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POST OFFICE BOX 1114 HOUSTON, TEXAS 77252-1114

June 8, 1980

EXXON COMPANY
OPERATIONS OFFICE JUNEAU

Mr. Donald W. Collinsworth
Department of Fish & Game
State of Alaska
P. O. Box 3-2000
Juneau, Alaska 99802

Dear Mr. Collinsworth:

This is in response to the letter from the Trustees to Messrs. Lee Raymond and Gus Einar concerning a data repository. Mr. Einar concurs with this response.

Exxon is receptive to the concept of a public data repository and agrees to a meeting to explore the matter. We do, however, believe this is a complex matter which cannot effectively be implemented without thoughtful planning. Accordingly, we suggest consideration of a pilot project which would both cover a segment of data and provide a platform for resolving the complex issues inherent in the concept.

Issues which could be addressed in the pilot project include:

- What constitutes data, what is to be included and excluded, and how is data to be defined so as to separate it from analysis?
- State and federal government entities other than the Trustee agencies have data pertinent to the natural resource damage assessment. All these data should be available so we need to discuss designation of an individual for the state and federal government interests who will be responsible for assuring that all relevant government data is provided to the repository.
- The volume of spill-related information being developed by the governmental agencies and Exxon is enormous. The scope of an information management system to provide access to the material needs to be explored.
- The usefulness of a data repository depends on the accuracy, quality, and completeness of the information. To be meaningful and useful, raw data needs to be accompanied by full study descriptions, scientific protocols, and quality assurance and control information. This may call for some type of review committee to ensure the information and data in the repository is complete enough to enable researchers using the repository to make judgments as to the data's validity.

A COPY OF THIS LETTER IS BEING FURNISHED TO:

ACE 444024

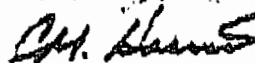
Mr. D. W. Collinsworth

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June 8, 1990

We suggest that an appropriate subject for a pilot project would be data relating to water quality in Prince William Sound. In the hope that we can define a pilot project and discuss its implementation in the context of the issues raised above, we propose a meeting in Washington at an early date. Because these preliminary issues appear to address matters of policy, I suggest that we meet with you, the Federal Tribes, and the EPA. To encourage openness and a more manageable work group, I suggest each party bring no more than two representatives. Please contact me (713/644-9027) to confirm a time and place.

Sincerely,



JRR/SB

c: Mr. John A. Krauss
The Honorable Manuel Lujan, Jr.
The Honorable Clayton Yeutter

ACE 444025

RPWG
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June 8, 1990

MEMORANDUM

SUBJECT: Public availability of data from the Natural Resource
Damage Assessment for the Exxon-Valdez Oil Spill

FROM: Brian D. Ross *Brian D. Ross*
Restoration Planning Team Leader, AOO

TO: Conrad Kleveno
Coordinator, Alaska Restoration Task Force

The lack of public availability of data from the Natural Resource Damage Assessment (NRDA) studies for the Exxon-Valdez oil spill has been a controversial issue since soon after the NRDA studies were initiated last year. As you know, it is the position of EPA and the Trustee agencies that these data should be made available to all interested parties. This position has been stated publicly by spokespersons for these agencies on numerous occasions. It is my understanding that the NRDA information has not been released to date, despite the agencies' positions on the matter, primarily because of concerns on the part of the U.S. Department of Justice and the Alaska Department of Law.

The Restoration Planning Project has been more open to public participation than any other aspect of the NRDA process. Since late March 1990, the Restoration Planning Work group (RPWG) has held a public symposium in Anchorage and eight public scoping meetings in Alaskan communities directly affected by the oil spill. Almost without exception, the issue of access to the NRDA results has been raised at these events by members of the public. The RPWG response has been that the agencies themselves agree and would like to see the information made public, but that RPWG does not make these decisions and the issue is out of our hands.

It is safe to say that this represents the most universal public comment we have received. The public interest in the NRDA data will be documented in our upcoming restoration planning report. In the meantime, a summary of the public comments from one of our restoration scoping meetings is attached to this memo as an example for your information. As documented in this meeting summary (see its final entry), the public is not only frustrated at the lack of access to the NRDA data itself, but their ability to provide meaningful comments to RPWG on the restoration planning process is severely constrained as well.

It is my belief that the EPA, as coordinator for the restoration planning process, is in a position to lobby more vigorously for the public release of the NRDA data than might otherwise be the case. However, to be effective, any EPA recommendation along these lines should come from the policy level. If the Office of Water were to formally advance and pursue such a recommendation, it appears clear that public opinion, at least within the state of Alaska, would be in support of the agency.

ATTACHMENT

cc: A. Ewing
J. Armstrong

Summary prepared by
Kirsten Ballard, USEPA

Summary of Comments From the
Public Scoping Meeting Held in

DRAFT

Homer, Alaska April 18, 1990

Stan Senner, Alaska Department of Fish and Game, Sandy Rabinowich, National Park Service, and Kirsten Ballard, Environmental Protection Agency conducted the meeting, which was held at the Homer Senior Center from 7:00 pm to 9:10 pm. Fourteen people attended, including people from the State of Alaska Departments of Fish and Game, and Natural Resources, a member of the Cook Inlet Seiners Association, local fishermen, a local artist and Chairman of the Pratt Museum of Natural History, a staff member of the Alaska Maritime National Wildlife Refuge, a local shop owner, and a member of a local subsistence fisheries citizens group.

Summaries of comments, questions and suggestions made by participants:

-The need for in-the-field research/monitoring vessels was expressed. It was suggested that this type of vessel could combine research, recovery and restoration and at the same time take steps to lessen impacts of a future oil spill.

-It was suggested that funds should be allocated for oceanographic research by enhancing existing facilities. This could be combined with enhancing or creating educational institutions and public ocean information centers (in conjunction with oil spill response centers).

-Long Term Ecological Research sites should be identified. This is a program sponsored by the National Science Foundation. Funds should be obtained to support on-going research at these sites.

-A system to guarantee funding for assessing the damage oil pollution imposes on the environment. This could be in conjunction with or in addition to a fund to continue research into the effects of EVOS. With the increase in tanker traffic, further research into cleanup techniques was discussed as applicable to inevitable future spills.

-A satellite communications system for research vessels was proposed. If such a system were in place, research/response vessels could be directed ASAP to remote spills.

-Expanding public education regarding oil spills. This could be accomplished by hiring a contractor to go to local schools for education and/or supporting museum exhibits throughout state and nation. These could be combined with another educational program to give people a sense of personal responsibility about energy use.

-Concern was raised regarding the areas which were impacted

by oil, then by cleanup efforts, and now possibly further cleanup. Further disturbances of isolated areas should not be encouraged. This may need to be combined with management options to reduce impacts. It was suggested that baseline data should be gathered now before projected increases in people use that the spill area will receive as a result of the spill. This data could be used regarding recreation so that good management decisions could be made to help ensure good visitor experience. Ways to minimize further impact should be explored—e.g. expansion of existing facilities rather than construction of new facilities or creation of further bureaucracy.

-This acquisition of timber rights was discussed at length. Ideas included:

- Buy up a 300+ foot buffer zone around streams and areas visible from the coast, etc. in areas which are selected for logging to reduce environmental and visual impact.

- Support tree planting efforts (construction of a new nursery/expansion of existing facilities, labor, etc.) in areas which have already been logged or which will be logged for restoration.

- Buy up in-holdings or timber rights which are within State and Federal protected areas (parks, refuges, etc.).

- Buy up Net Operating Losses (NOL) timber rights.

- Support a change in the law to prevent further sale of NOLs to protect areas.

-Several ideas regarding the enhancement of fishery resources in impacted areas were expressed. These included the construction of new salmon hatcheries. It was also suggested that rather than impacting the wilderness further, support for the expansion of existing hatcheries was a better way to enhance the fishery resource while minimizing recreational/aesthetic impact. In areas where wild stocks have been impacted, it was suggested that rather than changing the stock in those streams, available enhancement techniques for stream and stock enhancement should be used to expand/restore wild stocks without replacing them with hatchery stocks.

- Support/implement fisheries studies 9&10 from NRDA, which have been cancelled or discontinued.

- Support special cleanups in especially pristine areas was suggested as a restoration project. These cleanups would use techniques which have been demonstrated to minimize the impact on the beaches and enhance natural or enhanced restoration.

Acquisition of new lands came under favorable discussion. Among the ideas presented:

- To restore the wilderness experience, ne, unspoiled areas must be acquired.
- Acquire seabird colonies currently in private holdings. This helps birds and creates public education opportunities.
- Protect timbered slopes to protect marbled murrelet nesting areas.
- Acquire habitat for migratory birds along the Pacific flyway, such as wetlands in California, and possibly monies to work out an international effort to protect habitat in South American countries. The idea of spending dollars outside of Alaska was met with initial objection until it was discussed that if the birds that we spend millions of dollars to restore here do not have a place to winter over, then the dollars here could be spent in vain. The participants then concurred that this could be an appropriate project.
- Support further studies to expand knowledge of other migratory birds to provide information regarding other wetlands/habitat for protection/acquisition.
- Review all sea lion and seabird colonies with respect to land status, the ultimate goal being acquisition or protection of these areas.
- Review Middleton Island for consolidation and acquisition.
- The concern regarding the need for future and long term studies was recurrent. Some say that the need for long term studies on the effects of EVOS has already been established. After "the thrill is gone" from this spill, the participants expressed concern that necessary studies would no longer be funded. The idea to establish a trust fund and manage it so that monies are perpetually available for funding research, restoration, recovery, acquisition and enhancement projects was met with enthusiasm by the participants.
- Cleanup as it relates to restoration was discussed at length. It was suggested that cleanup should be studied on an experimental basis, money for local research on cleanup and restoration techniques, and support for the development of an informational repository for cleanup technologies developed during this and other spills to avoid the "re-invention of the wheel". It was pointed out that such projects must be related to the restoration process.

-Plastics problem is synergistic with the oil, especially in low-energy areas. The plastics remain a persistent problem and tend to collect oil. It was suggested that areas could be restored by cleaning up plastics (nets, line, floats and other assorted flotsam). This could be combined with the support of solid waste options to cut down/eliminate debris at sea.

-The recent placement of sea lions on the threatened species list brought several ideas under discussion. Fisheries and tour boat operations will be feeling and impact. It was suggested that restoration funds should support studies to establish the amount of impact fishing and oil has had on sea lions. Funds could also be used to support research to identify the cause(s) of the sea lion's decline before establishing restoration procedures.

-The concept of removing introduced predators at bird rookeries to enhance recovery of these colonies (replacement) was met with a favorable response and supported by participants. Introduced predator elimination has been documented as a successful operation (literature available).

-It was suggested that previously logged/deforested areas could be reforested or replaced (planting) or new areas acquired/protected (e.g. Afognak Island).

-The participants seem unanimous in their frustration regarding the inaccessibility of NRDA results. Concern that potential restoration projects or need could possibly be overlooked was expressed. Participants felt they could not evaluate all subjects (cleanup, damage assessment, and restoration, among others) without the whole picture available.