

EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL

FORMAT FOR PUBLIC IDEAS FOR RESTORATION PROJECTS

256
FtG Box 3
R
53

Title of Project: Lower Cook Inlet Sockeye Salmon Restoration and Enhancement

Justification: (Link to Injured Resource or Service)

Estuaries which sockeye salmon utilize as nursery areas were oiled to various levels during the EVOS. Any direct or indirect sublethal effects from exposure to oil or other events could jeopardize long-term sockeye salmon production, which currently is extremely important to the Lower Cook Inlet (LCI) commercial fisheries.

Description of Project: (e.g. goal(s), objectives, location, rationale, and technical approach)

The major goal of this project is to develop a LCI sockeye salmon enhancement program to include the annual stocking of sockeye salmon fry into 8 or more lake systems in the LCI area and to fertilize the lakes as necessary with liquid fertilizer. Limnological and biological studies will be conducted to determine and maintain optimum sockeye fry stocking density to maximize production. The rearing potential of additional lakes will be investigated. The lakes are located in the Kamishak Bay, Outer and Southern Districts of the LCI commercial fisheries management area. The rationale for the inclusion of this sockeye restoration and enhancement project includes not only the mitigation of oil related impacts to sockeye smolt survival but also to provide additional terminal commercial harvest areas to displace fishing pressure from natural pink and chum salmon stocks that may have been affected by the EVOS.

Estimated Duration of Project: FY/93 - FY/98.

Estimated Cost per Year: \$143,000

Other Comments: This project will provide significant benefits to the LCI area commercial fishery. Approximately 300,000 fish may be harvested annually and fishing effort may be manipulated to minimize pressure on other wild stocks that appear to have been impacted by the EVOS.

Name, Address, Telephone (907) 235-8191

Nick Dudiak/Larry Boyle
Alaska Department of Fish and Game
FRED Division
3298 Douglas Street
Homer, AK 99603

Because the Oil Spill Restoration is a public process, your ideas and suggestions will not be proprietary, and you will not be given any exclusive right or privilege to them.

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COVER WORKSHEET FOR 1993 IDEA SUBMISSIONS

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- ✓ ID stamped/Input completed
- ✓ Name
- ✓ Affiliation
- ✓ Costs

✓ Category

Restoration - Enhancement

✓ Lead Agency

ADF&G

Cooperating Agency(ies)

Ⓟ N Passed initial screening criteria

type FIS

RANKING H M L Rank Within Categories

 H M L Rank Overall

Project Number - if assigned

1993 PROJECT SCORING SHEETCritical Factors

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

YES NO UNKNOWN

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

Comments:

* Restoration Framework, 1992, pp 43-44.

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F&G Box 3

EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL

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FORMAT FOR IDEAS FOR RESTORATION PROJECTS

Title of Project: RESTORATION OF THE COGHILL LAKE SOCKEYE SALMON STOCK

R
JJ

Justification: The Coghill Lake sockeye salmon stock has historically supported an important commercial fishery in western Prince William Sound (PWS). In recent years, returns have declined from an average of 250,000 to only 25,000 in 1991. Damage assessment studies on juvenile salmon suggest that the Exxon Valdez oil spill may have contributed to the decline of Coghill sockeye stock. Adult migration patterns indicate that Coghill stock juveniles migrated through oil-contaminated areas in western PWS. Juvenile salmon similar in size to Coghill smolts typically utilize nearshore nursery habitats. Damage assessment studies have established that oil contamination reduced the growth and survival of juvenile salmon utilizing these habitats. The Coghill Lake stock is presently at dangerously low levels. Action must be taken to restore the stock before any further decline occurs. Sockeye salmon rear in lakes for one to three years before emigrating to sea. The production of sockeye salmon populations is closely linked to the productivity of rearing lakes. Limnological studies indicate that fry food resources in Coghill Lake cannot support large numbers of fish. Fertilization is needed to increase lake productivity and boost zooplankton abundance until natural nutrient input from salmon carcasses is restored.

Description of Project: The goal of this project is to restore the natural productivity of Coghill Lake and the resident sockeye salmon population through use of established lake fertilization techniques. The project will be conducted cooperatively by the Alaska Department of Fish and Game (ADF&G) and the U.S. Forest Service (USFS). The USFS will be responsible for fertilizer application, and the ADF&G will evaluate the effects of fertilization by comparing lake productivity and fry/smolt growth and survival before and after fertilization. Results from evaluation studies will be used to refine the fertilization program. Fertilizer will be applied each summer for a five year period equivalent to one sockeye salmon life cycle.

Estimated Duration of Project: 5 years
Estimated Cost per Year: \$165,000

Other Comments: This concept proposal is being jointly submitted by the U.S. Forest Service and Alaska Department of Fish and Game.

Name, Address, Telephone: Mark Willette
 Alaska Dept. of Fish and Game
 P.O. Box 669
 Cordova, Alaska 99574
 (907) 424-3214

COVER WORKSHEET FOR 1993 IDEA SUBMISSIONS

✓ Checked for Completeness

- ✓ ID stamped/Input completed
- ✓ Name
- ✓ Affiliation
- ✓ Costs

✓ Category

Restoration -enhancement

✓ Lead Agency

ADFG

✓ Cooperating Agency(ies)

USFS

N Passed initial screening criteria

type F/S

RANKING H M L Rank Within Categories

 H M L Rank Overall

_____ Project Number - if assigned _____

1993 PROJECT SCORING SHEET

Critical Factors

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

YES NO UNKNOWN

1. Linkage to resources and/or services injured by the Exxon Valdez oil spill.

2. Technical feasibility.*

3. Consistency with applicable Federal and State laws and policies.*

Comments:

* Restoration Framework, 1992, pp 43-44.

EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL

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FORMAT FOR IDEAS FOR RESTORATION PROJECTS

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Title of Project: Port Graham Salmon Hatchery

Justification: (Link to Injured Resource or Service) Lost economic and subsistence opportunities relating to the harvest of salmon.

Description of Project: (e.g. goal(s), objectives, location, rationale, and technical approach)

The Port Graham Cannery was the principal employer of Port Graham and Nanwalek residents before its closure in 1989, which was due directly to the oil spill. In order to get processing facilities operating again, Port Graham has embarked upon the Port Graham hatchery program to ensure a long term stable supply of fish for the processing plant. The hatchery project will result in an adult return of 3.5 million pink salmon annually, through ocean ranching techniques.

Estimated Duration of Project: Design and engineering, construction, and shakedown: 2 years.

Estimated Cost per Year: Capitol cost: 2.5 million Operating: \$250,000 per year

Other Comments: Within six years the facility will be able to support itself.

Name, Address, Telephone:
 Tasha Chmielewski
 Chugach Regional Resources Commission
 3300 C Street
 Anchorage, Alaska 99503
 (907) 562-4155

Oil spill restoration is a public process. Your ideas and suggestions will not be proprietary, and you will not be given any exclusive right or privilege to them.

Valdez
Tatitlek
Egan

Chenega
Seward

The North Pacific Rim

Port Graham
Nanwalek

FAX TRANSMITTAL

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SENT TO: Exxon Valdez
oil spill trustee Council

DATE: 6/15

TIME: 4:19

Attn: _____

NO. PAGES INCLUDING THIS

SENT BY: TASHA C.

PAGE: 3

IF YOU DO NOT RECEIVE ALL OF THE PAGES, PLEASE CALL AS SOON AS POSSIBLE! (907) 562-4155

ORIGINALS WILL BE SENT VIA:

_____ U.S. MAIL - EXPRESS

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NOTE: 2 Projects

01) Port Graham Salmon Hatchery

02) Village Mariculture Project

Faxed by: Irene



COVER WORKSHEET FOR 1993 IDEA SUBMISSIONS

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- / Costs

 / Category
Restoration enhancement

 / Lead Agency
ADFIG

 Cooperating Agency(ies)

 ① N Passed initial screening criteria

type F/S

RANKING H M L Rank Within Categories

 H M L Rank Overall

 Project Number - if assigned _____

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EXXON/VALDEZ OIL SPILL TRUSTEE COUNCIL

FORMAT FOR IDEAS FOR RESTORATION PROJECTS

TITLE OF PROJECT: SUBSISTENCE FOOD SAFETY

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JUSTIFICATION

Data collected by the Alaska Department of Fish and Game's Division of Subsistence has shown that subsistence uses of fish and wildlife resources, a vital natural resource service, were injured by the Exxon Valdez oil spill. Annual per capita subsistence harvests declined dramatically in ten of the communities in the path of the spill during the first year after the event. There were also declines in these communities in the breadth of resources used and participation in subsistence activities. While some of some of these communities' harvests demonstrated a limited recovery in the second post-spill year, harvest levels in other affected communities showed no signs of recovery and remained about 60 percent or more below pre-spill levels. Concern over the long term health effects of using resources from the spill area, a loss of confidence on the part of subsistence hunters and fishermen in their own abilities to determine if their traditional foods are safe to eat, and a perceived reduction in available resources, all contribute to the reduced harvest levels.

DESCRIPTION OF PROJECT

The goal of the project is to restore the subsistence uses of fish and wildlife damaged by the Exxon/Valdez Oil Spill. Samples of mussels and rockfish will be collected from the harvest areas of six impacted communities. Community representatives will assist in site selection, as well as collection of samples. Additionally, bile and blubber samples will be taken from five seals harvested for food by subsistence hunters in Prince William Sound. The samples will be analyzed for the presence of hydrocarbon contamination. The results of the tests, along with findings from other damage assessment and restoration studies, will be interpreted by the Oil Spill Health Task Force, and reported to the communities in an informational newsletter and community visits.

ESTIMATED DURATION OF THE PROJECT

Hydrocarbon testing should continue until the results have returned to background levels. The confidence of the subsistence users is likely to lag behind the recovery of the resources to some extent. Continued need for this program should be reevaluated on a yearly basis.

ESTIMATED COST PER YEAR: \$308,000 (Final Year, no testing: 36,200)

OTHER COMMENTS

By involving the communities in the monitoring of the recovery of the resources, and by bringing information concerning the safety of the resources back to the communities, it is anticipated that subsistence harvests will begin to approach pre-spill levels, and anxiety about their use will be reduced. This study is consistent with the goals of Restoration Option 30, and some of the goals of options 31 and 33.

James A. Fall
Regional Supervisor
(907) 267-2359

Rita A. Miraglia
Oil Spill Coordinator
(907) 267-2358

Division of Subsistence
Alaska Department of Fish & Game
333 Raspberry Road
Anchorage, AK 99518

COVER WORKSHEET FOR 1993 IDEA SUBMISSIONS

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- / Costs

 / Category
Restoration monitoring

 / Lead Agency
ADFG

 Cooperating Agency(ies)
DEC

N Passed initial screening criteria

type F/S

RANKING H M L Rank Within Categories

 H M L Rank Overall

 Project Number - if assigned

1993 PROJECT SCORING SHEET

Critical Factors

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

YES NO UNKNOWN

1. Linkage to resources and/or services injured by the Exxon Valdez oil spill.

2. Technical feasibility.*

3. Consistency with applicable Federal and State laws and policies.*

Comments:

* Restoration Framework, 1992, pp 43-44.

submitted

1993 WORKPLAN - ALASKA DEPARTMENT OF FISH AND GAME PROPOSALS

- ✓1. Restoration of Prince William Sound Rockfish and Lingcod Resources
- ✓2. Prince William Sound Herring Egg Loss Survey
- ✓3. Prince William Sound Herring Spawn Deposition Survey
- ✓4. Prince William Sound Herring Tagging Feasibility Study
- ✓5. Larval Herring Age and Growth in PWS Using Otoliths
- ✓6. Replacement of Oiled Mussels with Commercially Produced Mussels
- ✓7. Maricultural Technical Center
- ✓8. Database Integration
- ✓9. Lower Cook Inlet Sockeye Salmon Restoration and Enhancement
- ✓10. Subsistence Food Safety Testing
- ✓11. Workshop to develop Protocols for Analysis and Assessment of Benthic Biological, Physical, and Hydrocarbon Data
- ✓12. Injury and Recovery of Deep Benthic Macrofaunal Communities
- ✓13. Synthesis of Information on Ecology and Injury to River Otters in PWS
- ✓14. Habitat Use and Behavior of Harbor Seals in PWS
- ✓15. Monitoring Trends in Abundance of Harbor Seals in PWS 1993-1994
- ✓16. Development of Economic Guidelines and Cost Benefit Analysis of Oil Spill Projects for NEPA and Trustee Council - OY 1993
- ✓17. Quality assurance for PWS coded-wire tagging and fish production records for improved management ability.
- ✓18. Coastal Habitat Comprehensive Intertidal Monitoring Program
- ✓19. Herring Bay Experimental and Monitoring Studies
- ✓20. Cold Creek Pink Salmon Restoration
- ✓21. Horse Marine Creek Pink Salmon Restoration
- ✓22. Waterfall Creek Pink Salmon Restoration - Fishpass Improvement
- ✓23. Pink Creek Pink Salmon Restoration

ADF&G Proposals. Cont.

- ✓24. Natural Recovery Monitoring of Subtidal Eelgrass Communities in PWS
- ✓25. Monitoring for Recruitment of Littleneck Clams
- ✓26. Kitoi Bay Hatchery Oil Spill Equipment Storage
- ✓27. Stream Habitat Assessment (R47)
- ✓28. Enhanced management for Cutthroat Trout and Dolly Varden in PWS
- ✓29. Identification of Critical Upland Wildlife Habitat in PWS for Protection or Acquisition
- ✓30. Develop Harvest Guidelines to Aid Restoration of Injured Terrestrial Mammals and Sea Ducks
- ✓31. Harlequin Duck Restoration and Monitoring Study
- ✓32. Sockeye Salmon Overescapement
- ✓33. Genetic Risk Assessment of Injured Salmonids
- ✓34. Genetic Stock Identification for Herring in PWS
- ✓35. Genetic Stock identification of Kenai River Sockeye for Protection in Mixed Harvest Areas
- ✓36. Genetic Monitoring of Kodiak Island Sockeye Salmon
- ✓37. Pink Salmon Egg to Pre-emergent Fry Survival in PWS (R 60C)
- ✓38. Coded Wire Tagging of Wild Stock Pink Salmon for Stock Identification
- ✓39. Inventory and Effects of Straying Hatchery Pink Salmon on Wild Pink Salmon Populations in PWS
- ✓40. Pink Salmon Escapement Enumeration (R 60B)
- ✓41. Adult Tagging to Determine Stock Specific Distributions, Migratory Timing, and Rates of Movement for Pink Salmon in PWS Fisheries
- ✓42. Coded-wire Tag Recoveries from Commercial Catches in PWS Pink Salmon Fisheries (R 60A)
- ✓43. Kenai River Sockeye Salmon Restoration (R 53)
- ✓44. PWS Spot Shrimp Recovery Management Plan

ADF&G proposals, Cont.

- ✓45. PWS Spot Shrimp Survey
- ✓46. Juvenile Spot Shrimp Habitat
- ✓47. Intertidal/Shallow Subtidal Crustacean (Decapod) Composition
- ✓48 - 67 Fort Richardson Hatchery Water Pipeline (Includes supporting letters.)
- ✓68. Weir/Conservation Land Acquisition
- ✓69. Red Lake Salmon Restoration
- ✓70. Red Lake Mitigation for Red Salmon Sockeye Salmon Fishery
- ✓71. Fry Rearing to Improve Survival and Restore Wild Pink and Chum Salmon Stocks
- ✓72. Restoration of the Coghill Lake Sockeye Salmon Stock
- 73. Survey and Evaluation of Instream Habitat and Stock Restoration Techniques for Anadromous Fish (R 105)
- 74. Development of Otolith Mass Marking as an Inseason Stock Separation Tool to Reduce Exploitation on Damaged Wildstock Salmon
- 75. Establishing an Ecological Basis for Restoring and Enhancing the Mixed-Stock Salmon Resources of PWS: Early Marine Influences
- 76. Quantification of Intertidal Algal Recovery Using Multispectral Digital Remote Sensing
- 77. Experimental Studies of Interactions Between Subtidal Epifaunal Invertebrates

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P.O. Box 100171
Anchorage, AK 99510
June 2, 1992

Mr. Dave Gibbons
Acting Administrative Director
Restoration Team
645 G Street
Anchorage, AK 99501

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Dear Mr. Gibbons:

These are my comments on the Exxon Valdez Oil Spill Restoration plan, Vol. 1: Restoration Framework.

I came to Alaska 21 years ago, primarily because I was, and still am, drawn to the wild, unspoiled open spaces. I have traveled throughout Alaska, including Prince William Sound, by kayak, canoe, foot, snowshoe and dogteam. Observation of and participation in the pristine wilderness of Alaska is where I recreate, where I feel joy, and where I get my spiritual sustenance. And Prince William Sound was/is part of that. I care about its future.

Prince William Sound has sustained, and continues to sustain, devastating damage. A few days ago I read in the newspaper that the young sea otters are experiencing an extremely low survival rate. This morning I read that the murrelets (300,000 killed directly by the spill) are having trouble reproducing and that their species continues to suffer. I expect that as the scientific studies are released that we will see many other instances where the devastation is continuing.

The spill has happened and its effects cannot be undone. But the Trustees can take steps to compensate for the damage. This can best be done through habitat protection and acquisition and this is how the bulk of the settlement funds should be spent. You may not be able to restore a beach to its pristine state or bring the sea otters and other wildlife back from the dead, but you can prevent other types of damage. For example, you can prevent logging by acquiring timber rights. This would not only protect wildlife habitat, but would also help promote stable local commercial and sport fishing, recreation, tourism and subsistence economies.

I would like to see the wilderness character of the Sound remain intact. This has been severely shaken, but there is still hope. The acquisition and protection of habitat should begin immediately, before any more damage (e.g., logging, construction projects, etc.) occurs.


Issue	3600
Top/lop	3
Com #	1

Issue	3602
Top/lop	30
Com #	2

And just as a side note, your public advisory committee (or whatever it's called) should be representative of the various interested parties. In other words, one member of the committee should be an environmentalist, another a fisherman, another a recreation guide, and so on.

Thank you for this opportunity to comment.

Sincerely,



John Strassenburgh

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FROM: John Stassenburg
PO Box 100171
Anchorage AK 99513

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ATTN: REVERIFICATION

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Mr Dave Gibbons
Acting Administrator Director
Restoration Team
645 G Street
Anchorage, AK 99501

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Carl Rosier, 5-7

Please buy timber rights in
FWS as part of restoration.
Most people in Cordova want that.

Thank you.



MITCHELL NOWICKI
P.O. BOX 2232
CORDOVA, ALASKA 99574

Post-It™ brand fax transmittal memo 7671 # of pages 1

To REBECCA WILLIAMS	From MONICA WELLS
Co.	Co.
Dept.	Phone #
Fax # 276-7178	Fax # 386-9612



UNIVERSITY OF ALASKA STATEWIDE SYSTEM
FAIRBANKS, ALASKA 99775-5560

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FAX COVER SHEET

TO: EXXON Valdez Oil Spill Trustees

FAX Number: 276-7178

Telephone Number: 278-8012

FROM: President Jerome Komisar

Location: University of Alaska

FAX Number: 474-7570

Telephone Number: 474-7311

Number of Pages: 7 + cover page

Comments: _____



Jerome B. Komlear
President

UNIVERSITY OF ALASKA STATEWIDE SYSTEM

202 BUTROVICH BLDG.
FAIRBANKS, ALASKA 99775-5560
PHONE: 474-7311
FAX: 474-7570

June 4, 1992

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

Re: Exxon Valdez Oil Spill "Restoration Framework" and "1992 Workplan"

Dear Trustees:

Com #	Top/op	Issue
1	30	300

I have had a chance to review your reports, "Exxon Valdez Oil Spill: Restoration Framework" and "Exxon Valdez Oil Spill: 1992 Workplan," and appreciate the hard work and thought that underlie your plans. I am, however, concerned that an eight-year program is too short, given coastal life cycles. A longer time is needed for the restoration of the coastal areas affected and in order to complete a comprehensive analysis of the spills' impact.)

The Trustee Council's and Restoration Team's dedication to early action focused on damaged species and habitats is commendable. Such action must be a major focus during the initial stages of recovery. Nevertheless, it appears to me that the recovery time, cost of restoration and monitoring need not be directly tied to damage settlement payments. Deriving a framework that matches restoration efforts with actual recovery, and one which grows in contrast to temporarily hiring expertise is a major challenge and I suggest it receive greater consideration in the Restoration Framework and the Work Plan. In order to lengthen the time available for restoration and research, you might want to consider two suggestions: 1

(First, provide for a portion of the settlement payments being placed into an endowment trust. The endowment need not be perpetual, but structured so funds are available for at least 20 - 30 years. A sinking fund structure, using increasing annual deposits during the period of Exxon payments and taking advantage of fund earnings, is outlined in the first attachment to this letter.)

Com #	Top/op	Issue
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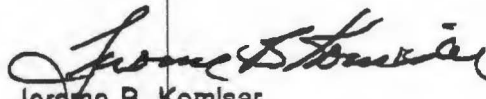
Exxon Valdez Oil Spill Trustee Council
page two
June 4, 1992

Second, provide for an institutional arrangement that ensures the availability of experts - marine scientists, ecologists, oceanographers, fisheries experts - for the time it will take for the habitat to heal and analyses to be completed. A possible approach is outlined in the second attachment.

I, of course, would be pleased to discuss these suggestions with you.

Com #	Top/op	Issue
3	30	3/00

Sincerely,


Jerome B. Komisar
President

JBK:dfm
Enclosures

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Proposed New "Potential Restoration Option"

University of Alaska
June 4, 1992

The University of Alaska proposes that the Trustee Council add another *Potential Restoration Option* to the *Restoration Framework*, within a new approach category called "Fiscal Management of Restoration." Adoption of this option will enhance the effectiveness of the overall restoration program by allowing the Trustees to match the restoration process to the needs of damaged systems, species and habitats beyond the period of settlement receipts.

The University believes maximal management of the restoration process requires that more attention be devoted to planned management of the Trustee's financial assets, and to long-term planning for restoration activities for at least 20-30 years.

Fiscal Management of Restoration

OPTION 36: Establish and endow a sinking fund and associated foundation for long-term restoration activities, including research, monitoring and capital projects.

APPROACH CATEGORY: Fiscal Management of Restoration

INJURED RESOURCES AND SERVICES: Habitats expected to exhibit chronic presence of hydrocarbons (eg: intertidal and subtidal), and long-lived organisms, including sea otters, harbor seals, killer whales, common and thick-billed murres, bald eagles and others.

BACKGROUND AND JUSTIFICATION:

The Trustees to date have been unable to devote significant attention to assuring that the restoration process continues for a sufficient period to match the actual recovery time of damaged resources. The restoration needs of injured resources will not be fully met unless the entire restoration process is explicitly planned to occur over a longer period than the payments from Exxon. In addition, creation of a foundation-like institution will establish continuity throughout the restoration process, and will enforce coordination

Restoration Option

University of Alaska

Page 2

among agencies and academic institutions participating in the foundation. Properly structured, the foundation would largely uncouple the long-term recovery of natural processes from shorter term political processes, to the benefit of injured resources. Finally, properly managed, a foundation/sinking fund, will provide significantly greater funds for restoration than would current spending of settlement proceeds.

ACTION:

- Establish a foundation with a specified management structure comprised of Trustees and representatives of academic and public-interest institutions. Determine and specify the method the foundation shall use to apply settlement funds to restoration options over time, the bylaws of the foundation, and the methods the foundation shall use to carry out restoration. The mission of the foundation will be completely integrated with the restoration plan, and will be focused upon completion of restoration research, monitoring and capital projects after cessation of settlement payments.

INFORMATION NEEDED TO IMPLEMENT OPTION:

Completion of the pending reviews a critical syntheses of the scientific literature on the recovery of marine mammals, marine birds, commercially important fish and shellfish, and invertebrates will provide the basic framework for designing this option. In addition, additional reviews and critical syntheses of scientific literature of affected natural systems may be necessary, insofar as the pending reviews are inadequate in this regard.

Attachment: Sample case describing extension of restoration investment over a 20-year period.

Document ID Number

920604101

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B-93 WPWG

C-RPWG

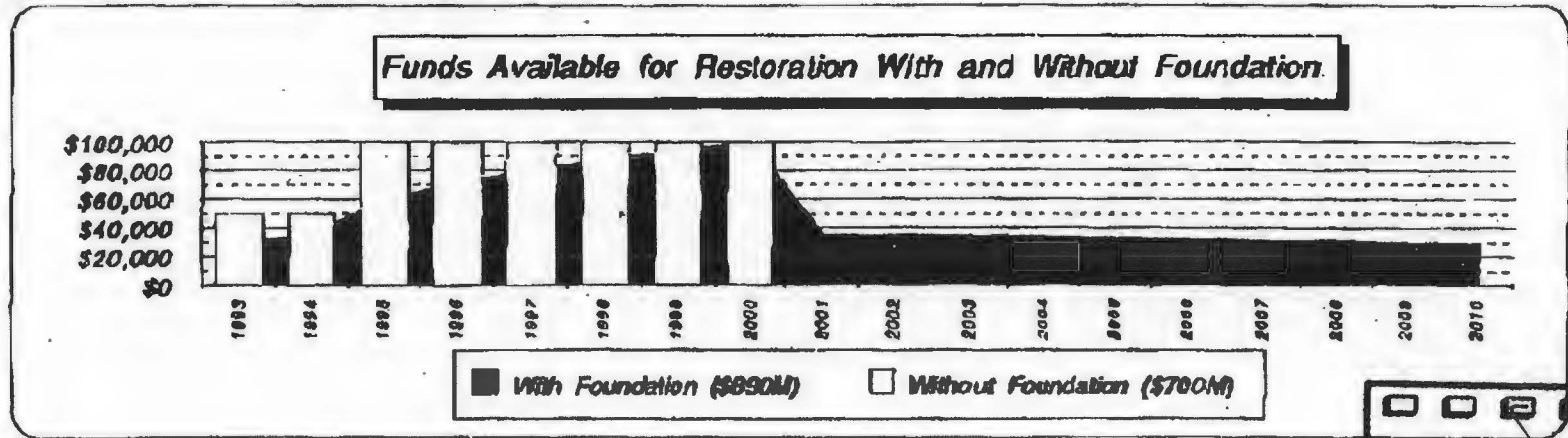
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University of Alaska -- Sinking Fund Endowment Model/Sample Case

	1993	1994	1995	1996	1997	1998	1999	2000	2001
Beginning Balance		\$20,900	\$38,561	\$84,834	\$123,934	\$156,975	\$184,894	\$208,485	\$228,420
Deposit	\$20,000	\$20,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	
Earnings	\$1,550	\$3,170	\$8,883	\$10,450	\$13,480	\$16,041	\$18,204	\$20,033	\$17,703
Inflation Proofing	\$900	\$1,841	\$3,985	\$6,068	\$7,827	\$9,314	\$10,570	\$11,832	\$10,279
Net Available	\$650	\$1,329	\$2,878	\$4,382	\$5,653	\$8,727	\$7,634	\$8,401	\$7,424
Foundation Operations	\$7	\$13	\$29	\$44	\$57	\$67	\$76	\$84	\$74
Foundation Research	\$644	\$5,496	\$10,562	\$21,305	\$30,383	\$38,054	\$44,536	\$50,014	\$35,902
Fund Balance	\$20,900	\$38,561	\$84,834	\$123,934	\$156,975	\$184,894	\$208,485	\$228,420	\$210,146
With Foundation (\$890M)	\$30,644	\$35,496	\$60,562	\$71,305	\$80,389	\$88,054	\$94,536	\$100,014	\$35,902
Without Foundation (\$7)	\$50,000	\$50,000	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$0
Compensation	\$50,000	\$50,000							
Other Restoration	\$30,000	\$30,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	

Assumptions: (% of fund balance)	Earnings 7.75%	<i>E. w/Found</i>	<i>E. w/o Found</i>	<i>End Balance</i>
	Infl. Proof. 4.50%	\$890,116	\$700,000	\$3,670
	Operations 1.00%	<i>years after</i>		
Drawdown 20%		<i>post 2000</i>		
		8		



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University of Alaska - Sinking Fund Endowment Model/Sample Case

2002	2003	2004	2005	2006	2007	2008	2009	2010	Totals
\$210,146	\$191,050	\$171,095	\$150,242	\$128,450	\$105,678	\$81,881	\$57,013	\$31,026	\$340,000
\$16,286	\$14,806	\$13,260	\$11,644	\$9,955	\$8,190	\$6,346	\$4,419	\$2,405	\$194,803
\$9,457	\$8,597	\$7,699	\$6,761	\$5,780	\$4,756	\$3,685	\$2,566	\$1,396	\$113,111
\$5,830	\$6,209	\$5,561	\$4,883	\$4,175	\$3,435	\$2,661	\$1,853	\$1,008	\$81,692
\$68	\$62	\$56	\$49	\$42	\$34	\$27	\$19	\$10	\$817
\$35,314	\$34,700	\$34,057	\$33,387	\$32,685	\$31,953	\$31,187	\$30,387	\$29,551	\$530,116
\$191,050	\$171,095	\$150,242	\$128,450	\$105,678	\$81,881	\$57,013	\$31,026	\$3,870	
\$35,314	\$34,700	\$34,057	\$33,387	\$32,685	\$31,953	\$31,187	\$30,387	\$29,551	\$201,538
\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$701,000
									\$360,000

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Proposed Institutional Structure of Restoration Foundation

University of Alaska

June 4, 1992

Directors: Two Federal Restoration Trustees or their designees.
Two State of Alaska Restoration Trustees or their designees.
The President of the University of Alaska or his designee.
The President of the University of Washington or his designee.
A public member appointed by the President.
A public member appointed by the Governor.
A public member appointed by the National Academy of Sciences.

Limitation of Foundation Staff/Operating Expenses:

Two percent of foundation balance annually.

Authorized Uses of Foundation Funds:

Restricted to the uses authorized to the Restoration Trustees, to exclude habitat acquisition.

Funds must be applied according to the restoration plan in place when the last settlement payment is received.

Investment and Draw-down of Sinking Fund Endowment:

Funds to be transferred to foundation according to specified schedule determined by the Restoration Trustees when the foundation is created.

Funds to be applied to restoration projects on a sinking fund schedule similarly determined by the Trustees.

Funds to be invested in government securities and inflation proofed according to rules similarly determined by the Trustees and incorporated in the foundation by-laws.

Authority of Foundation Directors:

Foundation Directors shall provide for continuity in the restoration process through:

Annual revision of the restoration plan.

Contracting with agencies and institutions to accomplish restoration options, research and monitoring in a manner that insures continuity of individual and institutional expertise.

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Working for the Nature of Tomorrow.



NATIONAL WILDLIFE FEDERATION

750 W. Second Ave., Suite 200, Anchorage, AK 99501 (907) 258-4800

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June 3, 1992

JUN 04 REC'D

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

Dear Trustees:

The National Wildlife Federation (NWF) submits the following comments on Volumes I and II of the 1992 Exxon Valdez Oil Spill Restoration and asks that they be made part of the public record. NWF incorporates by reference its comments on the 1989, 1990, and 1991 damage assessment and restoration plans.

Volume I: Restoration Framework

Public Participation

As a preliminary matter, NWF repeats its concern that meaningful public comment is impossible without unrestricted access to both the scientific and economic damage assessment studies. The MOA between the state and federal governments specifically states that the Trustees shall permit the public to participate in the injury assessment and restoration processes. **Memorandum of Agreement and Consent Decree** at 11. Accordingly, one of the goals of the 1992 restoration framework is to "provide the public with information and resources to evaluate proposals and programs independently." **Framework** at 11. Obviously, this objective cannot be achieved if the public has no access to economic data and only limited access to scientific data. As the Trustees themselves acknowledge, the proposals stated in Exxon Valdez Oil Spill Restoration have been largely determined by the results of the undisclosed studies. NWF requests immediate release of all scientific and economic studies. (This would not preclude a formal presentation of information in a symposium as suggested by the Restoration Team.)

NWF recommends that a seat be reserved for each of the interest groups participating on the public advisory committee, not just for the representatives of local government and Native interests. All group members should be accountable to a particular constituency.

Summary of Injury

On page 35, you state:

In 1991 relatively high concentrations of oil were found

Trustee Council
June 3, 1992
Page 2

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in mussels and in the dense underlying mat (byssal substrate) of certain oiled mussel beds. These beds were not cleaned or removed after the spill and are potential sources of fresh oil for harlequin ducks, black oystercatchers, river otters and juvenile sea otters--all of which feed on mussels and show signs of continuing biological injury.

NWF understands that fresh oil is still found in certain mussel beds. (Why has the Trustee Council not insisted that the Coast Guard and Exxon return to clean these areas?) Tainted shellfish contribute to the decline of sea otter and waterfowl populations and pose a health hazard to subsistence users. We cannot simply ignore the problem.

Proposed Injury Criteria

On page 40, the Trustees assert that consequential injury (injury for which restoration should be undertaken) will be determined at the population level. If injury manifests itself only at the egg or juvenile stage, it will not be considered consequential. The Trustee Council needs to define "population." In particular, it should be clear that wild stocks of salmonids are distinct from populations of hatchery fish released in the same area. Restoration of wild populations should rely primarily on protecting or acquiring essential freshwater and intertidal habitat, not on the introduction of hatchery stock. Continued mixing of hatchery stock with wild stock will eventually result in the loss of genetic vigor that is characteristic of wild stock, creating a salmon population dependent on artificial enhancement for survival.

The Trustees contend that they should "consider the effects of natural recovery before investing restoration dollars." **Framework** at 41. (Maximizing restoration dollars is certainly a worthwhile objective; however, NWF cautions against waiting too long for the environment to heal itself. There are restoration projects that should be performed now. For instance, we may lose opportunities for habitat acquisition if we do not act quickly.)

Evaluation of Restoration Options

1. The effects of any other actual or planned response or restoration actions: Are there actions, such as additional clean-up work, that bear on the recovery targeted by the restoration option?

Yes, Exxon should be required to clean oiled mussel beds. These actions can proceed concurrently with Trustee Council restoration projects.

2. The relationship of the expected costs of the proposed actions

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Trustee Council
 June 3, 1992
 Page 3

to the expected benefits: Do benefits equal or exceed costs?

Although there is no direct relationship between costs and expected environmental benefits, NWF believes that economic analyses can be useful. This criterion underscores the importance of releasing all economic studies.

3. Potential for additional injury resulting from proposed actions, including long-term and indirect impacts: Will implementation of the restoration option result in additional injury to target or nontarget resources or services? Is the project of net environmental benefit?

In attempting to restore adversely affected wildlife populations, the Trustees need to guard against injuring wildlife populations that were not affected the spill. For instance, the construction of fish ladders around waterfalls may help oil-impacted salmonids at the expense of native populations of rainbow or lake trout.

4. Importance of starting the project within the year: Would delay in the project result in further injury to a resource or service or would we forego a restoration opportunity?

NWF considers this a critical criterion. It has been well over three years since the oil spill, and eight months since the settlement, yet the Trustee Council has not accomplished any significant restoration! Clearly, opportunities for restoration are slipping away.

Scope of Potential Restoration Alternatives

NWF supports the combined alternatives approach as a restoration strategy. However, special emphasis should be given to immediate habitat acquisition. The United States Congress, the Alaska State Legislature, and the citizens of Alaska have all expressed strong support for this form of restoration. NWF believes that 80% of settlement funds should be used for habitat acquisition to prevent further damage to natural resources and to compensate for resources and services lost as a result of the oil spill. Since many forests are faced with the imminent threat of logging, acquisition efforts should begin now; settlement funds should not be hoarded in an endowment.

NWF strongly objects to the hierarchical approach to restoration depicted in Figure 6. That figure describes a sequential process for evaluating restoration alternatives. Short-term strategies such as management of human uses are given preference over long-term strategies such as habitat acquisition. The process outlined in Figure 7 is more consistent with public opinion and the Memorandum of Agreement and Consent Decree.

Trustee Council
June 3, 1992
Page 4

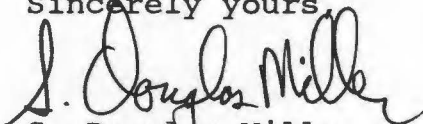
Volume II: 1992 Draft Work Plan

NWF has attended most of the public meetings held by the Trustee Council since settlement in October 1991. We have frequently noted a degree of hostility and resentment on the part of some Trustees toward ongoing research and its proposed costs. To some extent, this attitude is understandable; there is no question scientists will find a use for every cent they are given. Unfortunately, the public was not permitted to review the research results in 1989, 1990, or 1991, so we were unable to judge the merits or quality of the research. The fact that Exxon reimbursed the governments for the \$100 million spent on research contributed to the problem of unsupervised research. Thus, NWF commends the Trustee Council for now taking a hard look at the science. Nevertheless, we fear that they may be rushing to close out important projects.

NWF recommends that some studies be reduced to a monitoring status through the year 2002, instead of being terminated. For instance, subtidal studies 1A, 1B, 2A, 2B, 3A, 3B, and 4 provide essential baseline information for continuing subtidal studies 5 and 8 and proposed restoration projects 71 and 103A - 103D. Subtidal study 3A would also yield important data on the movement and nature of oil residue in mussel beds, a problem noted in the study summaries. NWF urges the Trustees to continue these studies, at least on a limited basis.)

Thank you for your consideration.

Sincerely yours,


S. Douglas Miller
Director

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National Wildlife Federation
Alaska Natural Resource Center
750 West Second Avenue, Suite 200
Anchorage, Alaska 99501-2163

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Oil Reform Alliance

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June 4, 1992

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

JUN 04 REC'D

The Oil Reform Alliance^{1/} would like to recommend that the Trustee Council incorporate the following two issues as part of the Restoration Framework.

Issue #1: "User Friendly" Synopsis of Oil Spill Data

The Oil Reform Alliance recommends that the Trustee Council develop a "user friendly" synopsis of its oil spill data that is oriented towards, and widely distributed to, the public.

The Trustee Council released in April 1992 the latest and most informative of a series of restoration documents. Most of the information compiled by the Trustee Council starkly contrasts information released by Exxon during the last three years, yet the public may be unaware of the importance of these data because the presentation is not oriented to the lay person. The Trustee Council's report is geared more for scientists and technical persons.

In contrast, Exxon's unending barrage of "spill science" is attractively laid out in short glossy brochures with color photographs and drawings: this misinformation campaign specifically targets the public^{2/}.

Part of the goals and objectives of the public participation plan of the Trustee Council is to:

- * provide the public with information and resources to evaluate proposals and programs independently; and

^{1/}The Oil Reform Alliance is a coalition of environmental, recreational user and commercial fishing groups which formed after the Exxon Valdez oil spill to reform oil industry activities that can adversely impact communities on social, economic and environmental levels.

^{2/}For example, refer to "Sea Otters Thrive in Prince William Sound, Alaska" (February 1991); "Water Quality In Prince William Sound and the Gulf of Alaska" (March 1991); "Two Years After Conditions in Prince William Sound and the Gulf of Alaska" (October 1991).

Issue	1000
Top/Op	30
Com #	1

* disseminate information to the public concerning the restoration process in a timely manner" (pg. 11 Vol. I)

Development of a "user friendly" synopsis of the Trustee's oil spill data on an annual basis is a justifiable expense of restoration funds to increase the public's independent comprehension of spill-related injuries and evaluation of restoration programs.

Com #	Top/op	Issue
2	30	1000

Issue #2: Long-Term Epidemiology Study of Clean Up Workers

The Oil Reform Alliance recommends that the Trustee Council develop and implement a long-term epidemiology study to monitor health of workers involved with oil spill clean up, including those who worked with the bioremediation compound Inipol.

In April 1992, the Boston Globe reported that "a handful" of Alaska oil-spill workers have filed lawsuits claiming latent health problems from exposure to crude oil vapor and Inipol (attached). Followup stories by the Boston Globe, the Anchorage Daily News and the Anchorage Times (attached) and extensive interviews by KCHU radio Valdez have revealed one confirmed death from Inipol and possibly "hundreds" more victims of petroleum- or Inipol-related poisonings from the oil spill clean up. According to the articles and interviews, Veco and Exxon are denying that Inipol is toxic and downplaying the importance of the pending toxic exposure lawsuits.

The settlement documents specify that the use of restoration trust funds must be linked to injuries resulting from the Exxon Valdez oil spill. A study of latent health problems incurred by clean up workers relating to over exposure to crude oil vapors and clean up chemicals is clearly a justifiable use of restoration funds.

An epidemiology study would increase the public's understanding of spill-related injuries, specifically, the health risks associated with exposure to crude oil vapors and clean up compounds. Further, an epidemiology study could minimize such human health risks in future spills by leading to improvements in protective clothing and safety training, and to development of bioremediation compounds which do not contain carcinogens like Inipol.

The Oil Reform Alliance appreciates the opportunity to participate in the restoration process.

Sincerely,

Riki Ott

Riki Ott, President

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Illness tied to Exxon cleanup is cited in spate of lawsuits

By William P. Coughlin
GLOBE STAFF

A handful of volunteer Alaska oil-spill workers and a tugboat captain, who have filed suits claiming they were poisoned by exposure to a combination of crude oil vapor and toxic cleanup agents after the Exxon Valdez spill, may constitute the tip of a legal iceberg.

Three suits seeking millions of dollars in damages have been filed in Alaska and federal courts. Environmentalists and people involved in the cleanup say many more such suits may be filed as potential victims trace illnesses back to their oil spill work.

Randall Scarlett, a partner in Melvin Belli's San Francisco law firm, is bringing one of the three suits, "and we are getting five calls a day on these types of cases. . . . We alone could end up with 200 to 300 of these cases."

Belli said his firm already has upwards of 1,600 suits stemming from the spill, most of them against Exxon Corp. on behalf of fishermen, canneries, and other businesses that had losses.

Named as defendants in the three personal injury suits are Exxon Corp. and two subsidiaries, Exxon Shipping Co. and Exxon Pipeline Co.; Veco Inc. of Anchorage, Exxon's hired supervisory cleanup firm, and Arctic Tug and Barge Co., also of Anchorage.

An Exxon spokesman in Houston declined comment, saying he wondered "why the toxic exposure lawsuits made news." However, officers for other firms explained their positions in interviews.

Scarlett and George M. Kapolchok, an Anchorage lawyer, have filed one suit on behalf of Timothy Jon Burt of Juneau and his wife, Laurie Anne. Burt worked for Martech Inc., a firm employed by Exxon to assist in the cleanup, cleaning sludge inside large enclosed tanks with high pressure jet sprayers.

The complaint says Burt suffered "devastating permanent and totally disabling injuries" and "must rely on compressed or concentrated oxygen to sustain his life." In accusing Exxon of negligence in hiring an "incompetent firm," Burt's claim also says that his wife had to quit her job to care for him.

In a complaint filed against Veco, Carmen Olsen of Fairbanks says she became severely ill while she was working for Veco using chemical solvents to clean clothes used by workers who had used the chemical Inipol to help clean up the oil spill. She said she continues "to this day to suffer diminished lung capacity, dizziness, skin lesions, headaches and neurological disorders."

Veco's president, Pete Leathard, commenting on the suit, said, "We're in the process of working to determine if people really got sick as a result of Inipol." Leathard said the chemical is a fertilizer used to promote bacteria growth to break down the oil.

Leathard conceded that other suits have been filed by people who describe similar symptoms. "But whether it was caused by the fertilizer or some other reason, I don't know," Leathard said. He said Veco provided safeguards, protective clothing and breathing apparatus for its workers, and "our position is we don't see how it could have caused any problems."

In the third case, a federal suit filed against Arctic Tug and Barge Co., Thomas Pickworth of Anchorage, son of one of the owners of the company, makes claims similar to Olsen's. Pickworth's suit says that after "exposure to toxic compounds . . . he became extremely ill . . . and is

Jo Anne Pickworth said Thomas eventually was examined by a doctor who diagnosed his symptoms as those of chemical reaction, and he was sent to a Dallas clinic where he is under treatment.

"Everyone who sustained damage was injured by either aspiration of oil itself - that is, actually getting liquid into their lungs - or by inhalation of fumes evaporating from the product," Scarlett said.

He said the victims were poisoned by a "synergistic" combination of toxins - fumes, including benzene, toluene, xylene, and other components of crude oil, and by fumes from supposedly harmless cleaning agents the workers were given to scour away the oil itself.

"There is no doubt some of these individuals are going to die," he said.

He said only one treatment center in the nation, headed by Dr. William Rea in Dallas, specializes in these cases, and they now are getting "increasing numbers of calls from people who were exposed up there." Rea declined to comment.

David Driver of Augusta, Ga., said he became sick after he managed a Veco Co. barge that housed oil spill workers, but has recovered. He estimates that 12,000 people were "unnecessarily" exposed to toxins.

The crucial part of the story, he said, "is that these people volunteered and were trying to clean up the environment, and now they are getting very sick."

We are getting five calls a day on these types of cases. . . . We alone could end up with 200 to 300 of these cases.'

RANDALL SCARLETT
San Francisco lawyer

completely disabled from duty as a seaman in any capacity."

His tugboat and barge were leased by Exxon for the cleanup.

Jo Anne Pickworth, secretary treasurer of the firm and Thomas Pickworth's stepmother, said he became sick after Exxon sprayed some chemical from a helicopter.

"They thought it was flu," Jo Anne Pickworth said, and later ar-

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Oil Reform Alliance
211 4th Street, Suite 112
Juneau, Alaska 99801

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 2. PAG.
 3. RPNB
 4. 93 WPP
 5. 92 WPP

Valdez cleanup linked to ailments

Doctor blames exposure to combination of oil, cleaning agents; 1 death cited

By William P. Coughlin
 GLOBE STAFF

A doctor who specializes in treating victims of petroleum-related poisonings says he knows of one death and he expects a growing toll among those who cleaned up the Exxon Valdez oil spill.

The cardiovascular surgeon said he is treating six serious cases and expects "hundreds more patients" suffering from the combined exposure to oil and toxic cleanup agents used to combat it.

In a telephone interview Friday, Dr. William J. Rea of Dallas, said he could confirm one death. "This is extremely serious. People need to wake up." Rea's Texas clinic is the nation's only facility specializing in treating victims of the combined toxins from crude oil and cleanup chemicals.

The Globe reported last month that a number of people who participated in the cleanup had become ill, and that their illnesses were being attributed to the combined toxic effects of the oil spill and chemicals used in the cleanup.

Rea said two more persons, a 54-year-old woman and her 20-year-old son, have been diagnosed by him, in addition to the victims identified in the earlier report.

The two new patients, Jacqueline Y. Payne of Kenai, Alaska, and her son, Jacob, of Soldotna, Alaska, contacted the Globe and urged that the paper publicize the problem. Both said they believe there has been an oil industry coverup of the illnesses.

Both mother and son were volunteers on an Exxon cleanup barge, and say they worked without protective masks or respirators cleaning the

Dr. William Rea said the worst case his clinic is treating from the spill is that of a 24-year-old man who is on oxygen because he can't breathe.

equipment used by other workers. The Paynes cleaned the oil with Inipol, an agent that Exxon and its contractor, Veco, Inc. brought in to clean up the spill.

In a signed diagnosis prepared for lawyers in Melvin Belli's San Francisco office, which the Paynes released to the Globe, Rea said the Paynes' symptoms "began after working in the Alaska oil spill." In addition to other lawsuits against Exxon, the Paynes will join other alleged victims in a separate suit being filed by Belli's firm.

Both said in interviews that theirs are not isolated cases, and Jacqueline Payne said she knows of "hundreds more people who volunteered to work on the spill who are now getting sick because of it."

Rea said the Alaska situation was particularly disturbing because of the so-called synergistic effect of combined poisons. "No one knows which toxins, or which combinations will be synergistic. But there will be a situation where one adds to another and another, and so on."

The doctor said it was "ridiculous" for Pete Leathard, president of Veco, to deny that Inipol is toxic. Last month, in an interview with the Globe, Leathard, citing protective steps he said the firm took, said of Inipol: "Our position is we don't see how it could have caused any problems."

According to an Exxon Co. document obtained by the Globe, Inipol is not only carcinogenic, but if inhaled, "may result in dizziness, headache and respiratory irritation, to unconsciousness and possibly death." The document contains a federal Occupational Safety and Health Administration warning that exposure to the product may cause "eye and skin irritation... and blood and kidney damage."

Rea said the worst case his clinic is treating from the spill is that of a 24-year-old man who, as a result of his exposure to oil and the cleanup agent, "is on oxygen all the time because he can't breathe."

Asked why patients are turning up at his clinic with oil-spill-related symptoms three years after the March, 1989 spill, Rea said, "if you look at them, you can see they had started getting sick when they worked on that spill."

Rea said afflicted persons have been gradually getting sicker. "I know there's a lot of people out there with similar circumstances... but it's a long way from Alaska to Dallas," he said.

He said the Alaska spill-related illnesses are "like a textbook of medicine... We have seen people with arthritis, heart irregularities, stroke symptoms, colon problems, bladder problems, muscle aches, and all sorts of pains."

ANC Daily News 4/10/92

Oil-spill workers sue, claim chemicals made them sick

By ROSANNE PAGANO
The Associated Press

A group of Exxon Valdez cleanup workers is seeking millions of dollars in compensation for illnesses they say are linked to exposure to crude oil fumes and cleaning agents.

The suits filed in federal and state courts name Exxon Corp., Exxon Shipping Corp. and Exxon Pipeline Co., as well as two local contractors



that supplied cleanup help following the 11-million-gallon spill in 1989.

An Exxon spokesman in Anchorage declined comment Wednesday on the pending lawsuits, except to

say that throughout the cleanup — which is entering its fourth year — the company believed it and its contractors had complied with safety regulations.

One of the lawsuits is set for trial in state court here next month. It asks unspecified damages for an Augusta, Ga., man who came north to manage a barge that housed oil-spill workers.

Anchorage-based lawyer

George M. Kapolechok said Wednesday his client, David Driver, has lingering skin problems caused by exposure that Kapolechok says violated Occupational Safety and Health Administration rules.

Driver's suit names the local oilfield service company Veco International.

Veco was Exxon's prime contractor for the multibillion-dollar cleanup stem-

ping from the Exxon Valdez tanker accident. It was the worst oil spill in U.S. history.

Pete Leatherard, Veco president, said Wednesday the company tested its workers and provided protective clothing and gear to guard against toxic exposure.

"To my knowledge, everything was deemed safe," Leatherard said.

Please see Page B-3, SPILL

SPILL: Exxon Valdez cleanup workers file lawsuits, allege chemicals make them sick

Continued from Page B-1

Driver told Valdez radio KCFU he was captain of a barge that housed workers cleaning oily beaches with a chemical known as Inipol.

Although the crew was told it was safe, Driver said he refused to work anywhere near an Inipol site after he found out the chemical occasionally caused blood to show up in workers' urine.

Kapolechok said he also was representing Timothy Burt of Juneau, who claims

he got sick two years ago while working at a cleanup site in Seldovia, about 150 miles southwest of Anchorage on Kachemak Bay.

The suit asks for compensation for pain and suffering for Burt and his wife, Laurie Ann, as well as the costs of medical care and rehabilitation.

"I believe Tim is worse off than a quadriplegic," Kapolechok said.

"We've got a guy who is permanently disabled at 32 years old, who's got a wife

and child. He has severe headaches, he's got to drag around an oxygen tank and he's got a whole host of other problems," Kapolechok said.

Burt says he was working for Anchorage-based Martech Inc. in June 1989 when he was given only a rain suit and a paper filter mask as he was sent in to clean crude oil residue collected in two tanks.

The lawsuit says one of the tanks was 14 feet tall and had a hatch in the roof

for ventilation. Burt says he spent about three hours in one tank and about 90 minutes in the other. He used a high-pressure steam hose that, Kapolechok claims, forced toxic vapors into the air for Burt to inhale.

Complaints about improper gear and safety procedures date to the earliest phases of cleanup, when crews returning from oily Prince William Sound beaches said crude oil fumes were making them sick.

Errie Piper, who was assigned to monitor the clean-

up as an aide to then-Gov. Steve Cowper, said Wednesday the first six weeks following the spill were "a confusing time."

"My personal belief is there was insufficient monitoring of workers then but not knowingly, or negligently," Piper said.

"It was just that nobody knew what they were dealing with. It was a confusing time."

Piper, who recently resigned after nearly two years as the state's on-scene coordinator, said he did not

know specifics of the latest lawsuits.

But he said workers assigned as late as July following the spill in March might still have been exposed to crude oil fractions such as benzene.

"I've been pretty critical of Exxon for a lot of things," Piper said, "but for the most part, given the hardships of what was out there and running a safety program, they did a pretty good job. They were genuinely careful."

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ANC TIMES 4/16/92

Workers allege illnesses tied to Exxon Valdez cleanup

By ROSANNE PAGANO
ASSOCIATED PRESS

A group of Exxon Valdez cleanup workers is seeking millions of dollars in compensation for illnesses they say are linked to exposure to crude oil fumes and cleaning agents.

The suits filed in federal and state courts name Exxon Corp.,

Exxon Shipping Corp. and Exxon Pipeline Co., as well as two local contractors that supplied cleanup help following the nearly 11 million gallon spill in 1989. It was the worst oil spill in U.S. history.

An Exxon spokesman in Anchorage declined comment Wednesday on the pending lawsuits, except to say that throughout the

cleanup — which is entering its fourth year — the company believed it and its contractors had complied with safety regulations.

One of the lawsuits is set for trial in state court here next month. It asks unspecified damages for an Augusta, Ga., man who came north to manage a barge that housed oil spill work-

ers.

Anchorage-based lawyer George M. Kapolchok said Wednesday his client, David Driver, has lingering skin problems caused by exposure that Kapolchok says violated Occupational Safety and Health Administration rules.

Driver's suit names the local

oilfield service company VECO International.

VECO was Exxon's prime contractor for the multibillion-dollar cleanup stemming from the Exxon Valdez tanker accident. VECO International is owned by Bill Allen.

Pete Leathard, VECO president. See Cleanup, back page

Cleanup

Continued from page A1

dent, said Wednesday the company tested its workers, and provided protective clothing and gear to guard against toxic exposure.

"To my knowledge, everything was deemed safe," Leathard said.

Driver told Valdez radio KCFU he was captain of a barge that housed workers clearing oily beaches with a chemical known as Inipol.

Although the crew was told it was safe, Driver said he refused to work anywhere near an Inipol site after he found out the chemical occasionally caused blood to show up in workers' urine.

Kapolchok said he also was representing Timothy Burt of Juneau who claims he got sick

two years ago while working at a cleanup site in Seldovia, about 180 miles southwest of Anchorage on Kachemak Bay.

The suit asks for compensation for pain and suffering for Burt and his wife, Laurie Ann, as well as the costs of medical care and rehabilitation.

"I believe Tim is worse off than a quadriplegic," Kapolchok said.

"We've got a guy who is permanently disabled at 32 years old, who's got a wife and child. He has severe headaches, he's got to drag around an oxygen tank and he's got a whole host of other problems," Kapolchok said.

Burt says he was working for Anchorage-based Martech Inc. in June 1989 when he was given only a rain suit and a paper filter mask as he was sent in to clean crude oil residue collected in two tanks.

The lawsuit says one of the

tanks was 14-foot-tall and had a hatch in the roof for ventilation. Burt says he spent about three hours in one tank and about 90 minutes in the other. He used a high-pressure steam hose that, Kapolchok claims, forced toxic vapors into the air for Burt to inhale.

The Boston Globe reported Sunday that Melvin Belli's San Francisco law firm was receiving calls daily from former cleanup workers and had taken at least one of the lawsuits.

Complaints about improper gear and safety procedures date to the earliest phases of cleanup, when crews returning from oily Prince William Sound beaches said crude oil fumes were making them sick.

Ernie Piper, who was assigned to monitor the cleanup as an aide to then-Gov. Steve Cowper, said Wednesday the first six weeks fol-

lowing the spill were "a confusing time."

"My personal belief is there was insufficient monitoring of workers then, but not knowingly, or negligently," Piper said.

"It was just that nobody knew what they were dealing with. It was a confusing time."

Piper, who recently resigned after nearly two years as the state's on-scene coordinator, said he did not know specifics of the latest lawsuits.

But he said workers assigned as late as July following the spill in March might still have been exposed to crude oil irritants such as benzene.

"I've been plenty critical of Exxon for a lot of things," Piper said, "but for the most part, given the hardships of what was out there and running a safety program, they did a pretty good job. They were genuinely careful."

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Alaska Center for the Environment

519 West 8th Ave. #201 • Anchorage, Alaska 99501 • (907) 274-3621

June 4, 1992

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

JUN 04 REC'D

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Re: Restoration Framework

Dear Trustee Council:

The Alaska Center for the Environment (ACE) welcomes the opportunity to comment on the above referenced document. ACE is a private, non-profit environmental advocacy and education organization with approximately 1500 members, most of whom live in Southcentral Alaska. ACE has had a long-standing interest in the Gulf coast region of Southcentral Alaska, which our members use and enjoy.

We offer the following general comments for your consideration:

1. We believe strongly that acquisition of upland fish and wildlife habitat and recreation sites, both in areas immediately adjacent to oiled shorelines and areas beyond oiled shorelines, is well within the letter and intent of the Settlement. Per the MOA, "'restoration' means any action...which endeavors to restore to their prespill condition any natural resource injured, lost, or destroyed as a result of the Oil Spill and the services provided by that resource or which replaces or substitutes for the injured lost, or destroyed resource and affected services." "Natural resources" are defined as "land, fish, wildlife, biota, air, water, ground water, drinking water supplies, and other such resources"; since these are all components of functioning natural coastal marine and forest ecosystems, any injury or damage to any single "resource" will also injure or damage other resources and the ecosystem, due to the interrelationship of all elements within an ecosystem and the interrelationship between ecosystems. Therefore, not only were the coastal forest and marine ecosystems impacted by the oil spill, but additional impacts to the forest ecosystem from activities such as logging will also impact the marine ecosystem and the fish, wildlife, and biota which utilize these ecosystems. Since all the components of the coastal forest and marine ecosystems are considered as "natural resources" by the Settlement, these ecosystems should also be considered as natural resources damaged by the Spill.

There are numerous studies which document the negative impacts of development activities such as logging on fish and

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wildlife habitat. Acquisition of upland fish and wildlife habitat, therefore, is an action which endeavors to restore injured, lost, or destroyed resources. Moreover, there is no language in the Settlement which limits restoration to the oiled shorelines or the uplands immediately adjacent to the oiled shorelines.

Because the ecosystem as a whole was damaged by the spill, it is important that restoration activities be considered at the ecosystem level, and not just focus on single species. Restoration activities should also not be limited to species of "commercial" importance, especially as wildlife viewing becomes increasingly important to the recreation and tourism industry.

2. Given the immediate threats to the coastal marine and forest ecosystem from logging activities; the importance of pristine "undeveloped" areas for recreation, tourism, and subsistence; and the limited value of additional clean-up and many scientific studies to the actual purpose of restoration, 80% of the restoration funds should be utilized for acquisition and protection of upland areas important for fish and wildlife habitat, dispersed recreation, and subsistence. Mechanisms for acquisition include purchase of fee simple title, conservation easements, timber rights, or moratoria, from willing sellers.

Acquisition of fish and wildlife habitat and recreation sites should begin immediately. Certain areas are immediately threatened. And while a certain amount of study may be necessary over time, there are certain areas which have consensus support for acquisition and should be pursued now. In addition, this will show private landowners that there will be money invested in acquisition. In other words, targeted areas should be immediately acquired as a show of good faith by the Trustees to the public and the willing sellers. Otherwise, there will be little faith in the intentions of the Trustees to actually pursue restoration through acquisition of habitat.

There are economic benefits to habitat and recreation site acquisition as well. Since most private landowners are ANCSA corporations whose shareholders live in the local communities which were most impacted by the spill, investment in acquisitions will be an investment in the local economy. Also, since local communities depend on functioning coastal forest and marine ecosystems to sustain local jobs in commercial fishing, tourism, recreation, and subsistence, the protection of coastal forest habitat from the negative impacts of activities such as logging will have long term positive impacts on the economy. These jobs will be supported by the coastal forest and marine ecosystems in perpetuity, while logging jobs will be provided only on a very short term basis.

An additional benefit to acquisition of habitat and recreation sites is the potential for consolidation of management of areas which are currently being managed under a checkerboard pattern of state, federal, and private ownership.

3. The document fails to recognize the need to protect the coastal forest and marine ecosystems, and the impacted fish and

Issue	3/00
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wildlife which rely on functioning ecosystems for their survival, from additional impacts in order to achieve the goals of restoration. Although certain species, or entire ecosystems, may be to some degree "recovering", this recovery over the long term will depend on the continued existence of the ecosystem elements needed for survival. For instance, as stated on page A-20, "most marbled murrelets nest in mature forests". Therefore, any recovery of this species will depend on the continuing presence of mature forests. If these forests are threatened by logging activities, acquisition of areas proposed for logging will be necessary to ensure restoration. Moreover, acquisition of habitat can enhance the viability of impacted species.

Services were also impacted. Prior to the spill, there was very little logging occurring, which was one reason why the economic activities of recreation, tourism, and subsistence were so successful. In order to ensure the recovery, and enhancement, of these activities, acquisition of areas threatened by logging will be necessary.

4. Habitat acquisition should be given concurrent consideration in the restoration process, not merely utilized as a last resort. Moreover, the imminent threat protection process for acquisition should be used, in order to prevent logging on lands prior to their consideration for acquisition. It is important that the restoration process not be used as an excuse for not pursuing restoration actions that are needed immediately

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5. We oppose locking up the settlement money into an endowment. Given the immediate threats of logging and other development activities, these funds are needed now for habitat acquisition and other restoration activities. Putting large sums of money into an endowment fails to meet the intent of the Settlement to provide funds immediately for restoration.

6. Wilderness qualities of the region were negatively impacted. These qualities are important to recreationists, the tourism industry, and subsistence users. The restoration plan should address the protection and restoration of wilderness values, including replacement of lost wilderness values.

7. The Public Advisory Group format fails to adequately provide for public representation in the restoration process. The Public Advisory Group as proposed does not provide for designated seats for designated interests; does not allow for selection of the Group members by the interests they represent; does not provide adequate funding or staffing; and does not provide for adequate interaction with the Trustee Council or the Restoration team. For instance, it is essential that the Public Advisory Group have an independent staff person who works full time for the Group, and who has access to all RPWG and Restoration Team meetings in order to monitor the progress of the restoration effort and report to the Group. This staff, however, is not provided in the current proposal. We incorporate herein by reference our letters to the Trustee Council dated December 3, 1991 and February 13,

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8. Given the ongoing nature of the restoration process, the changing needs of society, and the additional information which will become available over time, the restoration framework and subsequent restoration plan should not preclude at this time the future opportunity to restore or protect any values or uses not currently anticipated by this framework.

9. Much of the area impacted by the spill is managed by federal agencies. Most notably, most of Prince William Sound is managed by the U.S. Forest Service. Due to the impacts from the spill on the coastal forest and marine ecosystems of Chugach National Forest, the need to protect the area from additional impacts, the economic and cultural value of recreation, tourism, and subsistence, and the very limited value of the timber, there should be a moratorium on logging in the Prince William Sound portion of Chugach National Forest until the Sound has recovered.

Management of Chugach National Forest will have major impacts on the restoration effort. We hereby incorporate by reference our letter to Chugach National Forest dated February 26, 1992 regarding the Chugach Land Management Plan Amendment.

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10. While we appreciate the fact that the scientific studies have been released to the public, we object to the state's failure to release the economic damage studies, and urge the state to make this information available to the public.

Issue	1000
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Com #	6

11. The document fails to recognize that some resources may have been damaged but were not studied, such as harbor and Dall porpoises.

12. It is essential that restoration funds not be used to enlarge or replace agency budgets currently supported through general funds.

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We also offer the following specific comments. Please note that we consider the first full paragraph of each page as paragraph 1:

Page 1, paragraph 3 - We object to the proposed limitation of restoration to "the areas affected" by the Exxon Valdez oil spill. We have found no language in the Settlement which creates this limitation. This language fails to recognize the potential need for restoration activities, such as habitat acquisition, in areas connected biologically, ecologically, culturally, socially, or economically to the "area affected by the spill"; it also fails to recognize the potential need for replacement or substitution of injured, lost, or destroyed resources and services by acquisition or enhancement of, or other actions relating to, equivalent resources and services in areas not "affected" by the spill. Moreover, it is important, and should be stressed in this document, that the area "affected" is not limited to oiled shorelines.

We recommend, therefore, that the phrase "in the areas" be deleted.

We also recommend the addition of the following sentence: "Due to the life histories of the fish and wildlife impacted by the spill, there is an intricate web of essential interactions between marine, estuarine, intertidal, instream, riparian, and upland habitats necessary to support the recovery of injured fish and wildlife. Therefore, the impacts of the oil spill go beyond the impacts to the oiled shores, and restoration activities will therefore also go beyond mere restoration of oiled shorelines."

P. 2, para. 1 - In the next to last sentence, please add Kachemak Bay State Park and Kachemak Bay State Wilderness Park as specific areas which were oiled.

P. 18 - We support habitat protection, primarily through acquisition of habitat, as the best way to ensure recovery from the Spill.

P. 19, para. 3 - We agree with the last sentence. However, it is also true that injuries to populations of any species may not be fully understood, appreciated, or anticipated at this time. A sentence should be added that recognizes this limitation in our knowledge and understanding, and the possibility that the restoration framework and plan may need to change accordingly in the future based on additional information.

Pp. 36-38 - We agree that the spill impacted archaeological, subsistence, recreation, wilderness, aesthetic, and other uses. We suggest the addition of tourism as an impacted use.

P. 38, para. 1 - Wilderness uses also have economic value.

P. 39, para. 2 - "Services" should also include wilderness values and uses, and aesthetics.

P. 39, para. 3 - The proposed criteria should be expanded with an additional "bullet" which states: "potential threat to recovery due to additional impacts".

P. 40, para. 3 - Who's "best professional judgment" will be used to make this determination? Many of the values and uses, and the injury to these values and uses, are not quantifiable by scientific studies, and those that are quantifiable and subject to "professional judgment" will undoubtedly be subject to disagreements between professionals. Therefore, public input and involvement will be essential, including public expressions of values and "best public judgement".

P. 41. para. 2 - The "particular concern" here should be expanded to Wilderness Study Areas and de facto wilderness which could provide "replacement" wilderness.

P. 41, para. 4 - Even if recovery is "nearly complete", it may be

necessary to pursue habitat acquisition in order to protect the opportunity for full and ongoing recovery in the face of impacts from development activities such as logging.

P. 43 - To the list of "objective criteria", add the following: "Prevention of additional negative impacts to the ecosystem."

P. 44, bullet 1 - We disagree that restoration must comply with agency "directives and policies". This is not a provision of the settlement. It also fails to recognize that this is a unique court-directed process in response to an environmental catastrophe of unprecedented proportions.

P. 45, para. 1 - Add a "bullet" that states: "opportunities to maintain the rate of recovery by preventing additional negative impacts."

P. 45, para. 4 - It is critical that the steps for acquisition of habitat and recreation sites takes into account the timing of the imminent threat being addressed, and action is taken to prevent the negative impact while the steps are being taken to protect the habitat and recreation sites; or that the acquisition occur in a timely manner prior to the initiation of the impact activity.

Pp. 47-49 - The list of possible restoration alternatives seems to minimize the option for acquisition of fish and wildlife habitat and recreation sites from willing sellers, as discussed for example at options 24 and 25. Alternative D should provide for and emphasize acquisition of habitat and recreation sites. Also, as currently worded, the opportunity for fee simple acquisition is not discussed. This should be added.

Moreover, acquisition of habitat and recreation sites should be included as an example under Alternative E. For instance, acquisition of cutthroat trout habitat in Southeast Alaska could be considered as a means of providing an equivalent resource and service for lost cutthroat habitat in the Prince William Sound area.

Under Alternative E, add a "bullet" which states: "acquire fish and wildlife habitats and recreation sites."

P. 49 - A combination of alternatives as anticipated in Alternative F is a likely outcome of this process. We support the development of a combination alternative which provides for 80% of the funds being invested in acquisition of fish and wildlife habitat and recreation sites.

P. 50, Figure 6 - We oppose the use of the hierarchical analysis as depicted in Figure 6. This proposed approach inappropriately considers habitat acquisition as an option of last resort. Public comment, however, has overwhelmingly emphasized acquisition of habitat and recreation sites as the primary means of restoration. Also, since many areas potentially available for acquisition are threatened by development activities such as

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logging in the immediate future, use of this approach will render much of the process moot, since areas being considered may already be developed by the time the process is completed. We therefore, propose that acquisition of habitat and recreation sites be considered as the first alternative for action under this scheme.

P. 51, Figure 7 - We support the use of a concurrent process as depicted here, with certain changes. If recovery is assessed and deemed "adequate", there should also be the option (beyond the "no further action" option) of preventing additional negative impacts. For instance, even if a species is recovering, that recovery may be dependent on the existence of upland habitat for breeding and rearing. This habitat may be threatened by logging or other development activity. It would therefore be essential to acquire the habitat in order to ensure the continued recovery of the species.

P. B-7, Option 2 - The main goal here should be to protect wild stocks.

P. B-11, Option 6 - We support this option. Both designated and de facto wilderness were impacted by the spill. Consideration for wilderness should include designation of wilderness to provide for equivalent resources and services to replace wilderness values lost due to the spill and subsequent clean-up.

P. B-17, Option 12 - Creation of new recreation facilities is appropriate only if limited to very small scale dispersed recreation type facilities, and should not include floating lodges, new boat docks, etc. Facilities should also not be constructed in locations where wilderness values will be compromised.

Pp. B-28, B-29, Options 23, 24, - We especially support these options.

P. B-30, Option 25 - We also especially support this option. However, the Action opportunities given are much too limited. For instance, habitat protection and acquisition should be considered for all uplands, not just where adjacent to anadromous streams.

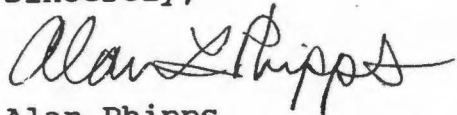
P. B-37, Option 32 - We oppose the establishment of an endowment except possibly very small amounts of money for specific limited purposes such as environmental education. The money available over the next ten years is needed immediately, primarily for the acquisition of fish and wildlife habitat and recreation sites, since these areas are threatened by imminent development activities such as logging and are essential to the recovery of the ecosystem. Locking the money up in an endowment is contrary to the purposes of the settlement.

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ACE appreciates your careful consideration of our comments. If you have any questions, please do not hesitate to contact us.

Sincerely,



Alan Phipps
State Lands Specialist

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519 W. 8TH AVE #201
ANCHORAGE AK 99501

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June 1, 1992

JUN 04 REC'D

Mr. Dave Gibbons
 Acting Administrative Director, Restoration Team
 645 G. street
 Anchorage, Ak. 99501

Dear Sir:

This letter offers testimony for possible use for the Restoration Framework - Exxon Valdez Oil Spill Restoration Plan.

I am a property owner on Shuyak Island where, oil from the spill did touch my property with minimal damage, if any.

After a lifetime in the Kodiak Island group and activity on Shuyak Island since 1928, it wasn't hard to observe the flight patterns of birds coming of the great arc of the Gulf of Alaska, stopping in Shuyak near my place, then at other times observed at Kiziuyak Bay or other areas on their way to the south end of Kodiak where they cross the Shelikof Straits and find the pass to Becharoff Lake and beyond.

My concern is with the diminishing returns of these flights after the spill resulting in a smaller percentage available along the route for subsistence users and the building of a program to scout and catalog and possibly propagate this chain of life for a ten year period which would involve biologists, ornithologists and the like. The results of such a program should be aimed at recovery of the species affected by the spill along the route and continued good use for all Alaskans from the chain of life.

I consider the acquisition of land secondary unless it directly helps to advance the promotion of the species involved.

Sincerely,

Neil A. Sargent
 Neil A. Sargent
 303 Wilson Street
 Kodiak, Alaska 99615

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Com #	Top/op	Issue
2	30	3600

CC: Alaska Federation of Natives

SR Neil A. Sargent
303 Wilson Street
Kodiak AK 99615

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Mr. Dave Gibbons
Acting Administrative Director, Restoration Team
645 G Street
Anchorage, AK 99501



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Hans U. Tschersich, M.D.
1423 Baranof St.
Kodiak, AK 99615

JUN 04 REC'D

2 June, 1992

Dave Gibbons
Acting Administrative Director, Restauration Team
645 G Street
Anchorage, AK 99501

Re.: Use Exxon Money for Acquisition of Lands in the Spill Area

Dear Mr. Gibbons and Trustees:

The negative impact of the massive oil spill can still be seen in Prince William Sound and the Kodiak archipelago. There seems to be a remarkable reduction in sea birds in our area and current newspaper reports describe poor survival rates of sea otters and other animals in the West Prince William Sound area.

I feel a deep sense of loss about this decline of the natural diversity and abundance. Restauration in our life time is questionable. The best prospects for improvement of this sad situation are through acquisition of still undamaged lands in the vicinity of the oil spill before these still unspoiled areas undergo degradation from development and exploitation.

The settlement funds should be used for the purchase of lands and timber rights, in a way outlined in Rep. Cliff Davidson's bill. In order to prevent the loss of critical habitat and forest lands, like on Afognak Island, a process should be used to provide immediate protection until a final settlement can be worked out. We cannot procrastinate - the matter is urgent because of imminent logging in some of the areas.

The public advisory group has to include representatives of all interest groups, including ecologists and environmentalists. The economic benefits from the use of the Exxon money should not be the only or predominant concern.

Sincerely,

Tsch

Hans U. Tschersich

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Hans U. Tschersich, M.D.
1423 Baranof
Kodiak, Alaska 99615

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Mr. Dave Gibbons
Restoration Team
645 G Street
Anchorage, AK 99501

JUN 04 REC'D

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Sam Booher
4387 Roswell Rd
Augusta, Ga 30907
22 May, 1992

Mr Dave Gibbons
Restoration Team RE: Framework Doc.

Dear Mr Gibbons

After watching Wally Hinkle on the TV show 60 Minutes, and now that the Oil Spill Settlement is behind us, I am concerned as to how the funds will be spent.

Do plans call for the restoring and preserving of the coastal ecosystem or will it be spent to develop the area to facilitate man's exploitation of the coastal ecosystem?

I offer that Wally Hinkle has no compunction as to how he would use these funds to support his building programs. I offer that his proposed uses are in conflict with the original intent in obtaining these funds.

My first concern is the preservation of wildlife habitat that depend on Ancient Forests. In the lower 48 we have destroyed virtually all of ours. That which is left must be saved.

My second concern is the selling of Kodiak Island by its owners (Native Americans) for development. I offer that any funds used to preserve this Island network and the Kodiak Bear is critical to the bears survival.

My last concern and I am sure it is shared my most Americans is the preservation of Wilderness shorelines. If this money is not used to fund the protection of forested coastline habitat, Alaska's coastline is going to resemble the timbered areas of Oregon and Washington state - a disgrace that we must all share the blame.

Any thing you can do to support the above ideas will be appreciated.


Sam Booher

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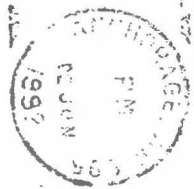
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Sam Barkler
4387 Roswell Rd
Augusta GA 30907

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Dave Gibbons
Restoration Team
645 G. St
Anchorage AK 99501



Dear Trustees;
JUN 04 REC'D 6/2/92

I feel strongly that the

Exxon settlement monies from

the oil spill should be spent

on habitat acquisition;

including purchase of land,

conservation easements &

timber rights. At least 80%

of settlement funds should

be used for habitat acquisition.

My reasoning is this:

1) Many of the areas damaged

by oil spill are now at further

risk of habitat degradation

from extensive logging &

subdivisor development.

Ancient forests provide nesting

sites for birds harmed by

the oil spill. An intact forest

provides permanent jobs

& strong tourist & subsistence

hunting opportunities rather

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than been & bust. This is
 especially important to the
 fisheries industry and
 last, there is little that
 can be done to clean up the
 oil. Unseen effects (eg.
 pollution) will remain &
 affect animals & people for
 many years to come.
 Acquisition should begin
 immediately as many critical
 funds are under imminent
 threat. Construction projects
 are not an appropriate use
 of these funds. The monitoring
 program should consider all
 affected species & not be
 dominated by species of
 commercial interest. The
 public advisory group
 should have a seat designate
 for each interest group (common
 interests, etc) or group

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Copper Center, Alaska

Sincerely,
 Kimmy Koye
 Bill Foster
 Linda Peller

members cannot be held
 accountable to their
 interests.

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Exxon-Valdey Oil spill Restoration
 Dave Gibbons
 Acting Admin Director
 Restoration Team
 1045 G Street
 Anchorage AK
 99501

GLENNAL



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ADLER, JAMESON & CLARAVAL

ATTORNEYS AT LAW
500 L STREET, SUITE 502
ANCHORAGE, ALASKA 99501

TELEPHONE
(907) 272 9377
FAX
(907) 272-9319

120, 128 - 130 LOCUST STREET
P.O. Box 11933
HARRISBURG, PENNSYLVANIA 17108-1933

TEL: (717) 236-7999
FAX: (717) 232-6606

320 SECOND STREET
P.O. Box 1829
CORDOVA, ALASKA 99574

TEL: (907) 424-7410
FAX: (907) 424-7454

VIA FACSIMILE - 276-7178

June 4, 1992

EXXON Valdez Oil Spill Trustee Council
645 G Street, 4th Floor
Anchorage, Alaska 99501

RE: Restoration Framework and 1992 Draft Work Plan

Dear Sir or Madam:

I have reviewed the above volumes in behalf of the Alaska Sport Fishing Association and Trout Unlimited.

It seems to me that the chief problem with the Framework and Work Plan is the lack of linkage that exists between loss of services (e.g., passive uses including existence and option values) and active uses such as recreation, including non-consumptive recreation). Most of the restoration proposals seek to restore resources rather than services. To the degree to which the trustees conclude that the settlement is for loss of services rather injury to resources then this lack of linkage is detrimental and the restoration projects should be reoriented.)

Another major flaw is that the Framework document and the Work Plan are oriented overwhelmingly toward restoration activities adjacent to where oil went. There is no requirement in CERCLA, CWA, the NRDA process or any other law that limits the location of where restoration monies, particularly acquisition monies must be spent. The whole notion of acquiring replacement resources implies that such acquisitions will most likely be outside of the area where oil went.

A third problem with the restoration plan is that a number of projects, such as commercial fishing stock separation projects, are really conventional management functions of the Department of Fish and Game. The trustees should be very careful about spending settlement monies on such purposes.)

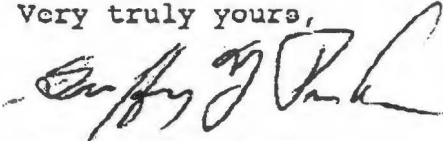
With respect to the Framework document the Alaska Sport Fishing Association and Trout Unlimited support the second (non-hierarchical) method of deciding among restoration options. We think it will generally be most useful to pursue land acquisition for replacement of services rather than other options.

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Exxon Valdez Oil Spill Trustee Council
June 4, 1992
Page Two

(Another general problem with the Framework and the Work Plan is that land acquisitions are overly focused on injuries to animal life as opposed to injuries to services. It is more appropriate to protect high value replacement habitat for animal life having high passive use value and active use value under the rubric of "lost services" than it is to protect such habitat as restoration of an injury to wildlife, where the linkage is weaker.)

Very truly yours,



Geoffrey Y. Parker

GYP:slt

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Natural Resources
Defense Council

40 West 20th Street
New York, New York 10011
212 727-2700
Fax 212 727-1773

COMMENTS
OF
THE NATURAL RESOURCES DEFENSE COUNCIL
ON
THE RESTORATION FRAMEWORK
FOR THE EXXON VALDEZ OIL SPILL

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June 4, 1992

Prepared by:

Sarah Chasis
Senior Attorney

The Natural Resources Defense Council (NRDC) appreciates this opportunity to comment on the Restoration Framework for the Exxon Valdez oil spill. This framework is set out in a document entitled Exxon Valdez Oil Spill Restoration, Volume I: Restoration Framework dated April 1992. Comments have been requested by June 4 by the Trustee Council.

NRDC has been carefully monitoring the damage assessment and restoration planning process for the Exxon Valdez oil spill for the last three years. We believe that it is essential that this process be carried out with the utmost care since what happens with respect to this spill will serve as a model for oil spills everywhere. The full range of impacts resulting from this spill must continue to be explored so that the long-term, subtle effects, as well as the immediate impacts of this massive oil spill are well documented.

We are pleased that the scientific data from the studies carried out to date by the federal and state governments are finally to be made available so that the public will have full access to the findings so far. However, we strenuously object to the state's failure to release the economic studies that indicate the valuation of the natural resource damages of the spill. Without this information, it is impossible to assess the full ramifications of the spill.

At the same time that it is important that the assessment and restoration process be carried out carefully, the process should not be used as an excuse for foregoing key restoration options in the interim. There are a number of proposed timber sales, for example, on lands which provide important habitat for species such as marbled murrelets and harlequin ducks which were adversely affected by the spill. Timber harvesting could subject these species to further environmental insult and could also harm other spill-impacted species, such as wild salmon and cutthroat trout which utilize streams adjacent to such lands. Preventing this timber harvesting is crucial for the restoration of these important species. Rather than allow the opportunity to acquire such rights to slip by, the Trustees should identify and immediately undertake interim actions to acquire such rights. The framework document is inadequate in that it fails to provide for such interim actions or to establish a process for carrying out such actions before the final restoration plan is finalized.

Our comments on the specific sections of Volume I are set out below.

COMMENTS ON CHAPTER II (PUBLIC PARTICIPATION)

For the public to participate meaningfully in the damage assessment and restoration planning process, it is essential that they have access to the scientific data (including summaries, reports, scientific interpretation and conclusions) showing the extent of injury to date, the continued availability of oil for uptake by marine and terrestrial organisms, etc. To facilitate the public's access to that data, a notice should be issued to all interested parties (e.g., all those who have commented on the damage assessment and/or restoration framework as new information is filed with the Oil Spill Information Center -- informing people of the title of the report(s), the form(s) the data are in, the period of time the study covers, etc.) This will

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alert people to the availability of this information in a timely way and in a way that will allow them to obtain the information they most want in the form they can handle.

We believe that it is very important that the public advisory committee be given a substantial role in the damage assessment and restoration planning process. The only way this will be accomplished is if it has some real independence from the Trustee Council and has the capability to review and assess different restoration options. In the long run, a strong and independent advisory committee will stand the process and the Trustees in much better stead than a committee that merely rubber-stamps what the Trustees do or that has no clear role greater than the role provided the general public through participation in the restoration process.

To make the public advisory committee effective, we recommend: An independent staff and a separate budget for the advisory committee sufficient to permit independent review and analysis of the damage assessment and of the restoration proposals; and an important and concrete role for the advisory committee, for example each year formulating a proposed set of restoration projects to the Trustee Council that the Council would have to consider and either accept or reject. To make the advisory committee credible, the individual named to serve on the committee should be someone nominated by the interests he/she is selected to represent and each of the identified interests should have a representative on the committee.

CHAPTER III (RESTORATION PLANNING TO DATE)

Reference is made to the fact that the rate and adequacy of natural recovery may be considered when evaluating restoration measures.(p. 17) However, there is great uncertainty in most cases concerning the timing and completeness of natural recovery. Therefore we urge that such consideration not be used as a reason against undertaking restoration actions which will clearly benefit the affected species. The potential for natural recovery should not be used as an excuse for no action.

CHAPTER V (PROPOSED INJURY CRITERIA)

The definition of injury to natural resources is too constrained. A loss which may be due to exposure to oil spilled by the T/V Exxon Valdez should be considered a consequential injury. Certainty should not be required. Particularly important, the words "significant" should be eliminated from the definition of loss. Declines in productivity or populations, for example, should be considered a loss whether they can be characterized as significant or not. The data may not be available as yet to determine whether the injury is significant; or the data may be ambiguous about the significance of the injury. It would be counterproductive to require a showing of significance before restoration could be undertaken.

Similarly, the definition of natural resource services should not turn on a showing of significance.

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Because of our concerns about factoring natural recovery into the restoration planning process, we recommend that the document state in the last sentence of page 41 that: "it would be worth considering" rather than "may be worth considering" restoration options.

CHAPTER VII (SCOPE OF POTENTIAL RESTORATION ALTERNATIVES)

Under D (Habitat Protection and Acquisition), explicit emphasis should be given to the option of acquiring land conservation easement or timber rights upland or outside of the spill impacted area in order to protect the habitat of wildlife and fisheries harmed by the spill.

We strongly recommend that the conceptual approach to the analysis of restoration options be that set forth in Figure 7 rather than in Figure 6. Habitat protection and acquisition should not be the restoration option of last resort, but one considered simultaneously with other options. There is no reason that this option should be treated last when in our view it will be the most valuable and effective option of all.

We also believe that natural recovery should be considered simultaneously with other options rather than considered first. Natural recovery may not prove as rapid or effective as restoration and should be compared to other options rather than set on a different plane.

We are very concerned about one of the options proposed for consideration--Option 32, to establish a restoration endowment using all of the available proceeds from Exxon.(p. B-37) To put all the settlement money into an endowment would mean that very little would be available in the initial years for any significant acquisition of important habitat. This option would essentially be foreclosed--a terrible mistake, which would remove from the Trustees' restoration options one of the most valuable possible uses of the money.

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Natural Resources
Defense Council

PLEASE
DELIVER
FAX TO:

Dave Gibbons

ORGANIZATION: Exxon Valdez Oil Spill Trustee Council

THIS TRANSMISSION IS 6 PAGES, INCLUDING COVER SHEET.

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FROM: Sarah Chasis

Natural Resources Defense Council, Inc.
40 West 20th Street
New York, New York 10011

IF THERE ARE PROBLEMS WITH THIS TRANSMISSION

PLEASE CONTACT: Ashley McGain AT (212) 727-4424

NRDC'S NEW YORK OFFICE FAX NUMBER: (212) 727-1773

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Department of Anthropology
Arizona State University
Tempe, AZ 85287
June 1, 1992

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Exxon Valdez Oil Trustee Council
645 "G" Street
Anchorage, AK 99501
Attn: Restoration Framework

Dear Trustee Council:

When I was visiting the Anthropology Department at Arizona State University (ASU) the other day, I happened upon Volumes 1 and 2 of the Exxon Valdez Oil Spill Restoration Framework and decided to to make some comments on them. I am a MA student in Bioarchaeology at ASU and am somewhat familiar with cultural resource management on Federal lands. I am writing to you as a member of the public. My main concern is the restoration framework put together for the cultural resources that were damaged either directly or indirectly by the Exxon Valdez oil spill. I will deal specifically on those issues first, then get into more general issues as I close this letter.

VOLUME I, APPENDIX B: POTENTIAL RESTORATION OPTIONS

OPTION 1: Creation of a Site Steward Program to watch over threatened Archaeological sites (Also Volume II, "Restoration Procedures" in this particular case).

While a Site Steward Program would be helpful in educating the public about archaeology and the existing Legislation that protects these unrenueable resources, it also has many drawbacks. (First, if the function of Site Stewards is to watch over threatened archaeological sites, then the result may be more headaches to land managers than it is worth to start the a program. There is potential for some of the Site Stewards or their associates to loot the archaeological sites they claim to watch over, and it is nearly impossible to screen out or catch such individual(s).

(Second, in Arizona, Site Stewards mainly function to let the land managing agency know of vandalism that has already occurred rather than prevent vandalism. Site Stewards cannot be expected to turn in vandals, especially if Alaska is like Arizona which has gun-touting looters who are serious about their looting. To deal with such individuals is too dangerous and should be handled only by experienced law enforcement personnel.)

Third, notifying the land managing agency about previous vandalism creates headaches for the agency archaeologist who has deadlines and has to push projects through her/his office. Such an individual usually does not have the time to

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do one damage assessment after another for a particular site or sites. Even if Trust money is appropriated for assessing looted sites, a full-time specialist is needed to carry out these activities.)

(Fourth, it is important to cut off the vandalism at the source. As mentioned above, Site Stewards cannot be expected to interfere directly with vandals, especially if their lives are threatened. Even if they are able turn a vandal in and the vandal goes to court, it does not necessarily mean that the vandal will be prosecuted and that the site will be saved from future vandalism. Current ARPA legislation makes it difficult to prosecute anyone, and if they are prosecuted, the sentence is less than what the actual artifacts and damaged context are worth monetarily and scientifically. I have heard of instances here in Arizona where individuals were caught looting sites "red handed" but were determined not guilty and never served time. It is also possible that the vandal could go back out after being released and continue to loot archaeological sites.)

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The only way in which looting can be prevented is to have readily available Special Agents and Level IV law enforcement personnel who specialize in ARPA. It may be expensive and time consuming, but it is much more effective. Here in Arizona, there are few archaeological sites that have not been looted at one time or another, and is really disheartening to come upon a site that has been looted to such an extent that very little integrity left.

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(Fifth, there is also the problem of training the Site Steward. Many Site Stewards in Arizona have pursued archaeology as an interest, but they do not have any formal training in the subject and fail to understand some of the basic concepts and language. It can also be frustrating when Site Stewards report recent vandalism which turns out to be old and insignificant.)

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(Sixth, another problem with Site Stewards has to do with injuries. If a site steward gets injured while inspecting a site, who pays for it? What happens if a Site Steward has a heart attack or gets shot by a looter? If the Site Steward program is the option chosen, it is important to deal directly with this problem so no surprises such as a lawsuit or two come up later.)

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To sum, the best thing to do is to educate the public, hire on specialized law enforcement personnel and toughen up ARPA. Though Site Stewards are useful in their function, they cannot prevent more looting.

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OPTION 10: Excavation and documentation of damaged archaeological sites.

First, the terms, "injured 'artifacts'" are not too appealing. Artifacts do not have value in themselves; it is the data/information that they provide archaeologists that is valuable. (That is, after all, what some people say makes archaeologists different from looters). Also, what about damaged features or ecofacts? Does "artifacts" mean "isolated finds"? If so, say so. If not, please use a less painful word in terms of damaged data.

Second, data recovery is probably the best option for the problem at hand. In the long run, it is cheaper because once the site is removed from management, land managers do not have to worry about looters or erosion. Nor do they have to worry about law enforcement or continual looting.

I am not an expert on Alaskan archaeology, but if C14 dating is the only way that the damaged sites can be dated, then I encourage the development of new cleaning techniques or even new dating methods to aid in determining the age of sites. I would think, however, that stylistic attributes of artifacts could serve as a relative dating method. For those sites that are damaged by oil, are they damaged in their entirety? If not, it may prove useful to sample those sites and recover only that which has not been damaged by the oil. Another option would be to excavate both areas of the site and cross-date the materials. Features that are damaged by the oil spill may have to be written off unless there are other dating methods that can be used, but some data recovery is better than allowing the sites to be looted even more.

OPTION 35: Replacement of archaeological artifacts by purchasing "specific pieces for public institutions".

The purchase of artifacts from private individuals absurd and will do nothing but encourage more looting. To the best of my knowledge, it is not the role of the land managing agency to go around and purchase artifacts which may have been stolen from the very land it manages. This option reminds me of a little museum where I did some volunteer work as an undergraduate. The museum purchased some artifacts from a private individual for quite a sum of money only to find out that many of them had been stolen from the very same museum some years prior to their purchase. Another analogy would be to find artifacts at an antique dealer that were supposed to be repatriated. If anything, private collectors should be educated and encouraged to either donate or loan

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their artifacts and/or notes to public institutions so they can be studied. As for actively tracking down illegally collected artifacts, I do, and always will, support such an endeavor.

GENERAL OBSERVATIONS/QUESTIONS ABOUT ARCHAEOLOGY

When I reviewed Volume II of the Draft Work Plan, (I got the impression that archaeological surveys were not conducted until two years after the occurrence of the oil spill. I hope that my impressions are wrong. However, if my impressions are correct, I am curious to know why it took two years, since earlier surveys and knowledge about the danger the damaged sites could have helped reduce looting. Some stabilization could also have been done to help reduce erosion.)

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I was disturbed by the fact that Volume I only briefly mentions damage done to Native sacred and burial grounds, and (Volume II only briefly mentions working with Native Corporations. Current legislation (i.e. NAGPRA) requires that Federal land managers work closely with Native Americans with repatriation of human skeletal remains and associated grave furniture. It is important to emphasize cooperation especially when it comes to restoring the damaged sacred lands and burial grounds.)

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(No mention is made about potential data recovery or relocation of the damaged burials.) Perhaps this oversight is on purpose, since the subject of managing aboriginal sacred lands and burial grounds is a sensitive issue, but if that is the case, then why was it even mentioned? If data recovery is feasible, it should be conducted in the most sensitive manner. It should also be as complete as possible and by an experienced and qualified paleopathologist and/or bioarchaeologist.)

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Since most archaeologists from ASU are anti-contractor academicians and it has worn off on me somewhat, especially when I do thesis research. I have become wary about any kind of contractor, whether it be environmental or archaeological, because very few standards have been developed where direct comparisons can be made (it can be very expensive tracking down and re-analyzing materials from contract reports--if they can be found). Contractors are businessmen first and foremost, meaning that profit replaces caring. As a result many contractors seem to have become insensitive to the issues at hand. (Instead of relying heavily on contracts, I would like to see more schools get involved and I would like to see grants given to graduate students who study the effects of the oil spill on cultural resources and the ecosystem.)

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Though I am no expert, (I feel that the estimated budget for cultural resources (and general environmental recovery) is lower than what the actual cost will be. Since such an extensive and damaging oil spill has never happened before in U.S. history, it

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is difficult to be accurate in estimating such a cost. It is hoped that money will be set aside for potential underestimation of project costs.)

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GENERAL OBSERVATIONS

Nature seems to have a way of healing herself in terms of natural disaster. Mount St. Helens and even Yellowstone National Park are prime examples. In terms of the Exxon Valdez oil spill, however, no action is not the answer. Because actions to clean up the oil spill did not happen as quickly as it should, I am doubtful that the pre-spill ecosystem will ever come back to its pre-existing condition. I also think that Exxon got away with Ecological Murder and should be paying a larger fine than \$1 billion over the next ten years. Listed below are some general comments on the two volumes.

1) After reviewing the options in Volume I, I found that most, if not all, listed for the injured plant and animal life will have to be enforced to some extent, especially the manipulation of the various resources and the protection and acquisition of habitats. I support the idea of replacing the harvest of animals injured by the oil spill by establishing alternative areas of harvest (i.e. salmon runs), but I am curious about the possibility of overharvesting the undamaged areas to the point where genetic variability and/or reproduction is threatened. I also support that attempts will be made in re-establishing injured animals in situ rather than importing other stock. (I was surprised, however, to find that only a minor amount of data recovery on coastal habitats in the Prince William Sound area have been obtained prior to the oil spill. As a result, extensive data recovery, perhaps more than that addressed in Volume II, will have to be carried out.)

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2) Though the Restoration Framework mentions how the oil absorbed through the food chain will affect wildlife, it does not emphasize the effects as much as it should. I doubt that scientists have yet to fully understand how the minutest living organism consumed by a gastropod, or any other creature can affect animals on a higher trophic level. (Thus, more emphasis should be made on the effects of the oil on different trophic levels and more studies should be carried out on this subject than is prescribed.)

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3) (We know that the oil spill has definitely affected marine plantlife, but will it affect terrestrial plant life? If so, how? Will the oil act like fertilizer, or will it kill? This subject was not addressed in either volume.) What happens if the terrestrial plant life begins to die? How will it affect the rest of the environment? How will it affect the wildlife and subsistence? How will the oil affect the local insect populations? Will insects become a problem in the future?

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4) It is sad to see that introduced foxes may need to be eliminated from islands that are important to nesting marine birds, especially when humans placed them on the islands in the first place. I agree that the foxes may have to be removed, but is there an alternative to outright slaughter? Can they be re-introduced into their original habitat or be taken elsewhere?

5) I noticed in Volume II that the majority of the project personnel are male. What happened to equal opportunity employment?

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Though I have questions and comments on many other subjects, time and postal rates do not allow me to cover them, and perhaps they should be left to the experts. (I do think, however, that timber and wildlife harvests and any other activity that may upset the delicate balance even more should be halted in and surrounding the damaged area until the ecosystem is able to recover to a good extent.) Thank you for considering my comments.

Sincerely,

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Esther Morgan

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Additional Comments:

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ESTHER HUBBARD
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ARIZONA STATE UNIVERSITY
TEMPE, AZ 85287

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

Attn: 1992 Draft Work Plan

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EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL
FORMAT FOR IDEAS FOR RESTORATION PROJECTS

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Title of Project: Kitoi Bay Hatchery Oil Spill Equipment Storage

Justification: (Link to Injured Resource or Service)

Oil Spill response equipment was slow to arrive at Kitoi Bay in 1989. One shipment was released to another area. On site storage would allow immediate response to protect fry.

Description of Project: (e.g. goal(s), objectives, location, rationale, and technical approach)

Goal: Storage of oil spill response equipment on site.

Objective: Construction of a metal building 24' X 20' with 2 levels. The upper level would store all deployment booms, absorbant pads, oil snares, lines, anchors, bouys, and other miscellaneous oil spill response equipment. The lower level would store larger equipment such as deploment skiffs and outboards.

Location: Kitoi Bay Hatchery near the main dock.

Rational: Oil spills can occur in areas closer to Kitoi Bay than what occurred in 1989. Oil shipments to and from Cook Inlet pass within 100 miles of Kitoi Bay Hatchery. If a spill occurred in one of those shipments the oil could reach Kitoi Bay in a matter of days instead of weeks. The response in 1989 was slow and confused. The first shipment of dflexion boom was sent to Port Lions instead of its original destination of Kitpi Bay. Larger fishing vessels were chartered making transportation of supplies and equipment to the hatchery extremely difficult. Response equipment must be on site for a timely respose. The location of the hatchery makes low profile storage impossible as flat area is at a premium. A two story building would allow oil spill storage without reducing the existing uses of the hatchery grounds.

Technical Approach: A contract would be drawn up and the project would be put out to bid for the actual construction. Estimated cost for the completed building; \$100,000 - \$150,000.

Estimated Duration of Project: 2 month construction. 20 year life.

Estimated Cost per Year: One time expense of \$100,000 - \$150,000

Other Comments:

Com #	Top/op	Issue
1	30	3/00

Name, Address, Telephone:

Timothy L. Joyce
 P.O.Box KKB
 Kitoi Bay
 Kodiak, Alaska 99697-0020
 (907) 486-6559

Oil spill restoration is a public process. Your ideas and suggestions will not be proprietary, and you will not be given any exclusive right or privilege to them.



JUN 04 REC'D

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THE WILDERNESS SOCIETY

June 4, 1992

Mr. Dave Gibbons,
Acting Administrative Director
Restoration Team
645 G Street
Anchorage, AK 99501

RE: Vol II. 1992 Restoration Work Plan

Dear Mr. Gibbons:

The Wilderness Society will provide limited comments on the proposed 1992 Restoration Work Plan for the Exxon Valdez oil spill, as we have commented directly to the Trustees throughout the planning process and have provided extensive comment on the Framework document. As well, we could provide more meaningful comment on the Work Plans if the many volumes of information from the Natural Resource Damage Assessment studies had been released sooner.

The priority of the Restoration Plan should be an ecosystem approach that protects threatened fish and wildlife habitat within coastal forests, rivers, and shorelines by acquiring land, development or timber rights, or conservation easements on a willing seller basis. We recommend that 80% of the Spill Settlement funds be used to acquire habitat. Unfortunately, this year's plan contains no projects for actual habitat acquisition.

Com #	Top/op	Issue
1	30	3600

We are disappointed that the Trustee Council has already approved more than three times the funding for restoration management action than for habitat protection planning in the 1992 Work Plan. Ironically, the habitat acquisition projects could provide restoration for species in which serious injury is well documented, whereas of the fisheries management action projects and the Red Lake sockeye restoration manipulation project are justified using only speculative damages. Yet, the Trustee Council approved restoration manipulation/enhancement and management action projects in this year's planning but funded NO actual habitat protection or acquisition projects despite the fact that the public had expressed acquisition as a high priority and the Trustee Council had received specific proposals for imminently threatened lands.

Com #	Top/op	Issue
2	83	3501

Long-term recovery monitoring should comprehensively approach the entire ecosystem. Especially in this year's proposed work plan, monitoring and restoration work

ALASKA REGION
430 WEST 7TH AVENUE, ANCHORAGE, AK 99501
TEL. (907) 272-9453 FAX (907) 274-4145

Com #	Top/op	Issue
4	30	1000

focuses on commercially-harvested and sport fish species. Birds, marine mammals, invertebrates, and other "non-game" species need to be monitored as a significant part of the entire ecosystem.) Furthermore, relatively little attention has been given to the effects on National Park resources. We believe long-term monitoring of the ecological effects of the oil spill is crucial and are supportive of an integrated-ecosystem approach. (We are generally supportive of damage assessment closeout projects because we believe it is important for the public to have the most complete information possible about the immediate and long-term effects of the oil spill.)

Com #	Top/op	Issue
5	10	3100

(We support restoration projects that maintain or restore the natural diversity and populations of fish, wildlife, and habitats and the scenic beauty of the wilderness environment. In particular, we strongly support the Habitat Protection Planning Projects: R15, Marbled Murrelets; R47, Stream Habitat Survey; and R71, Harlequin Ducks.) We also believe these projects labelled Management Actions are important: R73, Harbor seals; R103, Oiled mussels; and R104A, Site Stewardship. (Of all the projects, the Oiled mussels project seems to be the most integrated ecological study, and we favor such an approach in the future.) We support projects R 104A, Site Stewardship and R92, GIS mapping, but we believe that the National Park Service should be funded for involvement in the efforts.

Com #	Top/op	Issue
6	10	3100

(We are especially concerned that restoration projects for fisheries may be dominated by projects to develop artificial populations whereas the emphasis should be on protecting the genetic diversity of wild salmon stocks.) We strongly oppose the Manipulation/Enhancement Project R113, Red Lake Restoration because we believe that it may cause problems with wild stocks. We also oppose Management Action projects R53, Kenai Sockeye; R59, Genetic Stock ID; and R60AB, Pink Salmon because these involve problems with hatchery stock management that are not necessarily due to the effects of the Exxon Valdez oil spill--although it has compounded the need for better management--because they substantially overlap with on-going agency work, and because they are so expensive. We also oppose many manipulation/enhancement projects that were fortunately dropped from this year's Work Plan: R37, Paulson Lake Fish Ladder; R41, Otter Creek Fish Pass; R45, Montague Island Chum rehabilitation; R114, Mitigation for Red Lake sockeye fishery; R115, Coghill Lake Sockeye; R116, Fry rearing; R117, Cook Inlet sport fish enhancement.)

Com #	Top/op	Issue
7	10	3707

Com #	Top/op	Issue
7	89	3100

Com #	Top/op	Issue
8	20	3501

Com #	Top/op	Issue
9	20	3700

Com #	Top/op	Issue
10	20	3501

Many projects were dropped from this year's work plan with the understanding that the loss of data would not severely affect the scientists' ability to understand continued oil spill impacts or the extent of recovery. (We believe that the comprehensive ecological monitoring program that begins next year should include important components of these projects as an integral part of the whole monitoring program: R13, Boat surveys to determine distribution and abundance of migratory birds and sea otters; R82, Killer whale monitoring (possibly also including dolphin and humpback whale monitoring); and continued murre monitoring.)

Com #	Top/op	Issue
13	30	3100

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P. modify to make more comprehensive →

We look forward to using the wealth of data the government agencies have collected during the damage assessment process. We especially want to use maps created with the GIS data bases, such as locations used by marbled murrelets, as well as overlays of information, such as land ownership and bird nesting sites. While we know that many maps must already exist (and we trust will soon be in the Oil Spill Information Center), we also hope that there will be a mechanism for the public to request the creation of new overlays that might not yet exist but could facilitate the restoration planning process.

Com #	Top/op	Issue
12	30	3201

The Wilderness Society is a national environmental organization with 350,000 members nationwide, nearly 1,500 of whom live in Alaska and many who reside along or use the shorelines of areas affected by the spill. The Wilderness Society has had a longstanding commitment to protection of the natural values and integrity of Alaska's parks, refuges, forests, and other public lands and was influential in passage of the Alaska National Interest Lands Conservation Act. We appreciate this opportunity to comment and look forward to continued involvement in the Restoration Planning process.

Sincerely,

Pamela A. Miller

Pamela A. Miller
Asst. Regional Director

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P. Miller



ALASKA REGION

THE WILDERNESS SOCIETY

430 WEST 7TH AVENUE, ANCHORAGE, ALASKA 99501 (907) 272-9453

Dave Gibbons
Restoration Team
645 G. St.
Anchorage, AK 99501

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ADLER, JAMESON & CLARAVAL

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ATTORNEYS AT LAW
500 L STREET, SUITE 502
ANCHORAGE, ALASKA 99501

TELEPHONE
(907) 272-9377

FAX
(907) 272-9319

520 SECOND STREET
P.O. Box 1829
CORDOVA, ALASKA 99574

125, 128 - 130 LOCUST STREET
P.O. Box 11933
HARRISBURG, PENNSYLVANIA 17108-1933

TEL: (717) 236-7999
FAX: (717) 232-6606

TEL: (907) 424-7410
FAX: (907) 424-7454

VIA FACSIMILE - 276-7178

June 4, 1992

Exxon Valdez Oil Spill Trustee Council
645 G Street, 4th Floor
Anchorage, Alaska 99501

RE: Restoration Framework and 1992 Draft Work Plan

Dear Sir or Madam:

I have reviewed the above volumes in behalf of the Alaska Sport Fishing Association and Trout Unlimited.

It seems to me that the chief problem with the Framework and Work Plan is the lack of linkage that exists between loss of services (e.g., passive uses including existence and option values and active uses such as recreation, including non-consumptive recreation). Most of the restoration proposals seek to restore resources rather than services. To the degree to which the trustees conclude that the settlement is for loss of services rather injury to resources then this lack of linkage is detrimental and the restoration projects should be reoriented.

Another major flaw is that the Framework document and the Work Plan are oriented overwhelmingly toward restoration activities adjacent to where oil went. There is no requirement in CERCLA, CWA, the NRDA process or any other law that limits the location of where restoration monies, particularly acquisition monies must be spent. The whole notion of acquiring replacement resources implies that such acquisitions will most likely be outside of the area where oil went.

A third problem with the restoration plan is that a number of projects, such as commercial fishing stock separation projects, are really conventional management functions of the Department of Fish and Game. The trustees should be very careful about spending settlement monies on such purposes.

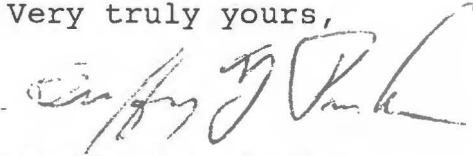
With respect to the Framework document the Alaska Sport Fishing Association and Trout Unlimited support the second (non-hierarchical) method of deciding among restoration options. We think it will generally be most useful to pursue land acquisition for replacement of services rather than other options.

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Exxon Valdez Oil Spill Trustee Council
June 4, 1992
Page Two

Another general problem with the Framework and the Work Plan is that land acquisitions are overly focused on injuries to animal life as opposed to injuries to services. It is more appropriate to protect high value replacement habitat for animal life having high passive use value and active use value under the rubric of "lost services" than it is to protect such habitat as restoration of an injury to wildlife, where the linkage is weaker.

Very truly yours,



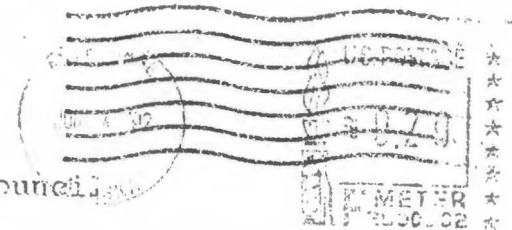
Geoffrey Y. Parker

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ADLER, JAMESON & CLARAVAL

ATTORNEYS AT LAW
500 L STREET, SUITE 502
ANCHORAGE, ALASKA 99501



Exxon Valdez Oil Spill Trustee Council
645 G Street, 4th Floor
Anchorage, Alaska 99501

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2608 Lingonberry Lane, Apt. A
Fairbanks, AK 99709
June 2, 1992

Restoration Team
645 G Street
Anchorage, AK 99501

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Dear Dave Gibbons, Acting Administrative Director:

As a person who has worked in Prince William Sound for the past two summers, I am deeply concerned about the future of such a breathtakingly unique place. I have seen and studied the effects of the Exxon Valdez oil spill, and I sincerely hope that from such a tragedy we have learned the most important lesson of all -- that such an enormously important and beautiful area such as the Sound should be preserved in perpetuity.

I strongly urge that habitat acquisition should be given concurrent consideration in the restoration process, with the notion that purchase of land, conservation easements, and timber rights will receive priority in the use of settlement funds. At least 80% of the settlement funds should be used for habitat acquisition to prevent further damage to natural resources and to compensate for lost resources and services on an equivalent resource basis. In addition, the imminent threat protection process should be used, otherwise critical forest lands may be logged before they are considered for acquisition. Negotiations should begin immediately.

With the rapidly changing world that we currently live in, the restoration process must begin now -- (funds should not be locked in an endowment) (nor are construction projects an appropriate use of the funds.) Strive to protect the wilderness qualities of the region, and restore our important archeological

Issue	3603
Top/lop	24
Com #	1

Issue	4300
Top/lop	30
Com #	2

Com #	3
Top/lop	80
Issue	418

Com #	4
Top/lop	30
Issue	4100

resources, especially in our national parks.

Prince William Sound is truly a treasured area for a variety of reasons, from its invertebrate covered beaches to its mysterious ancient forests to its glaciated wonders. Keeping these ideas in mind, I would urge you to give equal consideration to all species in the monitoring program (not just commercially valuable species), so that a comprehensive study can be performed that evaluates the long-term effects of the spill on the entire coastal ecosystem.

In these times, we are truly faced with many difficult environmental decisions. May you choose the path of protection and conservation (instead of short-term economic gain) so that I and future generations may thank you.

Sincerely,
Karen R. Rock

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KAREN ROOK
2608 Lingenberry Lane, Apt. A
Fairbanks, AK 99709

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Dave Gibbons
Acting Administrative Director
Restoration Team
645 G Street
Anchorage, AK 99501



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PO Box 905
Sana, AK 99586
May 31, 1992

Mr. Dave Gibbons
Acting Administrative Director
Restoration Team
645 G Street
Anchorage, AK 99501

Dear Mr. Gibbons,

I am writing to you regarding the Exxon Valdez Oil Spill Restoration Plan, Vol. 1: Restoration Framework. As I understand it, the Hinkel Administration would like to put the settlement funds in an endowment or use them for "enhancements" such as docks, roads, hatcheries and tourist developments. There is little interest in acquiring coastal forests threatened by logging.

Prince William Sound is a LONG way from being recovered after the damage caused by the spill. As a commercial fisherman, I depend on a clean, healthy environment, and am especially aware of how uncertain the future really is for this region, despite Exxon's conclusions that the recovery effort has been "successful." It is my opinion that the wilderness qualities of Prince William Sound should be protected at all costs, and that business should not simply go on as usual.

I am concerned that clearcut logging in the region is causing further damage to fish and wildlife habitats and to the entire wilderness ecosystem. The coastal forests of Prince William Sound are critical for protecting the quality of streams and rivers in the region, and consequently the health of certain fish populations, and provide habitat for a web of wildlife that was hit hard by the spill. These forests sustain life as we know it, in all its diversity. I am a firm believer that old growth forests are crucial for our own survival: we are a part of that web of diverse life on the planet.

Logging communities everywhere are making a desperate effort to get what's left of ancient forests. The point is there simply isn't much left at all, and once the trees are gone, everything goes with them. We need to keep our remaining old growth forests intact, and create sustainable local economies rather than devour one resource after another, then move on. Protected coastal forests can support a variety of economic opportunities which last, such as commercial and sport fishing, subsistence, recreational use and tourism.

The best way to use the settlement fund is to protect habitat, and this means acquiring habitat that is threatened. I feel that this should be a priority use of these funds, and be considered concurrently in the restoration process, not be left as a last resort. To prevent further damage to natural resources and to compensate for lost resources, 80% of the funds should be used for habitat acquisition. This includes purchase of land, conservation easements and timber rights. To prevent critical lands from being logged

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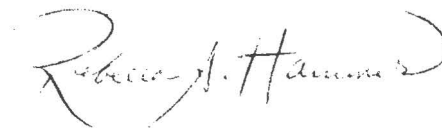
before they are even considered, the imminent threat protection process should be used. Begin negotiating NOW.

We must look toward the future and how our actions will pan out in the long run. The Prince William Sound region's wilderness qualities should be protected for future generations--of people and ALL living things that make up the coastal ecosystem. If we don't act now to protect Prince William Sound, we will be responsible for the destruction of a unique, diverse and extraordinary place in our state.

I recently had a visitor from Holland express his delight and amazement as he walked through a "natural forest" where I live. His comments seemed funny to me at first, as he pointed out an old stump, a rotten log, and the chaotic profusion in general of branches, shrubs, weeds and seedlings. "In Holland," he said, "we have nothing like this. Every inch of land is accounted for, manicured....If a tree falls, it is immediately whisked away." And with the trees, he continued, the birds, the larger animals, everything disappears. The trees are planted in neat rows and are harvested in an orderly fashion. The last beaver in Holland was taken over a hundred years ago. There is simply no more wildness.

It's wildness that so many Alaskans treasure, and it's the chance to glimpse wildness that brings visitors to the state year after year. Please protect this fundamental resource.

Sincerely,



Rebecca A. Hammer

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National Parks

PO Box 202045
Anchorage, AK 99520
June 3, 1992

Dave Gibbons, Acting Administrative Director
Restoration Team
Exxon Valdez Oil Spill Trustees
645 G Street
Anchorage, AK 99501

Re: Volume 11
1992 Draft Work Plan

Dear Mr. Gibbons,

I am writing on behalf of the National Parks and Conservation Association (NPCA), America's only national, non-profit citizens organization that focuses on park concerns. Our over 285,000 members nationally, including over 2,300 in Alaska, promote the protection, preservation and public understanding of our Nation's national park system through diverse activities. NPCA appreciates this opportunity to comment.

NPCA notes that the long-promised studies were not released until Monday, June 1st. Comments for this document are due Thursday, June 4th. The Exxon-Valdez oil spill touched lands and waters belonging to all Americans. Yet, the actions of the Trustees regarding the studies precludes nearly all living outside of Alaska from reviewing public information. Certainly such a short timeline makes it nearly impossible for those in Alaska to review these newly released studies before the comment deadline. (The continued withholding of economic studies keeps the public from understanding.) How is the public to offer informed comments about their resources? This withholding of information, printing few copies of documents and short timelines need to stop. The public expects to participate fully and with full information in the decision making process for restoration of their damaged resources.

In general, this Draft Work Plan is quite biased toward studies and activities focused on commercial and sport fish species. Additionally, this Plan is biased toward management and manipulation activities, not habitat protection and acquisition. As stated in our comments for the Restoration Framework document,

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Com #	Top/op	Issue
1	61	1000

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4	30	3100

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Draft Work Plan
page 2

NPCA recommends that habitat protection and acquisition be given concurrent consideration in the restoration process. NPCA also shares concerns about funding closeouts of studies. (All closeouts need to justify future use of that particular study before funding is allocated.)

Com #	Top/Op	Issue
5	30	2100

NPCA reminds the Trustees that natural resources damaged include far more than fish. In particular, NPCA does not support Restoration Project #113, Red Lake Sockeye Salmon Restoration. This project sounds much like the one at Tustamena Lake, Kenai Wildlife Refuge. Restocking a wild lake with hatchery salmon creates more problems and does not provide the commercial fish expected. Quite frankly, NPCA generally does not support using settlement money for habitat manipulation for the benefit of commercial users. This project needs to be shelved.

Fish/Shellfish Study #27, Sockeye Salmon Overescapement is also of concern as it ties to the above mentioned project. While studying and monitoring are of value, NPCA remains concerned about the focus on commercial fish.

NPCA is pleased to see projects focused on cultural/archeological resources, Archeology Study # 1, Archeological Survey and Restoration Project #104A, Archeological Resources Protection: Site Stewardship. NPCA however is quite amazed to find that the National Park Service is not involved in either of these projects. NPCA wants to know why. It is our understanding that many of the sites damaged are under the jurisdiction of the National Park Service. Not funding an agency does not preclude that agency's legal responsibilities for management of public resources. For the Trustees to ignore or even choose to not fund a particular agency's involvement, does not lessen the Trustees' legal responsibilities for restoration of all public resources that were and continue to be damaged.

In addition, Restoration Project #92, Geographic Information System Technical Support, does not list the National Park Service. Over 900 miles of national park coastline were effected by the oil spill and wildlife, wilderness and other resources were and continue to be damaged. Again, NPCA wants to know why the National Park Service is not listed with this project. The NPS must be included and allocated adequate funding.

NPCA does not support Restoration Project #102, Coastal Habitat Restoration because there is no information provided. NPCA is concerned about funding projects without sufficient and adequate information provided from which to make a reasoned decision.

NPCA understands that some projects were put on hold and may be

Com #	Top/Op	Issue
10	61	3304

Issue	3521
Top/Op	20
Com #	6

Issue	3500
Top/Op	30
Com #	7

Issue	2301
Top/Op	30
Com #	8

Issue	3712
Top/Op	30
Com #	9

Issue	3201
Top/Op	30
Com #	10

P. Dwyer

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Draft Work Plan
page 3

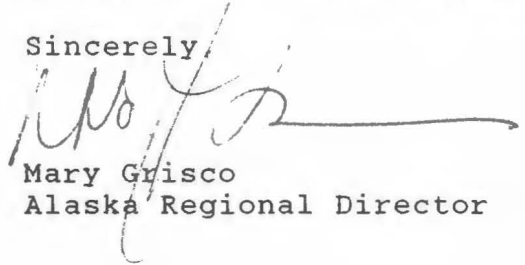
Com #	Top/op	Issue
PDR	53	1070

discussed later this spring. (NPCA is concerned about the timelines) for public participation in project choice and funding decisions. The Trustees need to establish clear, published guidelines (with timelines) for project selection, review and funding. (NPCA reminds the Trustees that the public outside of the State of Alaska expects their participation to be meaningful.)

Com #	Top/op	Issue
13	53	1070

Thank you for your consideration of our comments. I look forward to a timely response to my questions regarding the involvement of the National Park Service. If I can provide additional information, please let me know.

Sincerely,



Mary Grisco
Alaska Regional Director

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National Parks
and Conservation Association

1776 Mary Grisc
NPCA
P. O. Box 202045
Anchorage, AK 99520

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Dave Gibbons, Acting Administrative Director
Restoration Team
Exxon Valdez Oil Spill Trustees
645 G Street
Anchorage, AK 99501

JUN 05 REC'D



Alaska State Legislature

JUN 08 REC'D

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3111 C STREET, SUITE 550
ANCHORAGE, ALASKA 99503
(907) 561-7615

While in Juneau
STATE CAPITOL
JUNEAU, ALASKA 99801-1182
(907) 465-3818

SENATOR
ARLISS STURGULEWSKI



Senate

June 3, 1992

Steve Pennoyer
Director
National Marine Fisheries Service
P.O. Box 21668
Juneau, Alaska 99802- 1668

Dear Mr. ^{Steve}Pennoyer:

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920608151
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Re: Exxon Valdez Oil Spill Restoration - Restoration Framework

During the three years since the grounding of the *Exxon Valdez*, you and your associates have charted a course through previously unnavigated waters. Much has been accomplished in cleaning the beaches and seas, determining the extent of resource damage, and stemming the tide of injury. The distribution for public comment of the Restoration Framework is another sign that the ultimate destination, the restoration of Alaska's coastal and marine environments, is nearer now, although much remains to be done.

The finished version of the Restoration Framework will map the work of the trustees through the culmination of the charge established by the court settlement. As such, it must make manifest your vision of future programs and objectives, as shaped by experts and the public. As that vision coalesces over the next year, I hope that you will place strong emphasis on looking forward, past individual restoration projects, to a comprehensive view of the outcome of your efforts. That vision should include not only restoration, but also protection of Alaska's shoreline and seas. The physical protection of our injured environment will be difficult to achieve. The constraints on our abilities to foresee and influence the processes of nature, the vagaries of chance, and the limits on technological capabilities are too great. Protection can best become reality through acquiring and using more and better knowledge of Alaska's

Steve Pennoyer

June 3, 1992

Page 2

marine systems and resources. The more we know about those ecosystems, the better equipped we are to both restore and protect them.

I want to make some specific comments on the process to date and in the future. These cover both the Restoration Framework process and those for the 1992 Work Plan and 1993 Work Plan:

- The compressed and overlapping timelines for these three efforts may not result in the best final products. You and the other trustees and staff must simultaneously consider three separate works, each significant in its own right. That must certainly strain resources. The public is likely to suffer some confusion between projects, at the least, and have insufficient time to develop reasoned and comprehensive comments, at worst.
- Comments are due on the 1993 and future work plans before the 1992 Work Plan and the Restoration Plan are finalized. This will surely lead to inefficiencies and duplications avoidable if interested parties had one or both of these documents available prior to submitting comments on future work plans. I understand there is pressure to get these plans in place and proceed accordingly, but the damage has been done, clean-up is essentially complete, and restoration can now generally assume a more considered pace reflective of conservative stewardship and long-term concerns.
- The final Restoration Plan should be final only in the sense that it establishes fundamental guidelines for format, programs, and objectives. It should be a living document, adaptable over time as goals are achieved, conditions change, and knowledge expands.
- Spending \$900 million in public funds is a heavy responsibility under any circumstances. I believe that while a share of the *Exxon Valdez* settlement may reasonably be spent on habitat acquisition and individual restoration projects, these should not be the exclusive focus of restoration efforts. The long-term health of injured ecosystems and ongoing management of their systems and resources should be accorded an equal priority.

In keeping with these comments and my broad concern that you look to the future in a fashion that makes explicit how each facet of the restoration program contributes to the overall goal, I am submitting a proposal for the

Steve Penoyer

June 3, 1992

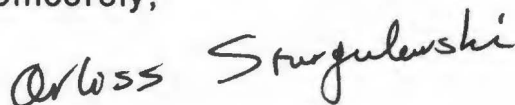
Page 3

Restoration Framework. As you know, some of my colleagues have been involved in this proposal and I am confident of their support as well. The proposal outlines the creation, mission, and administration of the *Exxon Valdez* Oil Spill Marine Sciences Endowment. This endowment would consist of portions of annual civil settlement payments set aside in a trust generating annual income. That income would be used to fund long-term baseline research into ecosystem status, resource recovery and enhancement, and equivalent resource enhancement and acquisition. Additionally, the entity established to administer the endowment would serve as a research coordinating mechanism.

This proposal is a draft document. It is my intention to submit essentially the same proposal, with refinements, as a suggestion for the 1993 Work Plan. It is my hope that over the next few months, I will be able to work with you to further focus this proposal into a shape determined appropriate by the trustees and that fulfills the conditions set by the court.

I look forward to working with you. We have the opportunity for significant achievements in reclaiming and preserving Alaska's marine and coastal environment. Please contact me or Richard Rainery of my staff if you have any questions concerning my proposal.

Sincerely,

A handwritten signature in cursive script that reads "Arliss Sturgulewski". The signature is written in dark ink and is positioned to the right of the typed name.

Arliss Sturgulewski
Alaska State Senator

Enclosure

PROPOSED RESTORATION OPTION FOR RESTORATION FRAMEWORK

Exxon Valdez Oil Spill Marine Sciences Endowment

Submitted by:

State Senator Arliss Sturgulewski
State Capitol, Room 427
Juneau, Alaska 99801-1182
465-3818

June 3, 1992

Purpose

The *Exxon Valdez* Marine Sciences Endowment would be created by diverting a portion of civil settlement funds due the State of Alaska and the United States beginning in December 1992 into a separate fund. The endowment will be dedicated to long-term baseline marine research necessary to:

- monitor and assess the status of ecosystems affected by the oil spill;
- determine how to best effect resource recovery and enhancement where necessary;
- identify needs and opportunities to enhance or acquire equivalent natural resources.

A final mission of the endowment would be to provide a mechanism to coordinate the research programs of the various research organizations active in Alaska's marine environment.

Endowment Charter and Operations

Endowment Administration: The trustee council will create a foundation directed by a board distinct from the council. The charter of the foundation will be based on principles established by the trustees.

Restoration Option
State Senator Arliss Sturgulewski
June 3, 1992

Endowment Life: The endowment will be established as either a limited duration sinking fund which will spend itself out of existence by a time certain or as a trust with a perpetual existence.

Board Composition: University of Alaska, University of Washington, Alaska Department of Fish and Game, National Oceanic and Atmospheric Administration (Alaska Region), Alaska Science and Technology Foundation and two public members.

Operations: Operations costs will be held to a minimum (target - 3% or less of funds available annually) by utilizing existing agency resources as much as possible. A small staff will screen proposals and administer grants. The board will make all funding decisions. The EVOS Trustee Council may have to initially administer the foundation until annual income is sufficient to support operations.

Endowment Management: Annual contributions to the endowment trust fund on a schedule based on the amount determined to be appropriate and the fund's structure (sinking fund or perpetual trust). Two alternatives (\$75 million and \$100 million) showing fund growth and income under a perpetual endowment are attached. The trust fund would be managed in a conservative fashion similar to that historically pursued by the Alaska Permanent Fund Corporation, the objects being to protect the principal from inflation and provide a predictable annual income stream.

Research Grant Program

Proposal Eligibility: Research on the marine ecosystem as a whole, focussing on biota from the first link in the food chain to the last, oceanographic systems, and their interrelationships. The basic requirements for project eligibility are three:

- A proposal must demonstrate scientific merit and technical feasibility;
- The outcome of a proposal must directly benefit management of injured marine resources or systems or the equivalent of such injured resources or systems;

Restoration Option
State Senator Arliss Sturgulewski
June 3, 1992

- A reasonable link between the civil settlement requirements to restore, replace, enhance, rehabilitate, or acquire natural resources injured by the spill or their equivalents and the outcome of a proposal must be established.

Any scientist or institution with a demonstrated record of achievement in marine research or equivalent qualifications may apply for grants, although a formula affording priority for Alaskan scientists and institutions, as indicated by the settlement conditions, will be developed.

Research Coordination: An additional function of the endowment board is as a mechanism to coordinate activities undertaken by the North Pacific marine research community. The intent is to ensure that limited research funding is directed in the most efficient, non-duplicative manner. Institutions and individuals would be required to include as a part of their grant proposals a synopsis of other all current and planned research activities and the board would be required to use this information in its deliberations. The endowment board, composed of the major participants in Alaskan marine research, will be uniquely competent to ensure coordination and cooperation.

EVOS Marine Sciences Endowment
Contributions Totalling \$75 Million
(Thousands of Dollars)

Year	Beginning Balance	Deposit	Earnings	Inflation Proofing	Grants	Ending Balance
1992	0	25,000	2,250	1,000	1,250	26,000
1993	26,000	15,000	3,690	1,640	2,050	42,640
1994	42,640	5,000	4,288	1,906	2,382	49,546
1995	49,546	5,000	4,909	2,182	2,727	56,727
1996	56,727	5,000	5,555	2,469	3,086	64,197
1997	64,197	5,000	6,228	2,768	3,460	71,964
1998	71,964	5,000	6,927	3,079	3,848	80,043
1999	80,043	5,000	7,654	3,402	4,252	88,445
2000	88,445	5,000	8,410	3,738	4,672	97,182
2001	97,182	0	8,746	3,887	4,859	101,070
2002	101,070	0	9,096	4,043	5,053	105,113
2003	105,113	0	9,460	4,205	5,256	109,317
2004	109,317	0	9,839	4,373	5,466	113,690
2005	113,690	0	10,232	4,548	5,684	118,237
2006	118,237	0	10,641	4,729	5,912	122,967
2007	122,967	0	11,067	4,919	6,148	127,885
2008	127,885	0	11,510	5,115	6,394	133,001
2009	133,001	0	11,970	5,320	6,650	138,321
2010	138,321	0	12,449	5,533	6,916	143,854
2011	143,854	0	12,947	5,754	7,193	149,608
2012	149,608	0	13,465	5,984	7,480	155,592
2013	155,592	0	14,003	6,224	7,780	161,816
2014	161,816	0	14,563	6,473	8,091	168,289
2015	168,289	0	15,146	6,732	8,414	175,020
2016	175,020	0	15,752	7,001	8,751	182,021
2017	182,021	0	16,382	7,281	9,101	189,302
2018	189,302	0	17,037	7,572	9,465	196,874
2019	196,874	0	17,719	7,875	9,844	204,749
2020	204,749	0	18,427	8,190	10,237	212,939
Totals		75,000	310,362	137,939	172,423	

Assumes annual earnings of 9% and inflation of 4%.

EVOS Marine Sciences Endowment
Contributions Totalling \$100 Million
(Thousands of Dollars)

Year	Beginning Balance	Deposit	Earnings	Inflation Proofing	Grants	Ending Balance
1992	0	35,000	3,150	1,400	1,750	36,400
1993	36,400	25,000	5,526	2,456	3,070	63,856
1994	63,856	5,000	6,197	2,754	3,443	71,610
1995	71,610	5,000	6,895	3,064	3,831	79,675
1996	79,675	5,000	7,621	3,387	4,234	88,062
1997	88,062	5,000	8,376	3,722	4,653	96,784
1998	96,784	5,000	9,161	4,071	5,089	105,855
1999	105,855	5,000	9,977	4,434	5,543	115,290
2000	115,290	5,000	10,826	4,812	6,014	125,101
2001	125,101	5,000	11,709	5,204	6,505	135,305
2002	135,305	0	12,177	5,412	6,765	140,718
2003	140,718	0	12,665	5,629	7,036	146,346
2004	146,346	0	13,171	5,854	7,317	152,200
2005	152,200	0	13,698	6,088	7,610	158,288
2006	158,288	0	14,246	6,332	7,914	164,620
2007	164,620	0	14,816	6,585	8,231	171,204
2008	171,204	0	15,408	6,848	8,560	178,053
2009	178,053	0	16,025	7,122	8,903	185,175
2010	185,175	0	16,666	7,407	9,259	192,582
2011	192,582	0	17,332	7,703	9,629	200,285
2012	200,285	0	18,026	8,011	10,014	208,296
2013	208,296	0	18,747	8,332	10,415	216,628
2014	216,628	0	19,497	8,665	10,831	225,293
2015	225,293	0	20,276	9,012	11,265	234,305
2016	234,305	0	21,087	9,372	11,715	243,677
2017	243,677	0	21,931	9,747	12,184	253,424
2018	253,424	0	22,808	10,137	12,671	263,561
2019	263,561	0	23,721	10,542	13,178	274,104
2020	274,104	0	24,669	10,964	13,705	285,068

Totals 100,000 416,403 185,068 231,335

Assumes annual earnings of 9% and inflation of 4%.

EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL
FORMAT FOR IDEAS FOR RESTORATION PROJECTS

received May 15, 1992

9205174

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TITLE OF PROJECT:

Chenega Bay Replacement Subsistence Resource Project.

JUSTIFICATION:

Due to oil spill, subsistence resources are either grossly polluted or populations are seriously reduced.

DESCRIPTION OF PROJECT:

A. Goals:

To replace subsistence resources by permitting residents of Chenega Bay to travel to the Eastern Prince William Sound area for subsistence resources, to provide funding for such travel, to provide funding for other villages, e.g. Yakutat, to assist us in gathering, preserving, sending subsistence goods from other villages, until either the resources in areas we use are no longer polluted or are in sufficient quantities for our use.

Com #	Top/op	Issue
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B. Objective: To preserve the health and welfare of residents of Chenega Bay and their subsistence way of life and to restore injured subsistence resources.

C. Location: Southwestern Prince William Sound.

D. Rationale: The NRDA studies have established the depletion of subsistence resources in our area.

E. Technical Approach: None.

ESTIMATED DURATION OF PROJECT:

10-15 years in most areas; others, up to 25 years.

ESTIMATED COST PER YEAR:

\$50,000.

OTHER COMMENTS:

This approach was suggested to Exxon in 1989 and to the D.C.R.A. in 1990. Budgets are available.

NAME, ADDRESS, TELEPHONE:

Chenega Corporation
Charles W. Totemoff, President
P.O. Box 60
Chenega Bay, Alaska 99574
(907) 573-5118

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CHENEGA CORPORATION

received May 15, 1992

Post Office Box 8060
Chenega Bay, Alaska 99574-8060
(907) 573-5118

March 13, 1992

Exxon Valdez Oil Spill Settlement Trustee Council
201 E. 9th Avenue, Suite 206
Anchorage, AK 99501

Dear Ladies and Gentlemen:

We would like to introduce you to our Village Corporation. In return, we request your consideration with regard to any program in which our unique and specialized knowledge of Prince William Sound, its environments, and the devastating effect of the oil spill, might be useful.

Chenega Corporation is the village corporation within the meaning of The Alaska Native Claims Settlement Act for the Native Village of Chenega Bay, formerly the Native Village of Chenega. We have been actively involved in oil spill related response since 1989. Our local response program received accolades from the Department of Environmental Conservation.

In 1991, we contracted with Exxon to perform cleanup related activity in and about the southwest portion of Prince William Sound. Between 1989 and 1991, we were actively involved in local response program activities, and our shareholders, having lost their subsistence based economy, became skilled oil spill cleanup workers.

Within the past year, the village corporation formed a subsidiary, Chaaniqmuit Services Ltd., in order to specifically respond to oil spill related activities. Chaaniqmuit Services Ltd. is capable of offering support services, including housing, vessel support, and guide services. Chenega Corporation operates a three bedroom hotel complex at Chenega Bay. The complex includes sleeping quarters and we also have catering capabilities, an excellent chef, and experience in providing such services.

Our shareholders, because most are subsistence hunters, gatherers and fishermen, have a vast storehouse of knowledge concerning the flora and fauna of Prince William Sound, as well as the geography and cultural sites of our homelands. Most of our shareholders have received Hazwoper training.

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We also have experience in managing complex logistics, including response activities.

We are also anxious to learn and to participate in your projects. , If training is necessary in order to provide services, our shareholders are anxious to be trained, and we are certainly willing to assist.

Because we live in Prince William Sound year round, our services would be ideal for site monitoring, species monitoring, tide and current monitoring, and practically any other aspect of the assessment and restoration activities which you are undertaking. We also have a keen interest in cultural site monitoring.

Although we have not been previously contacted by your agency with regard to what services we, as a wholly Alaska Native owned village corporation could offer you, perhaps some of the blame is ours in not contacting you with regard to our capabilities. We look forward to hearing from you.

If you have any questions or if you are considering requesting proposals, please write or call either Gail Evanoff or me.

Very truly yours,

CHENEGA CORPORATION

By: Charles W. Totemoff
Charles W. Totemoff
President and CEO

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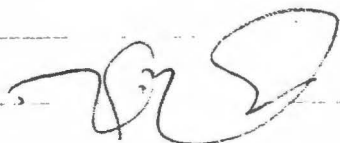
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MITCHELL NOWICKI
P.O. BOX 2232
CORDOVA, ALASKA 99574

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Thank you.



Please buy timber rights in
 Plus as part of restoration.
 Most people in Cordova want that.

Carl Rosier!

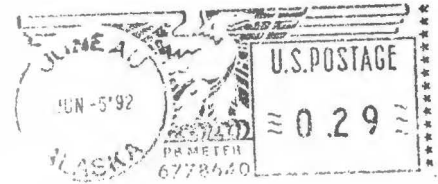
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State of Alaska
Department of Fish and Game
P.O. Box 25526
Juneau, Alaska 99802-5526

JUN 08 REC'D



Rebecca Williams

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ADF&G
C/O CACI
645 G Street
Anchorage, AK 99501

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Randall H. Hagenstein
P.O. Box 100358
Anchorage, AK 99510-0358
(907) 561-2755

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6 June 1992

Dr. Dave Gibbons
Interim Administrative Director
Exxon Valdez Oil Spill Restoration Team
645 G Street
Anchorage, Alaska 99501

Dear Dr. Gibbons:

I have enclosed an "Idea for Restoration" in response to your request mailed in May 1992. The proposed project includes ideas for providing technical assistance in analysis of GIS datasets and responding to the long-term needs for archiving, retrieving, and providing public access to these datasets.

As you may know, the Prince William Sound Science Center, Conservation International and Ecotrust have been jointly developing a GIS database and capabilities for the greater Prince William Sound ecosystem. The combined database and capabilities that we have assembled over the past 18 months can be a strong asset for the Trustees and Restoration Team to draw from and build on. I have briefly discussed the possibility of participating in the restoration effort with Mark Broderson and Jim Slocomb.

I look forward to the chance to discuss opportunities for collaboration. Do not hesitate to call if you would like additional information on the GIS project.

Sincerely,



Randall Hagenstein
GIS Development Specialist

cc: Mark Broderson
Gary Thomas, PWS Science Center
Spencer Beebe, Arthur Dye, Ecotrust

encl: Idea for Restoration

EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL

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Title of Project: Public-access Repository for Spill-related Geographic Information

Justification:

Management of geographic information system (GIS) data related to the Exxon Valdez oil spill has been handled by a number of different state and federal agencies. As we move into the restoration phase of the post-spill era, the question of how to store, index, retrieve, and provide access to these databases looms. At the same time, most of the agencies responsible for managing spill-related GIS data are scaling back efforts, reducing staffing levels, and shifting resources into other areas. The users of these databases are also shifting as we move from damage assessment to restoration; increasingly, the Trustees Council and Restoration Planning staff, non-agency organizations such as the Regional Citizens Advisory Council and the Oil Spill Recovery Institute, and the general public will have a need to have access to GIS data and capabilities. Further, the recent move to release damage assessment data has guaranteed a demand for data without establishing a mechanism for providing access to much of this data. In summary, spill-related GIS data is currently managed in scattered locations, maintaining these scattered and overlapping databases is difficult, and issues of public access to these databases has not been resolved. This proposal provides a mechanism to address these problems and creates a bridge between the Trustees and the public with respect to spill-related GIS databases.

Description of Project:

The Prince William Sound Science Center, Conservation International, and Ecotrust have jointly developed a geographic database and GIS capacity based in Anchorage. Data from a variety of agency sources have been integrated into this combined database for Prince William Sound. We propose to use this database as a foundation for continuing to combine data from various agency sources and to provide access to government agencies, researchers, educational organizations, community groups, and others.

Specifically, we recommend establishment of a GIS data repository for geographic data generated by or in support of the response, damage assessment, and restoration phases of work following the wreck of the Exxon Valdez. The data repository will exist outside of and in addition to the GIS databases related to the spill currently held by the various agencies. This is not meant to replace GIS programs at various government agencies, but to provide a general and long-term repository of data for planning, research, and educational purposes. Such a GIS data repository will:

- o provide a centralized location for archiving, managing, and using GIS data currently held by numerous state and federal agencies;

Com #	Topic	Issue
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- o ensure long-term management of these datasets in an environment that is not constrained by the whims of agency funding or philosophy;
- o create a channel of access to these datasets for various organizations, researchers, and the public; and
- o provide technical services and products for those groups that do not have the technical expertise to effectively access and use the oil spill databases.

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The Prince William Sound GIS already contains many of the GIS databases related to the spill that were not constrained by litigation sensitivity. Additional datasets within the Sound have also been compiled into the database over the past 18 months from a variety of agency sources. This proposal will allow the Trustees to capitalize on this considerable investment in data acquisition and processing.

The staff and facilities of the Prince William Sound GIS could also be used by the GIS staff of the Restoration Planning Group for technical assistance, data sharing, and cooperative projects as need dictates. This cooperation has already been occurring on a limited and informal basis. A more formal relationship would give the Restoration Planning Group the flexibility to draw on additional GIS resources for specific projects in a cooperative environment.

Estimated Duration of Project:

This proposal recommends creation of a permanent means for data archiving and access. The project would receive support from the Oil Spill Trustees throughout the duration of the restoration effort.

Estimated Cost per Year:

First year funding needs are estimated at \$100,000 with allocations of \$50,000 per year for subsequent years.

Other Comments:

We are very interested in working with the Trustees to seek additional sources of funds to build on our existing effort to build a comprehensive GIS database for Prince William Sound.

Submitted by:

Prince William Sound GIS Project
 on behalf of the Prince William Sound
 Science Center, Conservation
 International, and Ecotrust

Contact:

Randall Hagenstein
 P.O. Box 100358
 Anchorage, AK 99510
 (907) 561-2755

From:
Randall H. Hagenstein
P.O. Box 100358
Anchorage, Alaska
99510-0358

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DAVE GIBBONS
Acting Admin. Director
Oil Spill Restoration Team
645 "G" St.
Anchorage, AK 99501



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

To Whom It May Concern,

I am writing to express my concern that our National Parks are not receiving an adequate amount of financial allocation from the Exxon settlement of the Valdez oil spill. It seems that a higher percentage of the money is going to support commercial fisheries, which benefit a small few, while the National Parks which are owned by all are being short changed. I urge maximal funding for the restoration of the National Parks and the affected threatened land, water and wildlife. Thank you for your time and consideration in this matter.

Respectfully,

Com #	Topic	Issue
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*p. more attention to
national parks*

Stan Eilers
Stan Eilers, M.D.
5070 Northridge Pt SE
Cedar Rapids, Iowa 52403

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Stan Eisen
WELAND CLINICAL LABORATORIES, P.C.

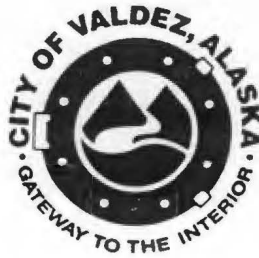
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Exxon-Valdez Oil Spill Trustee Council
645 G street
Anchorage, Ak 99501





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CITY OF VALDEZ
TESTIMONY ON THE EXXON VALDEZ OIL SPILL TRUSTEES
RESTORATION FRAMEWORK

May 11, 1992, Valdez, Alaska

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The City of Valdez appreciates the opportunity to formally comment on the April 1992 Restoration Framework prepared by the Exxon Valdez Oil Spill Trustee Council. The City of Valdez has followed, with great interest, the negotiation and settlement of the Exxon Valdez litigation and the establishment of the Trustee Council and the mechanism to distribute money from the Exxon Valdez Trust Account.

It is clear that the issues that the Council must address are complex and contentious. The creation of a process to simplify this complexity and frame the issues so that they may be addressed in an expeditious way is a laudable goal. However, the City of Valdez sees two things happening as this process marches forward that deviates from what it believes to be the original intent of the Exxon settlement.

First, there is both a focusing and spreading of issues that is taking place simultaneously. On the one hand, we see restoration being focused primarily in the areas of habitat replacement and near-shore restoration. But simultaneously, discussions are taking place regarding timber purchases and other types of "acquisition of equivalent resources" far from those areas

most severely affected within Prince William Sound. The City of Valdez believes, first and foremost, that the acquisition of equivalent resources be done judiciously and in areas most directly affected by the oil spill and its damaging effects. The City of Valdez sees the Trust Settlement monies being used as a grab-bag of funds to address logging versus conservation issues far away from the oil spill site. This must be contrary to the original intent of the settlement.

The Valdez City Council unanimously passed Resolution #92-45 at its April 20, 1992 meeting. This Resolution addressed the expenditure of funds under House Bill 411, which is before the Alaska State Legislature. House Bill 411 addressed the appropriation of funds from the Exxon Criminal Plea Agreement. Many of the concerns the City of Valdez expressed with regard to House Bill 411 can also be applied to the scoping work being done by the Exxon Valdez Oil Spill Trustee Council. The City believes that the definition of restoration, which includes "restoration, replacement, and enhancement of affected resources, acquisition of equivalent resources and services; and long-term environmental monitoring and research programs directed to the prevention, containment, clean-up, and amelioration of oil spills," is weighted almost entirely toward a very narrow definition of restoration and focuses on the replacement and acquisition of resources.

Based on the language from this Resolution, which I would like to provide to you for your record, the City of Valdez believes that funding from all Exxon Settlement funds should be based on a relationship between the area of greatest impact from the oil spill

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and the risk analysis for potential oil spills. The City also believes that a great deal more emphasis must be placed on long-term environmental monitoring and research programs dedicated to the prevention, containment, clean-up, and amelioration of oil spills and the enhancement of Prince William Sound. The Restoration Framework document does not adequately address this portion of the restoration definition and the prevention, containment, and clean-up aspects are conspicuous by their absence from the work of Trustee staff. The City Council further believes that timber purchases should be directly and clearly linked to environmental degradation caused by the Exxon Valdez oil spill and that the prices paid for timber rights must be objectively determined to protect the public interest. The Trustee Council should also look at the total economic impact of taking developable land out of private ownership and restricting its use under public control. To provide guidance, the City Council directed that timber buy-backs shall not constitute the expenditure of more than one-third of the fine of the Criminal Plea Agreement. Similarly, the City Council believes only a fraction of the Trust Funds should be used for timber purchases. The City believes the rush to buy timber is in and of itself a short-circuiting of the research and public process that needs to take place as part of the expenditure of these public funds. A detailed analysis to decide which timber purchases most directly assist species affected by the oil spill, enhance fish habitat, and provide the most important aesthetic resources for tourism and recreation needs to be carefully conducted.

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Second, the City would also like to strongly express its concern regarding the decision making and advisory processes being used by the Trustee Council. This concern primarily focuses on the public advisory group, but also speaks to the inter-governmental makeup of the Council itself.

The City of Valdez has already gone on record, through testimony presented by its attorney Mr. William Walker, as being concerned about the makeup of the public advisory group. The City believes that the representation reserved for local government is totally inadequate and does not recognize the broad based nature of local governments. Surely, the Exxon Valdez settlement worked out by the U.S. Government and the State of Alaska with Exxon was not intended to ignore other governments that represent their constituents just as legitimately as the parties to the agreement. In fact, it is an affront to government at all levels to consider municipal government as a special interest or constituency. City and Borough governments in Alaska represent all interests by elections legally held each year for its officials. No aquaculture association, commercial fishing group, tourism group, environmental or conservation association, forest products group, or Native organization can even start to lay claim to the fair, legally recognized, and multi-faceted representation that municipal governments provide. Placing local government representation at the same level as say an environmental group is patently unfair. Local governments should and, if this plan is to be a fair one, must be afforded a greater voice in decisions using public funds. Local governments represent all of the other interest groups

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combined in close proximity to how those members vote in local elections. If the Exxon Trustee Council wants to have a fair and democratic process for the consideration of how Exxon trust funds should be spent, it must rely more, if not exclusively, on local government positions. Much of what the Exxon Trustee Council is trying to replicate, in terms of bringing together interest groups, is carried out on a daily basis by the local governments of Prince William Sound, the Kenai Peninsula, and Kodiak. If the Exxon Trustee Council wants to come to a consensus, or at least a fairly derived decision, on funding, governmental structures that are already in place and have been in place for 90 years or more should be used. Local government is here for the long haul.

And why haven't local governments been more involved? This, I believe, is an interesting dilemma. Speaking for Valdez, we have been inundated with new demands following the Exxon Valdez oil spill. The City is active in the Regional Citizens Advisory Council that was established for Prince William Sound. The City spends thousands of dollars each month to participate in this process. The City of Valdez follows, with interest, the proposals for advanced rule making under the Oil Pollution Act of 1990 being put out by the U.S. Coast Guard. The City spends time and dollars monitoring legislation, like House Bill 411. And finally, we seek, as best we can, to track the arcane process of establishing criteria for the use of Exxon settlement funds. State and Federal agencies have been reimbursed from settlement funds for work they have done, but the same cannot be said for local governments. But cities, because they are broad based constituents and provide

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numerous services to a wide array of individuals, businesses, and interests, have other things to worry about. Snow needs to be plowed, sewage needs to be treated and disposed of, trash needs to be hauled, and a hundred and one other local government services must be provided. Because we represent a shot-gun approach and not a rifle shot, local governments have not been able to bore into the "Exxon Valdez process" like single-minded environmental, timber, Native land, and tourism groups or individuals.

If I were on the Trustee Council, or a staff to the Council, I might ask why this is the case. Believe me, it's not because local governments do not care; it is because we have been impacted by the Exxon Valdez spill and its bureaucratic aftermath and yet we must live within budgets that have been stretched or severely damaged because of incidents arising from the Exxon Valdez oil spill.

Local governments deserve to be heard. I believe they deserve to be fully considered for projects that will assist in restoration, replacement, enhancement, or rehabilitation of natural resources. Local governments will surely be affected by the expenditure of funding in the oil spill affected region and they will be impacted much more than special interest groups.

There is a saying among Old Town Valdez residents that they survived the 1964 earthquake, but they did not know if they were going to be able to survive the well intended, but "string attached" assistance from the Federal and State government that followed. Local governments rode out the largest oil spill in U.S. history, but now comes the assistance with more complexity and

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strings than earthquake survivors would ever dare image and endure.

This is not to say we do not want the assistance, but local governments are different and recognize both edges of the sword. The infusion of dollars during the oil spill, the expenditure of restoration and enhancement funds will represent the unnatural expenditure of funds, a false economic development, if you will, which may displace jobs and impact local economies in many unforeseen and unknown ways. As a government, we must address issues that special interests do not even think about. That alone makes us different enough to demand more recognition in the advisory process.

Local governments are a natural resource, as are the people that they represent. Local governments could and should be partners with the Trustees in representing their respective governments. Combining special interest groups into a public advisory group based on something less than elected representation seems very unusual. The process could be assisted a great deal by forming a broad-based group that already represents the special interests listed. Let local governments work among themselves, as representatives (and surely they are through the electoral process) with the issues which this group must address. The process seems complex enough without re-inventing a group that already exists in the form of the State's local governments; governments that have been afforded broad powers under the Alaska State Constitution and Title 29 of the Alaska Statutes. Tribal governments should be afforded the same recognition. A process relying on special interest groups, which are not elected and may not even represent

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the best interests of the State of Alaska, much less Prince William Sound, is a process that is flawed from its very beginning. The City of Valdez will be happy to participate in the public advisory group process, but our voice, the voice of 4500 people, will be drowned out by organizations that represent far fewer because their aims are much narrower. That concludes my formal comments. The City is working on more specific comments, which it will pass on to you soon. I will be happy to answer any questions you may have.

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