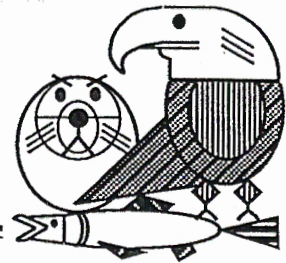




**Exxon Valdez Oil Spill Restoration Team**  
645 "G" Street, Anchorage, AK 99501  
Phone: (907) 278-8012 Fax: (907) 276-7178



May 6, 1992

DEAR CONCERNED CITIZEN;

The Exxon Valdez oil spill settlement Trustee Council is soliciting nominations for the Public Advisory Group. Nominations will be accepted until June 8, 1992. Nominations should include the information requested in the attached package and should be mailed to the Trustee Council, 645 G street, Anchorage, Alaska 99501.

The October 1991 Memorandum of Agreement between the State and Federal governments mandated formation of a Public Advisory Group. The Public Advisory Group will advise the Trustee Council on decisions relating to the planning, evaluation and conduct of injury assessment and restoration activities.

The Trustee Council has decided the Public Advisory Group shall consist of fifteen members and reflect balanced representation from the public at large and the following Principal Interests: aquaculture, commercial fishing, commercial tourism, environmental, conservation, forest products, local government, native landowners, recreational users, sport hunting and fishing, subsistence, and science/academic. Two additional ex-officio, non-voting seats on the Public Advisory Group will be held by representatives from the Alaska State House of Representatives and Senate.

Selection will be made by unanimous agreement of the Trustees and appointment will be made by the U.S. Secretary of the Interior. The schedule for nomination and selection is attached.

During this nomination period (May 6 - June 8, 1992), the Trustee Council will also be interested in hearing from the public on whether there should be designated Principle Interest "seats" within the Public Advisory Group and, if so, how many seats per specific Principle Interest for the 15 member body. These comments, as well as any others, should be provided on a separate sheet of paper from your nominations and be mailed to the above address.

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

For more detailed information on the role of the Public Advisory Group or the nomination process, contact L.J. Evans or The Oil Spill Public Information Center in Anchorage, at 278-8008 or by calling the following toll-free numbers: 1-800-478-7745 (within Alaska), or 1-800-283-7745 (outside Alaska).

Sincerely,

Dave R. Gibbons, Ph.D.  
Interim Administrative Director

RPWf

## Script for May, 1992 Public Meetings

### General Issues to Address:

#### 1. General Review:

Quick review of Criminal and Civil Settlements and Memorandum of Agreement. Advise public of the "101" handout.

#### 2. Public Advisory Group:

Advise that the Trustee Council will begin, on May 6th, soliciting nominations for the Public Advisory Group. Reference that the last round of community meetings focused on the Public Advisory Group structure and those comments were taken into consideration.

Advise the public of the:

- Draft Summary of Comments from community meetings on the Public Participation Process
- Walk the public through the Nomination Process and Timeline handout

Note that during the nomination period (which is May 6 - June 8, 1992) the Trustee Council will also be interested in hearing from the public on whether there should be designated Principle Interest "seats" within the Public Advisory Group and, if so, how many seats per specific Principle Interest for the 15 places. *member body.*

Also, advise the public of the:

- Public Advisory Group Charter handout (note that it has been approved by the Trustee Council and submitted for approval to the Federal Department of the Interior)

#### 3. 1993 Workplan

Advise the public that the Trustee Council is now beginning the process of soliciting "ideas" from the public and the agencies for restoration projects that may be undertaken in 1993 and beyond. Note that these ideas must be received by June 15, 1992.

Advise the public of the:

- Letter (handout) requesting ideas for 1993 Work Plan



4. Release of Natural Resource Damage Assessment (NRDA) information

Advise the public that the State and Federal governments have just announced the release of the Natural Resource Damage Assessment (NRDA) information.

Within three weeks to one month we anticipate that we will make available:

- Detailed Study Plans for 1989, 1990 and 1991
- Interim Reports for 1989, 1990 and 1991
- Any Final Reports that are currently completed; with the remainder of Final Reports to be released as they are completed (between now and one year from now).
- Restoration Planning Reports

By the end of June we are also attempting to gather together the data in a publishable format. (However, there are roughly 400,000 pages and it may take longer.)

(FOR RT INFORMATION ONLY - ADVISE PUBLIC ONLY IF ASKED: 5

- The current plan is to place all this information into OSPIC for public access and review. Should an individual want copies, we will have contracts with copy shops and they can purchase the copies at these set locations.)

Finally, advise the public that the Trustee Council is considering a symposium on the Natural Resource Damage Assessment information. Scheduling of such a symposium would be late in 1992 or early in 1993.

5. Other Handouts:

Quickly walk the public through these three additional handouts:

- Proposed Budget Summary for 1992
- Timeline for completion of the Restoration Plan and Environmental Impact Statement
- Habitat Protection and Acquisition Process - Explain that this process will soon be formally sent out for public review and comment.

6. Volume I - Restoration Framework

Explain to the public that you are here today particularly to get comments on two documents: a) the Restoration Framework



and b) the 1992 Draft Work Plan.

Inform them that the Restoration Framework document explains the process that the Exxon Valdez Oil Spill Trustee Council intends to follow as they develop the Draft Restoration Plan. The Framework document is not the Draft Restoration Plan. This document:

- |           |   |
|-----------|---|
| Chap. I   | Provides background on the legal settlement and describes the administrative structure of the Trustee organization.                                       |
| Chap. II  | Outlines the goals of the public participation program, the type of information available to the public, and briefly describes the Public Advisory Group. |
| Chap. III | Recounts restoration activities from 1989 to the present.   |
| Chap. IV  | Contains an updated summary of injuries.  |
| Chap. V   | Proposes criteria for determining when injury is sufficient to warrant restoration actions.   |
| Chap. VI  | Proposes criteria and procedures for evaluating restoration options.  |
| Chap. VII | Contains six conceptual restoration alternatives.   |
| App. A    | Provides information on injured resources and services.   |
| App. B    | Provides 35 restoration options for consideration and 14 rejected options.  |

Go on to explain that the Framework document is also a "Scoping" document pursuant to the National Environmental Policy Act (NEPA). This document:

- Presents a "proposed action" - (Chap. I)
- Presents the main issues known at this time (Chap. I & III)
- Invites public comment (Exec. Summ.)

Tell them we welcome comments on any part of the Restoration Framework document. If they want to provide written comment, our mailing address is:

645 G Street  
Anchorage, Alaska 99501

Phone: 278-8012

Try to elicit comments to the following questions:

**\* Chap. I - Identification of Proposed Action and Issues - Questions:**

- Do you agree with the statement of "proposed action?" (Chap. I, page 1)
- Have we listed the significant major issues that should be addressed in the restoration plan? If not what changes should be made? (Chap. I, page 2)

**\* Chap. II - Public participation and Public Advisory Group - Questions:**

- Are you satisfied with the public participation efforts to date? If not, how should we improve it?
- Do you agree with the proposed structure of the public advisory group? If not, what changes can you recommend? (Chap. II, page 13)

**\* Chap. V - Criteria for determining when injury is sufficient to warrant restoration actions - Questions:**

- Are the two criteria sufficient? If not, what changes could be made? (Chap. V, page 39)
- Are the definitions of injury appropriate? If not what changes could be made? (Chap. V, pages 39, 40 and 41)
- Do you agree with the "recovery concept"? If not what changes could be made? (Chap. V, page 41)

**\* Chap. VI - Criteria and procedures for evaluating restoration actions - Questions:**

- Are the criteria appropriate? Are they too lenient, too strict, or about right? What changes could be made? (Chap. VI, pages 43 and 44)

**\* Chap. VII - Conceptual restoration alternatives - Questions:**

- Are the conceptual alternatives appropriate? If not, how could they be modified? (Chap. VII, pages 47, 48 and 49)
- What would you add, or delete from the list of alternatives?
- Do you favor a hierarchical or concurrent approach to the analysis of potential options? (Chap. VII, pages 50 and 51)

**\* Other - Does anyone wish to make comments on any other aspect of the Framework Document?**

7. Volume II - 1992 Draft Work Plan

Explain to the public that the second document of particular interest for this round of community meetings is the 1992 Draft Work Plan.

The 1992 Draft Work Plan contains descriptions and budgets of projects that we propose to be conducted this year. Explain that the Trustee Council has approved several months funding for the start-up of the projects, but they are not willing to give these projects the final go-ahead until they've heard what the public feels. Explain the Trustee Council is prepared to make changes once they've heard the public's advice.

Note that the Work Plan is delayed this year due to the mid-December change from a litigation posture which necessitated a change in emphasis from damage assessment to restoration monitoring. As previously discussed, we are attempting to start addressing the 1993 Work Plan now and, therefore, we hope to be more timely next year.

Note that the proposed 1992 projects fall into two categories:

- Damage Assessment (both continuation and close-out projects)

AND

- Restoration and Monitoring

The majority of damage assessment projects that are presently included in the 1992 Draft Work Plan are to complete data analysis and final report preparation. The total cost of these projects is \$4.8 million.

In six cases it was felt that damages had not yet been adequately documented, and that there was a need for continued work. The total cost of these projects is \$2.4 million.

The Restoration projects are aimed at gaining information that will either aid in the recovery of an injured species, or monitor the unaided recovery. The total cost of these projects is \$6.6 million.

The total cost of all the projects proposed for 1992 is \$13.9 million out of the \$90 million payment received to date.



In the back of Volume II/1992 Draft Work Plan is a chart showing the costs of the various types of projects. This document is available in the back of this room as a handout attached to the Summary of the Proposed Budget for 1992.

Ask for specific comments on the 1992 Draft Work Plan, including comments on specific projects.

Finally, note that a third document is also out as part of this package - the "Response to Public Comment on the 1991 State/Federal Natural Resource Damage Assessment and Restoration Plan for the Exxon Valdez Oil Spill".

Explain to the public that copies of any of these documents can be requested by signing up on the "documents sheet" - located with the handouts.

In closing, re-emphasize that the Trustee Council and their staff strongly encourage review of all these documents and the handouts. Remind them that written comments will gladly be accepted. *More state did*  
The deadline for comment on the Restoration Framework and the 1992 Draft Work Plan is June 4, 1992. The deadline for "ideas" for the 1993 Work Plan is June 15, 1992 and the deadline for the Public Advisory Group nominations is June 8, 1992.

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May 6, 1992

Dear concerned citizen,

The Exxon Valdez oil spill settlement Trustee Council is soliciting nominations for the Public Advisory Group. Nominations will be accepted until June 5, 1992. Nominations should include the information requested in the attached package and be mailed to the Trustee Council, 645 G street, Anchorage, Alaska 99501.

Formation of a Public Advisory Group was mandated by the October 1991 settlement between the State and the Federal governments ~~and Exxon~~. The Public Advisory Group will advise the Trustee Council on decisions relating to the planning, evaluation and conduct of injury assessment and restoration activities using funds obtained for that purpose as part of the civil settlement.

The Trustee Council has decided the Public Advisory Group shall consist of fifteen members and reflect balanced representation from the public at large and the following Principal Interests: aquaculture, commercial fishing, commercial tourism, environmental, conservation, forest products, local government, native landowners, recreational users, sport hunting and fishing, subsistence, and science/academic. Two additional ex-officio, non-voting seats on the Public Advisory Group will be held by representatives from the Alaska House of Representatives and Senate.

Selection will be made by unanimous agreement of the Trustees and appointment will be made by the U.S. Secretary of the Interior. The schedule for nomination and selection is attached.

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

For more detailed information on the role of the Public Advisory Group or the nomination process, contact L.J. Evans or Carrie Holba in Anchorage at 278-8008. or by calling the following toll-free numbers: 1-800-478-7745 (within Alaska), or 1-800-283-7745 (outside Alaska).



May 1  
April 29, 1992

RPWG

**DRAFT MEETING SCHEDULE TO ACCEPT PUBLIC COMMENT  
ON THE 1992 DRAFT WORK PLAN AND RESTORATION FRAMEWORK**

Restoration Team member attending = [in brackets]. There will also be a member of the Restoration Planning Work Group at each meeting.

**Seldovia 2 p.m., Monday, May 4**

South Central Air flight at 1:00 p.m. from Homer Airport

Meeting in: Multi-purpose Room, City Building

Contact: Ivan Widon, City of Seldovia 234-7643

Teleconference with Port Graham 284-2227, Eleanor McMullen

Nanwalek, Vincent Kvasnikoff 281-2248 *Pat Norman 284-2212*

[M. Rutherford], C. Gorbics, B. Iseah, L.J. Evans (K. Rice & M.

Broderson are backups for Marty)

**Homer 7 p.m., Monday, May 4**

City Council Chambers

Contact: Mary Shannon, City Clerk 235-3130

[M. Rutherford], C. Gorbics, B. Iseah, L.J. Evans (K. Rice & M.

Broderson are backups for Marty)

**Kodiak 7 p.m. Tuesday, May 5**

Borough Assembly Chambers

Contact: Donna Smith, Borough Clerk 486-5736, FAX 486-2886

Note: broadcast via KMXT 486-3181 FAX 486-2733

[M. Rutherford], S. Rabinowitch, B. Iseah, L.J. Evans, (K. Rice & M.

Broderson are backups for Marty)

**Juneau 7 p.m. Thursday, May 7**

Assembly Chambers, Municipal Bldg., 155 So. Seward St.

Contact: Patty Ann Polley, City Clerk 586-5278, FAX 586-5385

Legislative Contact: Terence O'Malley 465-4968

Note: Send invitations to state legislators (*this was done by Sandoz's office*)

[J. Montague], R. Thompson, B. Iseah

**Tatitlek Monday, May 11, 2:00**

Ketchum Air charter flight at 1:30 from Valdez Airport 835-3789

Contact: Gary Kompkoff, IRA Council 325-2311, FAX 325-2298

[M. Rutherford], J. Strand, L.J. Evans, B. Iseah

Weather problem contingency plan: Teleconference meeting from Valdez

**Valdez 7 p.m. Monday, May 11**

City Council Chambers

Contact: Dave Janka, PWSCA 835-2799, FAX 835-5395

Location Contact: Sherry Caples, City clerk, 835-4313

[M. Rutherford], J. Strand, L.J. Evans, B. Iseah

**Seward 7 p.m. Wednesday, May 13**

Kenai Fjords Visitors Center

Contact: Anne Castellina 224-3175 FAX 224-7100

[P. Bergmann], R. Thompson, B. Iseah

**Whittier 5 p.m., Thursday, May 14**

Contact: Linda Hyce or Kelly Carlisle, Mayor 472-2327

FAX 472-2343

Alaska Railroad schedules 6 trains daily starting May 10, last one departing Whittier to Portage at 9 p.m. 265-2494. (RCAC full meeting scheduled in Whittier on 5/14)

[Ken Rice], S. Senner, B. Iseah

**Chenega Bay 11 a.m. Friday, May 15**

[K. Rice], R. Thompson, B. Iseah

Ketchum Charter departs Lake Hood at 9:00 a.m, estimated departure Chenega at 1:00 p.m. 243-5525 **Need to call for weather check about 7:30 a.m.**

Arrival in Anchorage will be about 2:30 or 3:00

**Anchorage 7:00 p.m., Monday, May 18**

Trustee Council Meeting Room, 645 G St.

[K. Rice], S. Senner, B. Iseah

**Cordova 7 p.m., Tuesday, May 19**

Council Chambers, Cordova Public Library

Contact: Library staff, 424-6667 after 1 p.m.

[K. Rice], S. Rabinowitch, B. Iseah

**Fairbanks 7:00 p.m. Thursday, May 21**

Gruening Bldg, Room 310 (ground floor)

Keys to Gruening A/V equipment storage available at library

Equipment Loan Desk, 474-7072

Contact: Jeri Maxwell, Wood Center 474-7038, Fax: 474-5508  
[J. Montague], S. Senner, B. Iseah

**Akhiok** - Mayor Eluska called: do not need to go there, but Mr. Eluska may be in Kodiak on the 5th and will attend if so

**We sent letters to the following communities - as of 4/20 have not heard from them:**

Karluk  
Larsen Bay  
Nanwalek (English Bay)  
Old Harbor  
Ouzinkie  
Port Graham  
Port Lions



## Restoration Public Advisory Group Nominations Requested

The *Exxon Valdez* oil spill Trustee Council is soliciting nominations for the Public Advisory Group, government officials announced today. Nominations will be accepted until June ~~8~~<sup>9</sup>, said Dave Gibbons, Interim Administrative Director for the Restoration Team. Nominations should be mailed to the Trustee Council, 645 G St, Anchorage, Alaska 99501.

→ Formation of a Public Advisory Group ~~was~~<sup>MDA</sup> mandated by the October 1991 ~~settlement~~<sup>MDA</sup> between the state and federal governments, and ~~Exxon~~. The Public Advisory Group will advise the Trustee Council on decisions relating to the planning, evaluation and conduct of injury assessment and restoration activities using funds obtained for purposes of restoration as part of the civil settlement. Selection will be made by unanimous agreement of the Trustees and appointment will be made by the U.S. Secretary of the Interior. The Trustee Council has decided the Public Advisory Group shall consist of fifteen members and reflect [have] balanced representation from the public at large and the following principal interests: aquaculture, commercial fishing, commercial tourism, environmental, conservation, forest products, local government, native landowners, recreational users, sport hunting and fishing, subsistence, and science/academic.

Two additional ex-officio, non-voting seats on the Public Advisory Group will be held by representatives from the Alaska House of Representatives and Senate, ~~bringing the total number of seats on the group to seventeen.~~

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Gibbons noted that potential nominees need to provide the following information to the Trustee Council:

- ✓ • A biographical sketch (education, experience, address, phone);
- Information about the nominee's knowledge of the region, peoples or principal economic and social activities of the area affected by the *Exxon Valdez* oil spill, or; expertise in public lands and resource management;
- Information about the nominee's relationship/involvement with one or more of the identified interest groups;
- ✓ • A list identifying [Identification of] group(s), if any, recommending this appointment. (Provide the point of contact and phone number for the group);
- ✓ • Statement explaining any [what] unique contributions the nominee will make to the Public Advisory Group; and,
- The nominee is encouraged to submit additional relevant information.

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



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For more detailed information on the role of the Public Advisory Group or the nomination process, contact L.J. Evans or Carrie Holba in Anchorage at 278-8008, or by calling the following toll-free numbers: 1-800-478-7745 (within Alaska), or 1-800-283-7745 (outside Alaska).

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**Department of the Interior  
OFFICE OF THE SECRETARY  
Office of Environmental Affairs - Alaska**

## **NOTE**

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April 30, 1992

**TO: Sandy Rabinowitch**  
**FROM: Doug Mutter**  
**RE: Comments on Draft Script for Public Meetings**

In response to your FAX of the draft Public Meeting Script, we have the following comments to offer:

1. Introduction Part I--The key points presented in each chapter of the document should be highlighted, not just generally what the chapter is about. That will provide a more substantive focus for public questions.
2. Introduction Part II, Item 1, "proposed action"--You should be aware that this is not really an "action", it is much more general, like a goal statement, and should not be highlighted as the "proposed action". Omit item 1.
3. Comment II, Chap. I, first item--Per discussion above, omit this item about "proposed action".
4. Comment II, Chap. II, first item--Since there has not been much public participation to date and the formation of the PAG is only begun, it is unlikely this will solicit useful comments. Omit this item.
5. Fraker draft on 1993 Workplan--We need to be sure and have copies of the public idea format available for distribution at these meetings.
6. General--It would be useful to have a printed schedule of upcoming milestones for public distribution at these meetings--this will most certainly be one of the questions asked.

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draft - Sandy Rabinowitch 4/29/92  
Script for May 1992 Public Meetings  
Volume I "Restoration Framework"

## Introduction

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I. The Framework Document explains the process that the EVOS Trustees intend to follow as they develop the Draft Restoration Plan. The Framework Document is not the draft Restoration Plan. The document:

Chap. I Provides background on the legal settlement and describes the administrative structure of the Trustee organization.

Chap. II Outlines the goals of the public participation program, the type of information available to the public, and briefly describes the Public Advisory Group.

Chap. III Recounts restoration activities from 1989 to the present.

Chap. IV Contains an updated summary of injuries.

Chap. V Proposes criteria for determining when injury is sufficient to warrant restoration actions.

Chap. VI Proposes criteria and procedures for evaluating restoration options.

Chap. VII Contains six conceptual restoration alternatives

App. A Provides information on injured resources and services.

App. B Provides 35 restoration options for consideration and 14 rejected options.

II. The document is also a "Scoping" document pursuant to the National Environmental Policy Act (NEPA). The document:

1. Presents a "proposed action" (Chap.I)
2. Presents the main issues known at this time (Chap.I & III)
3. Invites public comment (Exec.Summ)

## Opportunity To Comment<sup>1</sup>

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I. Welcome comments on any part of the Framework Document. The comment deadline is \_\_\_\_\_ 1992. The mailing address is 645 G Street, Anchorage, AK. 99501. Phone is 278-8012.

II. Areas where your comments may be particularly useful:

**\* Chap. I - Identification of Proposed Action and Issues - Questions:**

- Do you agree with the statement of "proposed action?"
- Have we listed the significant major issues that should be addressed in the restoration plan? If not what changes should be made?

**\* Chap. II - Public participation and Public Advisory Group - Questions:**

- Are you satisfied with the public participation efforts to date? If not, how should we improve it?
- Do you agree with the proposed structure of the public advisory group? If not, what changes can you recommend?

**\* Chap.V - Criteria for determining when injury is sufficient to warrant restoration actions - Questions:**

- Are the two criteria sufficient? If not, what changes could be made?
- Are the definitions of injury appropriate? If not what changes could be made?
- Do you agree with the "recovery concept" (p.41)? If not what changes could be made?

**\* Chap. VI - Criteria and procedures for evaluating restoration actions - Questions:**

- Are the criteria appropriate? Are they too lenient, too strict, or about right? What changes could be made?

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<sup>1</sup>The questions below could be written on large paper and put up on the walls in the meeting rooms. Additionally, this sheet could be faxed out to teleconference locations so they can "see" what is on the wall in the larger communities.

**\* Chap. VII - Conceptual restoration alternatives - Questions:**

- Are the conceptual alternatives appropriate? If not, how could they be modified?
- What would you add, or delete from the list of alternatives?
- Do you favor a hierarchical approach to the analysis of potential options? (see p.50-51)

\*Other - Does anyone wish to make comments on any other aspect of the Framework Document?

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CHARTER

EXXON VALDEZ OIL SPILL PUBLIC ADVISORY GROUP

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

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

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



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

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

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

3. Period of Time Necessary for the Group's Activities:

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

4. Officials to whom the Public Advisory Group Reports:

The Public Advisory Group shall report to the Exxon Valdez Settlement Trustee Council through the Chair of the Public Advisory Group at Trustee Council meetings. Other members of the group may report with the chair, as appropriate. The Trustee Council's regular agenda shall include a period during which the Public Advisory Group representative(s) may report on its activities, ask questions of the Trustee Council, and be available for questioning by the Trustee

Council. The U.S. Department of the Interior is the designated federal agency to whom the Public Advisory Group reports to ensure compliance with the Federal Advisory Committee Act, including the responsibility of ensuring the necessary support for the Public Advisory Group. The designated Federal Official is the Alaska Office of Environmental Affairs' Environmental Assistant.

5. Administrative Support: Administrative support for the Public Advisory Group shall be provided by the Administrative Director. The Trustee Council shall provide funds as deemed appropriate for administrative support for the Public Advisory Group, from the joint fund established in the registry of the United States District Court for the District of Alaska in settlement of United States v. Exxon Corporation and State of Alaska v. Exxon Corporation.

6. Public Advisory Group Composition, Selection, and Service: The Public Advisory Group shall consist of fifteen members, including a chair and a vice-chair.

A. Qualifications for service -- Members shall be appointed based on their demonstrated knowledge of the region, peoples, or principal economic and social activities of the area affected by the Exxon Valdez oil spill, or by demonstrated expertise in public lands and resource management as it relates to restoration.

B. Nomination and Selection -- Candidates for membership will be nominated by the public. From these nominations the Trustee Council will recommend

membership to the Trustees and following selection by the Trustees, the Secretary of the Interior selects those selected by the Trustees.

C. Minimum term -- Each member may serve two years from the date of appointment. Members are eligible for renomination and reappointment at the close of their terms. The Trustees may remove a member of the advisory group for reasons of malfeasance or incompetence.

D. Officers -- The Public Advisory Group shall have a chair and a vice-chair approved by the Trustee Council in consultation with members of the Public Advisory Group.

7. Expenses: Travel, per diem and administrative support, shall be borne by the Trustee Council from the joint fund established in settlement of United States v. Exxon Corporation and State of Alaska v. Exxon Corporation. While away from home or regular place of business in performance of the business of the Advisory Group, travel expenses, including per diem in lieu of subsistence, shall be allowed at the applicable federal government rates. The estimated annual operating cost is \$106,000 and the estimated man-years for the group is 0.5.

8. Council Meetings and Records. The Public Advisory Group shall meet no less than four times per year.

A. All Public Advisory Group meetings will be open to the public. Any member of the public is permitted

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to file a written statement with the Public Advisory Group and any member of the public may speak at a Public Advisory Group meeting.

- B. Detailed minutes of all meetings, including the time, date and place of the meeting, names of the Public Advisory Group members and other staff of the Trustee Council present, names of the public who presented oral or written statements, an estimate of the number of other public present, an accurate description of each matter discussed and the resolution, if any, made by the Public Advisory Group, and copies of each report or other document received, issued or approved by the Public Advisory Group, shall be prepared and made available to the public through the Administrative Director. The Chair shall certify to the accuracy of all minutes of the Advisory Group.
- C. Meetings of the Public Advisory Group shall be held at a reasonable time and place reasonably accessible to the public. Notice of meetings shall be published in accordance with AS 44.62.310(e), AS 44.62.175 and 41 C.F.R. 101-6.1015(b).
- D. All accounts and records of the activities and transactions of the Public Advisory Group shall be kept and maintained by the staff of the Administrative Director and shall be available for

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public inspection at the offices of the  
Administrative Director.

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

9. Administrative Authority: The Public Advisory Group  
and its officers shall have no administrative authority,  
except to recommend budget needs to the Administrative  
Director. The Trustee Council through the Administrative  
Director shall procure all needed space, supplies, equipment  
and support. Any office space of the Public Advisory Group  
shall be located with the office of the Administrative  
Director of the Restoration Team.

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

11, Authority: This Public Advisory Group is established  
as mandated by paragraph V.A.4 of the MOA and shall be  
located in Alaska.

12. The charter of the Public Advisory Group is filed on  
\_\_\_\_\_.

4/23/92 PWG  
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## Restoration Public Advisory Group Nominations Requested

The *Exxon Valdez* oil spill Trustee Council is soliciting nominations for the Public Advisory Group, government officials announced today.

Nominations will be accepted until (insert date), said Dave Gibbons, Interim Administrative Director for the Restoration Team. Nominations should be mailed to the Trustee Council, 645 G St, Anchorage, Alaska 99501.

Gibbons noted that potential nominees need to provide the following information to the Trustee Council:

- Biographical sketch (education, experience, address, phone);
- Information about the nominee's knowledge of the region, peoples or principal economic and social activities of the area affected by the *Exxon Valdez* oil spill, or; expertise in public lands and resource management;
- Information about the nominee's relationship/involvement with one or more of the identified interest groups; and
- Identification of group(s), if any, recommending this appointment. (Provide the point of contact and phone number for the group.)

Formation of a Public Advisory Group was mandated by the October 1991 settlement between the state and federal governments and Exxon. The fifteen-member Public Advisory Group will advise the Trustee Council on decisions relating to the planning, evaluation and conduct of injury assessment and restoration activities using funds obtained for purposes of



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4/23/92 RWG  
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restoration as part of the civil settlement. The Trustee Council will review the nominations received and recommend nominees for final appointment by the U.S. Secretary of the Interior. Two additional ex-officio, non-voting seats on the Public Advisory Group will be held by representatives from the Alaska House of Representatives and Senate, bringing the total number of seats on the group to seventeen.

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

For more detailed information on the role of the Public Advisory Group and the nomination process, contact L.J. Evans or Mary McGee in Anchorage at 278-8008, or by calling the following toll-free numbers: 1-800-478-7745 (within Alaska), or 1-800-283-7745 (outside Alaska).

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## Public Advisory Group Nomination Process

The process for soliciting nomination for the Public Advisory Group involves notifying the public and compiling a list of potential nominees for Trustee Council consideration. The Trustee Council will review the nominations and recommend membership to the Trustees for appointment by the Secretary of the Interior.

Nominations will be solicited using a wide range of media. Examples include:

- Newspapers in the affected area;
- Federal Register;
- Existing *Exxon Valdez* oil spill mailing list;
- Agencies' interest group mailing lists;
- Public service announcements;
- Flyers for posting in communities; and
- All persons having expressed interest in serving on the Public Advisory Group.

The request for nominations will ask for the following information:

- Biographical sketch (education, experience, address, phone);
- Demonstrated knowledge of the region, peoples or principal economic and social activities of the area affected by the *Exxon Valdez* oil spill, or demonstrated expertise in public lands and resource management;
- Identification of relationship/involvement, if any, with one or more of the identified Principal Interests;\*
- Identification of group(s), if any, recommending this appointment (Provide the point of contact and phone number for the group);
- Statement explaining what unique contributions the nominee will make to the Public Advisory Group; and
- Additional relevant information

The timeline attached shows the major steps in getting a Public Advisory Group in place by the end of August, 1992.

\*The Principal Interests are: Aquaculture, Commercial Fishing, Commercial Tourism, Environmental, Conservation, Forest Products, Local Government, Native Landowners, Recreation Users, Sport Hunting and Fishing, Subsistence, Science/Academic and the public at large.

April 22, 1992

**PUBLIC ADVISORY GROUP  
NOMINATION AND SELECTION PROCESS  
1992 TIMELINE**

|                   |   |
|-------------------|---|
| April 27          | Timeline and Process approved by the Trustee Council                                  |
| May 6             | Request for Nominations published   |
| June 5            | Deadline for receipt of Nominations   |
| June 22           | Nomination package to Trustee Council   |
| June 29           | Preliminary selections made by Trustee Council<br>(in executive session)              |
| July 8            | Trustee Council selections to Trustees/ Department of the<br>Interior for appointment |
| July 17           | Appointment letters sent  |
| July 31           | Receive confirmation of acceptance of appointment<br>(set first meeting date)         |
| Aug 10            | Notice first Public Advisory Group meeting  |
| Week of<br>Aug 25 | First meeting of the Public Advisory Group  |

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**PUBLIC PARTICIPATION WORK GROUP  
APRIL 28, 1992  
2:00 P.M.**

**Attendees:**

Marty Rutherford  
L.J. Evans  
Ken Rice  
Art Weiner  
Moe McGee  
Byron Morris  
Tim Steele  
Sandy Rabinowitch  
Peg Kehrer (via teleconference)

**The following documents were distributed:**

EVOS Public Advisory Group Operating Procedures  
Restoration Public Advisory Group Nominations Requested  
Press Release  
Letter to Public Participation Working Group from Peg Kehrer  
Revised Press Release

**The following agenda items were discussed:**

Under principal interests - corporation was removed from Cook Inlet Aquaculture; Valdez Fisheries Development Association was added.

Per direction from the Trustee Council the following revisions were made to the nomination process:

a statement should be added explaining what unique contribution the nominee will bring to the PAG

a request for additional relevant information

The process statement was reworded as follows:

The process for soliciting nomination for the Public Advisory Group involves notifying the public and compiling a list of potential nominees for Trustee Council consideration.

**Revisions to the PAG Nominations Requested Press Release**

Selection will be made by unanimous agreement of the Trustees and the appointment will be by the Secretary of the Interior.

A paragraph should be added on membership.

There are now 13 principal interests groups.

The Trustee Council has decided the PAG shall consist of 15 members and have balanced representation from the public at large and the following principal interests:

- Aquaculture
- Commercial Fishing
- Commercial Tourism
- Environmental
- Conservation Forest Products
- Local Government
- Native Landowners
- Recreational Users
- Sport Hunting
- Fishing
- Subsistence
- Science/Academic

The Trustee Council will accept public comments regarding the number and designation of seats.

The revised press release will be reviewed and discussed on Friday.

#### **Anchorage Meeting**

This meeting has been rescheduled to May 18th.

#### **Things to Send Out**

Nominations Request Press Release

#### **RPWG Members Attending Public Participation Meetings**

- Sandy - Kodiak, Cordova
- John - Valdez, Tatitlek
- Ray - Seward, Chenega Bay, Juneau
- Carol - Homer, Seldovia
- Stan - Whittier, Anchorage, Fairbanks
- Ken - Anchorage, Chenega Bay

L.J. will attend all meetings where a teleconference is held.

#### **Things to Do**

All agency interest groups mailing lists need to be obtained. Byron and Moe will discuss the mailing of the request for ideas for 1993 from the public.

Marty will prepare a packet box and Barbara will act as the keeper of the materials and recording equipment.

Marty and Peg will work on a script to be completed by Friday for the meetings.

One set of the framework document will be taken to each meeting as a sample and requests for copies can be sent to OSPIC.

A sign-up sheet will be taken to each meeting for participants and requests for documents.

### **Meeting**

The next public participation meeting is scheduled for Friday at 1:30 to discuss the operating procedures and a document synthesizing the nomination process.



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April 24, 1992

EXXON VALDEZ OIL SPILL SETTLEMENT  
PUBLIC ADVISORY GROUP  
OPERATING PROCEDURES

1. MEMBERSHIP:

The Public Advisory Group shall consist of fifteen members and have balanced representation of at least the following Principal Interests; aquaculture, commercial fishing, commercial tourism, environmental, conservation, forest products, local government, native landowners, recreation users, sport hunting and fishing, subsistence, and science/academic. At least one member shall be a local government representative from the spill area and one representative of a Indian Reorganization Act village council or Alaska Native Claims Settlement Act corporation from the spill area. A Public Advisory Group chair and vice-chair will be elected annually by the Public Advisory Group from its voting membership and approved by the Trustee Council. The chair and vice-chair are eligible for reappointment to additional terms. One member each from the Alaska House of Representatives and the Alaska Senate, selected by the Speaker of the House and the President of the Senate respectively, shall be ex-officio members of the Public Advisory Group. Other ex-officio members can be appointed at the discretion of the Trustee Council.

## 2. NOMINATION AND SELECTION:

Nominations will be solicited from the public and groups representing principal interests in the affected area. Selection will be made by unanimous agreement of the Trustee Council and appointment will be by the U. S. Department of the Interior based upon a demonstrated knowledge of the region, its peoples and/or principal economic and social activities, or by demonstrated expertise in public lands and resource management. The Public Advisory Group will have, to the greatest extent practical, a broad and balanced representation.

## 3. TERM:

Members will serve until a replacement is named or until the termination of the Public Advisory Group, whichever is earlier. Eight appointments and the terms of the ex-officio members will expire on December 31, 1994 and seven appointments on December 31, 1995. Succeeding terms will be for two years. Members are eligible for renomination and reappointment to additional terms. Appointments to fill an unexpired vacancy will be for the term of that vacancy. Members can be removed by unanimous agreement of the Trustee Council.

## 4. DUTIES AND WORK ASSIGNMENTS:

The Public Advisory Group is to assist the Trustee Council in the restoration of resources and services injured by the Exxon Valdez

Oil Spill. The Public Advisory Group will, among other things, comment on proposed policies, procedures, plans, projects and decisions of the restoration process and through discussion and an open exchange of ideas, provide advice to the Trustee Council. The Public Advisory Group will report to and be tasked by the Trustee Council and will coordinate with the Restoration Team.

5. QUORUM:

A quorum of the Public Advisory Group, at least eight voting members and the Designated Officer or his/her designate, is required to convene a meeting and conduct business. Participation in meetings by teleconferance is accepted as attendance.

6. PRESIDING OFFICER:

The Public Advisory Group Chair shall be the presiding officer and conduct all meetings. If for some reason the Chair is unavailable the Vice-Chair shall preside. If both the Chair and Vice-Chair are unavailable the Designated Officer shall conduct business as a non-voting facilitator.

7. ACTION/RULES OF VOTING:

Matters coming before the Public Advisory Group requiring a vote to make a recommendation to the Trustee Council shall have a majority approval of the voting members present. A member shall abstain from voting under the following conditions: (a) if there is an

apparent, or declared, direct conflict of financial interest on the part of the member or (b) if voting by the member would constitute a violation of applicable federal or state law. The Designated Officer and Ex-officio members shall not vote on matters before the Public Advisory Group.

8. REPORTING TO THE TRUSTEE COUNCIL:

The Public Advisory Group shall report to the Trustee Council via the Chair of the Public Advisory Group or his/her representative. Other members of the group may report with the Chair, as appropriate. The report shall include the range of opinion, at the end of discussion, as well as the majority opinion. The Trustee Council's regular agenda shall include a period during which the Public Advisory Group representative(s) shall report on its activities, ask questions of the Trustee Council, and be available for questioning by the Trustee Council.

9. MEETINGS:

The Public Advisory Group shall meet no less than four times year. Except for executive sessions all meetings of the Public Advisory Group shall be open to the public. Any member of the public will be given the opportunity to speak at meetings or file a written statement with the Public Advisory Group. Meetings shall be held at a reasonable time and in a place reasonably accessible to the public.

10. EXECUTIVE SESSIONS:

Executive sessions shall be kept to a minimum and shall be used only for discussion of matters concerning confidential personnel issues, litigation or legal advice, confidential archaeological information, confidential fisheries information or such other matters included under AS 44.62.310(c) or other applicable laws.

11. MINUTES:

It is the responsibility of the Designated Officer to insure that minutes of each meeting are kept. The minutes should include: time date and place of the meeting, Public Advisory Group members and staff present, an estimate of the number of other public present, description of matters discussed, names of the public who presented oral or written statements, conclusions reached and a record of any vote taken. The accuracy of all minutes shall be certified by the Chair of the Public Advisory Group.

12. MAILING LIST AND PUBLIC NOTIFICATION:

A mailing list shall be maintained and used to notify interested parties of the Public Advisory Groups activities. Notice of Public Advisory Group meetings shall be published in the Federal Register and in newspapers of general circulation, within the oil spill area, at least 15 days prior to the scheduled meetings. Meeting notice shall include, among other things, name of the group, date,



time, place and purposed agenda. No action may be taken on items not included on the published agenda.

13. DESIGNATED OFFICER:

The Designated Officer shall be an officer or employee of the Federal Government, appointed by the U.S. Department of Interior, with unanimous consent of the Trustee Council. The Designated Officer or his/her designate shall be present at each meeting of the Public Advisory Group. The Designated Officer or his/her designate shall, in coordination with the Administrative Directors Office, schedule meetings, approve agendas, coordinate meeting arrangements, ensure proper public notification of meetings and proper keeping of the Public Advisory Groups Administrative Record. The Designated Officer or his/her designate shall act as an information conduit between the Public Advisory Group and the Restoration Team.

14. ADMINISTRATIVE SUPPORT:

The designated Officer and the Office of the Administrative Director will provide administrative support to the Public Advisory Group. A Public Advisory Group budget will be included with the budget of the Office of the Administrative Director and be presented for approval annually to the Trustee Council for funding from joint settlement funds. The Public Advisory Group's budget will be Administered by the Administrative Director consistent with

expenditure and documentation guidelines contained in the Financial Operating Procedures.

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April 21, 1992

To: Public Participation Working Group

From: Peg Kehrer

As I reviewed the ever changing timelines for the three documents (Framework 1992 and 1993 Workplans), it seemed that the May community meetings are being intended as the public comment opportunity for all three. And they are also the opportunity to solicit for PAG nominations. Is this correct?

If so, the task of these meetings is almost unwieldy. At the very least, we need to come to them with a very clear explanation in writing of the planning process for each document. In fact, the introductory remarks should be reflected in printed handouts as much possible. It really is hard stuff to understand and we should be careful not to lose sight of that fact.

I also suggest we recommend that one staffperson serves primarily as a facilitator. I think the facilitator role needs to be stressed at these meetings, and the person needs to be someone who is comfortable and good in that role, because there are so many different topics which need to be covered. The low-key facilitation of previous meetings would risk leaving people quite confused, and leave some of the agenda items inadequately covered, as a confused discussion generally inhibits people from making all the comments they would like to make.

I also have the feeling that I left something off the agenda.

Rj

P.S. I have added chart of parallel timelines. Do you think this would be a helpful handout? Will dates be final by the May meetings? Who can computer-generate this?

Draft by Peg Kehrer, April 21, 1992

DRAFT AGENDA FOR RESTORATION PROGRAM  
COMMUNITY MEETINGS IN MAY

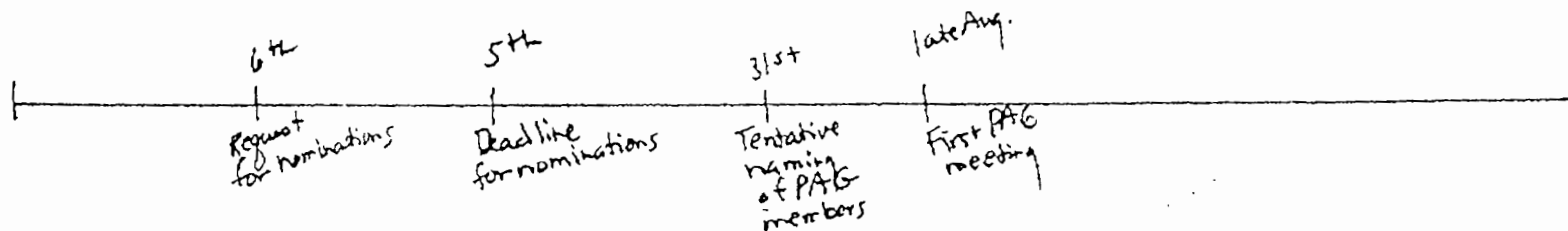
- 1) Results of Public Participation meetings
- 2) Status of Public Advisory Group creation.  
Distribute nomination information/timeline.
- 3) Review the three timelines this meeting fits into, and  
introduce the three documents: (use large poster)  
  
1992 Workplan  
  
1993 Workplan  
  
Restoration Plan/Draft EIS
- 4) How public may contribute:
  - a) Public comment on the two documents released -  
  
1992 Workplan  
  
Restoration Framework
  - b) Comment on what should be in 1993 workplan.
  - c) Request "Unsolicited Proposal packet" to prepare a proposal  
for an actual restoration project.
- 5) What types of comments are most helpful (Where possible,  
reference to particular sections in the documents)
  - "Issues" section in the Restoration Framework.
  - Type of review normally included in a review of a draft  
EIS.
  - Comments on how projects should be chosen - "Criteria"  
sections in Restoration Framework.
  - Comments on which projects should be done.



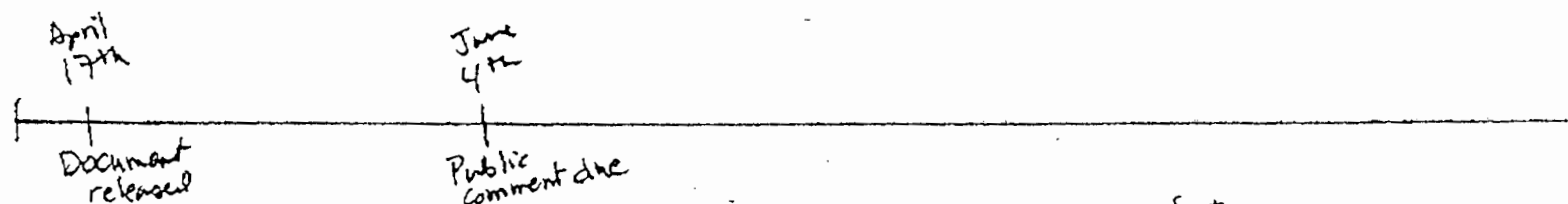
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22-142 100 SHEETS  
22-144 200 SHEETS

April May June July Aug. Sept. Oct. Nov.

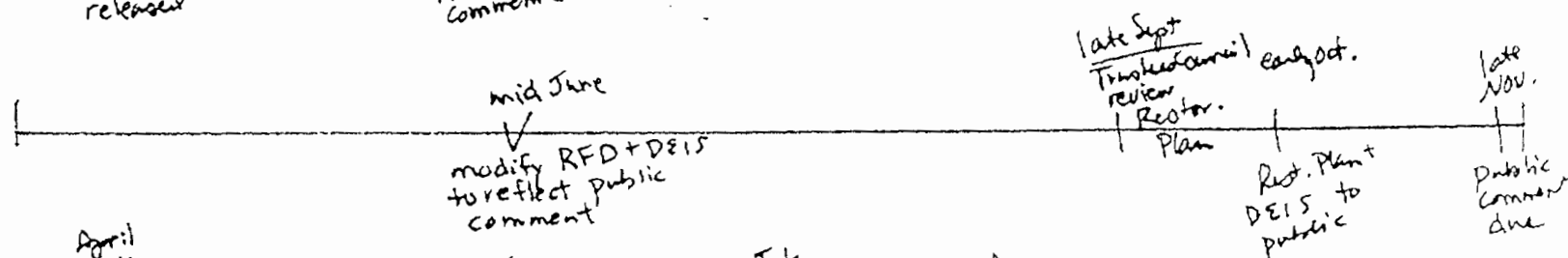
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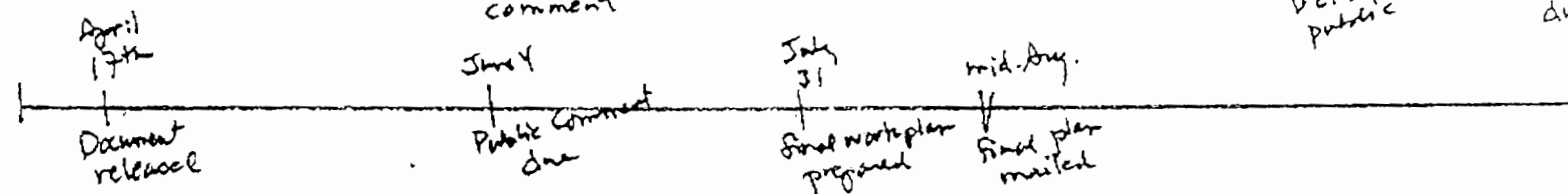
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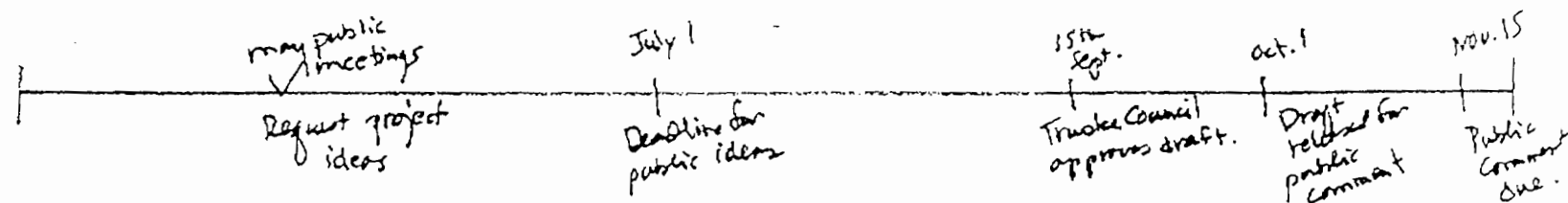
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Trustees are changing

April 28, 1992

## Public Advisory Group Nomination Process

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- Federal Register;
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- Public service announcements;
- Flyers for posting in communities; and
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- Identification of relationship/involvement, if any, with one or more of the identified Principal Interests;
- Identification of group(s), if any, recommending this appointment (Provide the point of contact and phone number for the group);
- Statement explaining what unique contributions the nominee will make to the Public Advisory Group; and
- The nominee is encouraged to submit additional relevant information

The timeline attached shows the major steps in getting a Public Advisory Group in place by the end of August, 1992.

L.J.'s suggested  
edits in BOLD, [old text in brackets]

KPWG  
✓

Draft Press Release: 4/28/92

## Restoration Public Advisory Group Nominations Requested

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- Information about the nominee's relationship/involvement with one or more of the identified interest groups;
- ✓ • A list identifying [Identification of] group(s), if any, recommending this appointment. (Provide the point of contact and phone number for the group);
- ✓ • Statement explaining any [what] unique contributions the nominee will make to the Public Advisory Group; and,
- The nominee is encouraged to submit additional relevant information

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

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For more detailed information on the role of the Public Advisory Group or the nomination process, contact L.J. Evans or Carrie Holba in Anchorage at 278-8008, or by calling the following toll-free numbers: 1-800-478-7745 (within Alaska), or 1-800-283-7745 (outside Alaska).

###