish, sea and river otters, sea birds, and bald eagles.

Restoration Implementation

A. Management Actions

These projects will provide information to enable changes in management actions to help restore injured resources. There are 7 projects at a cost of \$2.1 million includes anadromous fish, rockfish, herring, archaeology, and harbor seals.

B. Manipulation/Enhancement

These projects are intended to enhance production or population sizes above the rate of natural recovery. Two projects are proposed for pink and chum salmon at a cost of \$426,000. Additional implementation proposals are being developed and will be added in the near future.

C. Habitat Acquisition and/or Protection

These projects provide information on high-value habitats and habitat needs for injured resources. They will provide information needed to plan and implement habitat protection measures. Four projects at a cost of \$1.8 million are proposed to provide information on marbled murrelet, harlequin duck, anadromous fish, and general upland habitat to support restoration decisions.

TRX
II

Projects Recommended for Detailed Study Plan in 1992

RECOVERY MONITORING

| Project ID | Title | Sponsor | OY4 Cost | Recommendation for detailed study plan | Project Description |
|-----------------------|--|---------|----------|---|---|
| <u>MAMMALS</u> | | | | | |
| 6 | Population Monitoring Component - Sea Otters | USFWS | 606000. | Yes; modified to include components of R7-9 | This project includes Monitoring: 1) developing an aerial monitoring technique (continuation of a 1991 restoration feasibility study), 2) evaluating patterns of mortality (continuation of NRDA study), 3) limited monitoring in PWS (continuation of a NRDA joint bird-sea otter project), and 4) monitoring pup survival to evaluate the rate of population recovery (NRDA studies indicate high weanling mortality), and Habitat Evaluation: 1) habitat evaluation synthesis. |
| 95 | River Otter Restoration | ADF&G | 65000. | Yes, must include oiled mussel link. | Monitor abundance and population trends; monitor food habits; monitor habitat and latrine utilization patterns; determine change in genetic diversity within oiled areas. |
| <u>BIRDS</u> | | | | | |
| 11 | Monitoring Rate of Recovery/Continuing Changes of Murre Numbers/Productivity | USFWS | 590000. | Yes; modified to include R19 and 30 | Monitoring: 1) reproductive success, 2) reproductive phenology, 3) improving monitoring techniques, 4) expanding monitoring to include EVOS area; Implementation: 1) minimizing human disturbance at affected sites and 2) identifying buffer zones around injured colonies. |
| 13 | Surveys to Monitor Marine Bird and Sea Otter Populations in area of EVOS | USFWS | 275000. | Yes | This restoration project monitors the natural recovery of various bird species and, to a limited extent, sea otters in PWS (continuation of NRDA Bird Study 2). |
| 20 | Identification and Protection of Important Bald Eagle Habitats | USFWS | 225000. | Yes; modified to include R21 and R22 | This restoration project uses productivity surveys and radio-telemetry to monitor population status and habitat use. |
| <u>FISH/SHELLFISH</u> | | | | | |
| 60 | Stock Identification/Population Monitoring | ADF&G | 180000. | Yes; modified egg and fry monitoring | Estimate relative densities and survival rates of eggs and fry in oiled and unoled streams; determine whether oil contamination persists in spawning streams and continues to contribute to reduced survival; monitor recovery of populations from genetic damage. |
| 90 | Dolly Varden | ADF&G | 227000. | Yes | Conduct studies of habitat capability; develop detailed study plans. |

SUBTIDAL/COASTAL HABITAT

| | | | | | |
|----------------------------|---|-------------|---------|---|---|
| 101 | Recovery Monitoring of Subtital Communities | Interagency | 900000. | Yes, combined R32, 51, 74, 75, 77, 83 | Coordinated proposal will be developed during the January synthesis meeting. The project will monitor the continued persistence of hydrocarbon contamination in the subtidal zone. Recovery of invertebrate and vegetative communities in subtidal zones will be monitored. |
| 102 | Coastal Habitat Monitoring | Interagency | 700000. | Yes (Combined proposal of R4, R5, R65, R67, R79, R84) | Specific objectives will be developed in January. Generally, will monitor the natural recovery of coastal habitats (intertidal and nearshore uplands), including the vertebrate, invertebrate, and vegetation communities. |
| 103 | Oiled Mussel Bed Study | NOAA | 750000. | Yes; modified to include multi-species concerns. | Determine fate and effects of petroleum hydrocarbons in oiled mussel beds; determine potential for transport to other ecosystem components and assess effects (linkage). |
| Category Total: \$4518000. | | | | | |

TECHNICAL SUPPORT

| Project ID | Title | Sponsor | OY4 Cost | Recommendation for detailed study plan | Project Description |
|----------------------------|--------------------------|---------|----------|--|--|
| <u>DataBase Management</u> | | | | | |
| 92 | GIS Mapping and Analysis | ADNR | 50000. | Yes | Provide a reservoir of geographic data; assure the consistency and quality of geographic data; serve as a repository to protect the long-term public interest in scientific and resource data; produce and disseminate maps and analytical products. |
| Category Total: \$250000. | | | | | |

HABITAT ACQUISITION/PROTECTION

| Project ID | Title | Sponsor | OY4 Cost | Recommendation for detailed study plan | Project Description |
|--------------|--|---------|----------|--|--|
| <u>BIRDS</u> | | | | | |
| 15 | Surveys to Identify Upland Use by Murrelets in the EVOS Zone | USFWS | 360000. | Yes; modify to include R15, vegetation mapping (R33) | This restoration project will synthesize existing data, determine habitat requirements and will survey to determine concentration areas. |
| 71 | Harlequin Duck Restoration Study | ADF&G | 455000. | Yes; modified to include R89; oiled mussels | This restoration project will determine nesting streams, habitat requirements, productivity, breeding behavior and appropriate buffers from timber harvesting. |

| Habitat | | | | | |
|---------|--|-------|---------|------------------------------------|--|
| 47 | Stream Habitat Assessment | ADF&G | 368000. | Yes | Document anadromous fish distribution and stream habitat; delineate habitats which are important for the recovery of injured resources. |
| 96 | Identification of Habitats Relevant to | TBN | 600000. | Yes; modified form, provide budget | Systematic process for evaluating upland resources and provides a basis for ongoing studies by combining a broad habitat evaluation of the oil spill area which is focused on high priority lands. This allows for resource-based evaluation of lands considered for acquisition/protection. |

Category Total: \$1783000.

MANIPULATION/ENHANCEMENT

| Project ID | Title | Sponsor | OY4 Cost | Recommendation for detailed study plan | Project Description |
|----------------|--|---------------|----------|--|---|
| FISH/SHELLFISH | | | | | |
| 45 | Montague Island Chum Salmon Restoration | USFS | 26000. | Yes | This is a continuation of last years chum salmon habitat assessment. The project will further evaluate six sites for possible enhancement which could include stocking or spawning channel development. |
| 105 | Habitat Survey and Evaluation, Project Planning, for Salmonids in Prince William Sound | ADF&G USFS | 400000. | Yes, combined proposal from R42, R86 | Evaluate fish habitat, abundance and limnological data from priority sites; determine optimal fish restoration methods; develop restoration proposals. |

Category Total: \$426000.

MANAGEMENT ACTIONS

| Project ID | Title | Sponsor | OY4 Cost | Recommendation for detailed study plan | |
|----------------|------------------------------------|---------------|----------|--|--|
| Marine Mammals | | | | | |
| 73 | Harbor Seal Restoration Study | ADF&G | 204000. | Yes | Monitor the behavior and habitat use in PWS; monitor the abundance and population trends; design effective conservation measures. |
| Archeology | | | | | |
| 104 | Archaeological Resource Protection | DOA, DOI, DNR | 335000. | Yes, combined proposal for all agencies. | To reduce the incidence of looting and vandalism of archaeological sites within the affected area; implementation through creation of an archaeological site stewardship program at site monitoring by agency staff. |

Subtidal

| | | | | |
|-----------------------|---|----------------------------|---|--|
| 52 | Development of a Restoration Plan for Rockfish | ADF&G | 175000. Yes, (Policy decision) | Describe biological characteristics, identify stocks for enhancement, and develop restoration plan. |
| <hr/> | | | | |
| <u>FISH/SHELLFISH</u> | | | | |
| 58 | Herring Restoration and Monitoring | ADF&G | 520000. Yes; modified; reduce scope | Estimate total spawning biomass of herring; estimate discreteness and distribution of herring stocks; identify the level of immigration and emigration in herring populations inside and outside PWS; identify the origins of spawning and rearing areas and sensitive larval retention areas. |
| <hr/> | | | | |
| 53 | Kenai River Sockeye Salmon Restoration | ADF&G | 590000. Yes; modified; perhaps include Kodiak | Increase stock identification capabilities using parasites as biological markers; increase accuracy and precision of escapement monitoring; provide more accurate estimates of abundance of sockeye. |
| <hr/> | | | | |
| 59 | Assessment of Genetic Stock Structure of Salmonid | ADF&G | 250000. Yes | Improve genetic stock identification capabilities; define genetic structure of pink and chum salmon, Dolly Varden, and cutthroat trout; identify oil-affected populations. |
| <hr/> | | | | |
| 106 | Restoration of Dolly Varden and Cutthroat Trout in Prince William Sound | ADF&G | 250000. Yes, combined from R44, R85 | Identify and categorize stream systems in unoiled locations that support Dolly Varden/Cutthroat Trout; evaluate stock structure of overwintering populations; |
| <hr/> | | | | |
| | | Category Total: \$2324000. | | |