



January 22, 1991

Robert Spies
Applied Marine Science, Inc.
P.O. Box 824
Livermore, CA 94550

Re: Sea Otter Synthesis Meeting - February 17-19, 1991

Dear Dr. Spies:

The dates and location for the Sea Otter Synthesis meeting have now been finalized. The meeting will be held in Anchorage at the Simpson Building on February 17, 18, and 19. Discussion will begin at 12:00 p.m. on February 17 and close at 5:00 p.m. on February 19.

Additional materials, including a proposed Agenda, will be forthcoming.

Should you have any questions, or require any further assistance, please do not hesitate to call.

Sincerely,

A handwritten signature in black ink that reads "Sharon Saari". The signature is written in a cursive, flowing style.

Sharon Saari
Scientific Assessment Manager

This fax is from

Walcoff & Associates

Phone: (703) 684-5588

Fax: (703) 548-0426

Date: 9/19/91

Project No.: 4700

To: Gina Belt % CACI

Company: DOJ

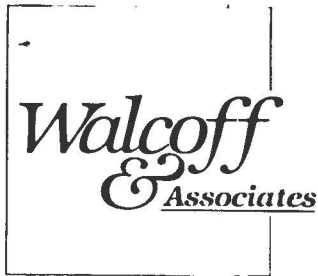
Fax No.: _____

Contact No.: _____

Name of Sender: Sharon Seare 703-364-1622

Number of pages including this cover page: 6

Comments: Letter file on B. Sharp.
Paul is send task order. Are
you building a case or what?



October 8, 1990

Dr. Michael Fry
Avian Laboratory
3202 Meyer Hall
Davis, CA 95616

Dear Dr. Fry:

I understand from Dr. Robert Spies, Chief Scientist for the Valdez oil spill studies for the government, that you have been appointed as the Bird Working Group Chairman. In this capacity and in order to synthesize the 14 reports on birds, you will need an assistant to help you. I have enclosed six resumes of ornithologists for your review. I am still waiting for the resume of Brian Sharp. We will try to get approval from the Department of Justice to hire this assistant, as soon as the budget is approved.

If you have any questions, please do not hesitate to call me at (703) 364-1622.

Sincerely,

A handwritten signature in blue ink that reads "Sharon Saari".

Sharon Saari

cc Gardner, Dennis, Nicoll
Enclosures

D. Michael Fry

2213 Catalina Drive, Davis, Ca. 95616

November 6, 1990

Ms. Sharon Saari
Walcoff and Associates
635 Slaters Lane, Suite 102
Alexandria, VA 22314

Dear Ms. Saari:

Thank you for forwarding resumes from several excellent ornithologists for my consideration as an expert to assist me in developing a synthesis of the 14 NRDA studies on birds. I have selected Brian Sharp as the most appropriate to the position. I have had brief discussions with him, and his schedule for the winter is ideal. Please hire him for the position.

I have developed a short statement of work for the task to be completed this winter, and it is included as a separate page.

I believe we should budget 150 hours from November 15 through February 28, 1991 for Brian's portion of this work, although it is unlikely that this much time will actually be required. We should also plan for 2 trips of about 1 week each to Anchorage from Portland, and 1 trip from Portland to Sacramento, CA for us to be able to work together briefly.

Thank you very much for your help with this hiring, I appreciate the trouble you have gone to find a suitable person.

Sincerely,



D. Michael Fry

RECEIVED NOV 14 1990

APPLIED MARINE SCIENCES, INC.

PO BOX 824
2155 Las Positas Court, Suite V
LIVERMORE, CA 94550
Telephone No. (415) 373-7142
Facsimile No. (415) 373-7834

January 14, 1991

comb call 1-22-91
re plan

Dr. Michael Fry
Department of Avian Sciences
University of California at Davis
Davis, CA 95616

Mr. Brian Sharp
2234 N.E. 9th Ave.
Portland, Oregon 97212

Dear Mike and Brian,

I am writing in relation to the development of the legal case for injury to birds in the *Exxon Valdez* oil spill. We need to proceed with this effort in the new year and to set the level of effort for each of you, some times for delivery of written products and so forth.

Mike sent me a very brief report of his assessment of injury and the status of the assessment studies after his two trips to Anchorage this Autumn. However, this short report must be expanded considerably to become a useful litigation product. I envision a series of brief reports, one for each species (e.g., for murre, eagles and sea ducks) that summarize the injury, as supported by the available evidence. Several pages with good tables and figures with references to supporting data in Appendices for each species may be sufficient if the injury and evidence is straightforward. A short summary is appropriate for longer reports that cannot concisely summarize injury. These reports, produced first in draft form, should rely on all available data, especially the study results, but you may need to do additional work, as Mike has outlined to me, that, for example, compares population results from the boat surveys to those of other studies. Additional reference to the scientific literature or other specialists may be necessary to fully develop the case for injury to particular species. I know that you will both continue to work closely with the principal investigators.

To be consistent between different NRDA studies I am requesting that all litigation products be written in a hazard assessment format. A generic outline might take the following form:

I. Distribution and abundance of the species before the spill

II. Exposure of the species to oil

- A. How many individuals of the species were potentially exposed to the spilled oil.
- B. How the habits of the species would expose them to oil (on the water, or from ingestion of contaminated prey).
- C. Evidence of external oiling (observations of oiling)
- D. Chemical analyses indicating oil in tissues or on eggs
- E. Biochemical alterations indicating exposure (e.g., P-450 induction)
- F. Evaluation of the main sources of information on geographic distribution of the oil to be sure the above evidence is consistent with the known oil distribution.

III. Effects of the oil

- A. Sublethal effects of oil on growth (or body condition) and reproduction.
- B. Body counts
- C. The results of population surveys; Pre-spill vs post-spill; oiled vs unoiled habitats contrasts are most appropriate
- D. An independent assessment of total estimated oil kill
- E. A temporally and geographically integrated assessment of injury that accounts for kill and lost production resulting from the original kill and any changes in reproductive output in surviving birds.

Please do not express any strong opinions at this stage as to total injury, but in drafting the first version of this indicate where information may change. Parts C and D of "III. Effects of oil" should not be completed until all the pertinent information is available and has been thoroughly analyzed. We will want to have these conclusions only in the final litigation product.

You should both have sets of the draft 1990 reports for birds and Mike's original memo to me. Please inform me of your availability for a conference call at 3:00 PM on January 22 to discuss your plan of action.

In my conversations with Mike we agreed that he would be the senior peer reviewer for birds and that Brain would develop the evidence in conjunction with Mike, maintaining close contact on all the pertinent information. Please be prepared to discuss specific commitments of time in this regard.

Sincerely yours,

A handwritten signature in black ink that reads "Robert B. Spies". The signature is written in a cursive, slightly slanted style.

Robert B. Spies,
Chief Scientist
Exxon Valdez Oil Spill Studies

cc: S. Saari
B. Freedman
J. Nicoll
G. Belt
P. Gertler
C. Gorbics

CACI

Information Systems • Advanced Technologies • Market Analysis

Sharon
fyj
Clg
A.H.

January 21, 1991

Mr. Brian Sharp
2234 NE 9th Ave.
Portland, Oregon 97212

Re: 1990 NKDA Study

Dear Mr. Sharp:

Enclosed is the 1990 Natural Resource Damage Assessment Study on Mussels at Intertidal Sites, from Coastal Habitat 1, per your request.

If you have any further questions, one of the authors has informed us he is more than willing to discuss this study with you. His name is John Karinen, with NOAA, and he can be reached at (907) 789-6054.

Please contact Rebecca Williams at (907) 278-8012 if you require any additional materials or have any questions regarding this item.

Sincerely,

Sue Lattin

Sue Lattin
Project Supervisor

Enclosure

c: (w/o enclosure)
OLS (2)
LSG (1)
C. Henry
ADCR Files

ANCHORAGE OFFICES

Walcoff
& Associates

file

January 29, 1991

Dr. Donald Malins
Attn: Scott Shaw
Pacific NW Research Foundation
720 Broadway
Seattle, WA 98122

Dear Scott:

As I mentioned on the phone today, I have enclosed several pieces of information for Dr. Malins for the Valdez oil spill work for the Department of Justice. I have reprinted the TOXLINE references for you... note the article on whales and oil. I thought Dr. Malins kept a copy of the data on hydrocarbons in eagles, but it also is enclosed for his information. As I mentioned, I did some work for EPA on toxic substances in the food chain so have also enclosed that bibliography from 1986. It needs to be updated and also narrowed down to petro-chemicals and species of most concern. Good luck on your search, and call me if I can help at all.

Sincerely,

Sharon Saari
Sharon Saari

cc L. Dennis, C. Gardner, R. Spies

TECHNICAL RESEARCH ◦ MANAGEMENT CONSULTING

635 Slaters Lane, Suite 102, Alexandria, Virginia 22314
Telephone (703) 684-5588 / Facsimile (703) 548-0426



U.S. Department of Justice

Washington, D.C. 20530

March 13, 1990

To Whom It May Concern:

Please be advised that Sharon Saari

is traveling on behalf of the U.S. Department of Justice and, in that capacity, is entitled to receive government rates for airfare and accommodations, including tax exempt status where applicable.

They will be working on government business from October 1, 1989 to September 30, 1990. Any questions relating to this matter should be directed to: Litigation Support Group, Land and Natural Resources Division, U.S. Department of Justice, Washington, D.C. (202) 272-6259. We appreciate your cooperation.

Sincerely,

A handwritten signature in cursive script that reads "Lisa Polisar".

Lisa Polisar
Chief, Litigation Support Group

Contract OC-K-LDN-0047



U.S. Department of Justice

Washington, D.C. 20530

March 13, 1990

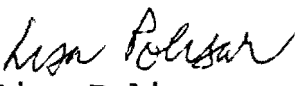
To Whom It May Concern:

Please be advised that

is traveling on behalf of the U.S. Department of Justice and, in that capacity, is entitled to receive government rates for airfare and accommodations, including tax exempt status where applicable.

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Sincerely,


Lisa Polisar
Chief, Litigation Support Group

Contract OC-K-LDN-0047



October 2, 1990

Dr. Donald Malins
Director, Environmental Biochemistry Program
Pacific Northwest Research Foundation
720 Broadway
Seattle, WA 98122

Dear Dr. Malins:

As a result of our conversation yesterday regarding the toxicology study in Prince William Sound, I have collected some resumes for your review. Enclosed are three long resumes for chemists-toxicologists-pathologists and two short form resumes for experts already under contract to the Department of Justice (DOJ). I am still waiting on the resume of Professor Donald McKai from Toronto. Once you have selected the most qualified to assist you, we will have to draw up a contract and obtain DOJ approval of the work. In order to expedite the systems modeling study, can you please send me a brief statement of work and an estimated budget?

You should also be aware that we intend to contract with Dr. John Ford regarding the whale injury study. When DOJ approves the science study budget for the upcoming fiscal year, we will consider hiring Scott as your technical assistant, but as a Walcoff contract employee. If you have any questions, please do not hesitate to call me at (703) 364-1622.

Sincerely,

A handwritten signature in cursive script that reads "Sharon Saari".

Sharon Saari

cc Nicholl, Gardner, Spies, Dennis



September 14, 1990

Mr. Jim Nicoll
% NOAA General Counsel
7600 Sand Point Way, N.E.
Bin C15700
Seattle, WA 98115

Subject: Resumes of Whale Experts

Dear Jim:

Enclosed are four resumes of West Coast whale experts who are willing to serve as experts for the Department of Justice. All have excellent experience with killer and gray whales, and two have worked on oil-related research. None fits the bill of whale toxicologist, as Spies suggests we might need in the future, if we had some data in that area to look at. I still have some more names of whale experts I could call to expand this search when we need it. Note I have marked relevant research.

If you have any questions, please feel free to call me at (703) 364-1622.

Sincerely,

Sharon Saari

Enclosure

cc Lynette Dennis
Christina Gardner
Bob Spies

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635 Slaters Lane, Suite 102, Alexandria, Virginia 22314
Telephone (703) 684-5588 / Facsimile (703) 548-0426



November 7, 1990

Gary Fisher
Cristina Gardner ←
Department of Justice
by FAX...

Attached are two pages from the NRDA "son of yellow book" Appendix A, part 2. It refers to the Technical Services #1 study and lays out a chain of custody and plan for saving the actual samples taken from Prince William Sound. It is brief but to the point. There is a process in place. Do not reinvent the wheel as far as samples are concerned, and do not let CACI repository people get involved. Let them deal with "paper" products and reports only.

We can send a reminder through Bob Spies to the Management Team to the PI's to not throw anything away as they wrap up some of the studies. OK?

Sharon Saari

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NRDA TS # 1 App. A. By Carol Manin (No. 1)

Appendix A (continued)

returned to the NIST for statistical analysis. The NIST will report to the chairperson of the ACG. Unacceptable performance will result in the discarding of the associated data.

The ACG will review and provide written reports on the results of intercomparison studies to the Management Team.

1.5 Data Reporting and Deliverables

Data deliverables will be reviewed by the generating Agency to verify the quality and useability of the data. A QC report on each data set will be provided to the ACG for review.

All data and associated documentation will be held in a secure place under chain-of-custody procedures until the Trustees indicate otherwise.

2. Minimum Requirements: Sampling and Sampling Equipment

Sample collection activities must be described in SOP's. References to existing documents are acceptable.

The method of collection should not alter the samples.

Sample collection and storage devices shall not alter the sample.

Samples shall be held in a secure place under appropriate conditions and under chain-of-custody until the Trustees indicate otherwise.

2.1 Sampling Identification and Labelling

An SOP will be in place for each study which describes procedures for the unique identification of each sample. A sample tag or label will be attached to the sample container. A waterproof (indelible) marker must be used on the tag or label. Included on the tag are the sample identification number, the location of the collection site, the date of collection and signature of the collector.

The information above will also be recorded in a field notebook along with other pertinent information about the collection and signed by the collecting scientist.

2.2 Field Chain-of-Custody

The field sampler will be personally responsible for the care and custody of the samples collected until they are transferred to another responsible party.

Samples will be accompanied by a chain-of-custody record or field sample data record. When samples are transferred from one individual's custody to another's, the individuals relinquishing and receiving will sign, date and note the time on the record.

Shipping containers will be custody-sealed for shipment. Whenever samples are split, a separate chain-of-custody record will be prepared for those samples and marked to indicate with whom the samples are being split.

Samples shall be maintained in a manner that preserves their chemical integrity from collection through final analysis.

Sample shipper will arrange for sample receipt.

After analysis, any remaining sample and all sample tags, labels and containers shall be held under chain-of-custody procedure until the Trustees indicate otherwise.

3. Minimum Requirements: Analysis

The applicable methodology must be referenced or described in detail in the SOP's for each measurement parameter.

Method limits of detection must be calculated by matrix and analyte.

Control of the analytical method in terms of accuracy and precision must be demonstrated.

Calibration must be verified at the end of each analysis sequence.

Samples must be quantified within the demonstrated linear working range for each analyte.

Standard curves must be established with at least 3 points besides 0.

Field blanks, procedural blanks, reference materials, replicates and analyte recovery samples must be run at a minimum frequency of 5 percent each per sample matrix batch.

Gardner

To : Christina, Lynette, Lani
From: Sharon Saari
Date: November 9, 1990
Re: Science interface with economic study

The communication system we have set up is working! On Nov. 5 Lani asked me to meet with Bob Unsworth about the proposed "script" for CV. I suggested that his shoreline oiling figure of 3200 miles looked very high to me and I would check.. I called the Alaska DNR and DEC and got ansewers varying from 500 to 1200 miles and told Bob that. On Nov. 8 I got a call from Dianne Lyles who said "who are these federal economists who are calling us and should we give them the data?" I explained what and why and she said OK she would call Bob back with the best available data they had in DNR, with the understanding that it will change as more data come in.



United States
Department of
Agriculture

Forest
Service

Alaska Region

F.O. Box 21628
Juneau, AK 99802-1628

Reply to: 1590

*recd. Nov 30
5 PM*

Date: NOV 29 1990

Mr. Robert L. Bruffy
Chief
Financial Management Group
Environment and Natural Resources Division
U.S. Department of Justice
Washington, D.C. 20530

RE: Interagency Agreement for Scientific Evaluations, Exxon
Valdez Oil Spill

Dear Mr. Bruffy:

This responds to your November 26 letter requesting approval of thirty individuals performing scientific evaluation services. As required under the November 23 Interagency Agreement regarding the procurement of expert services, I approve the use of funds provided under that agreement to compensate Donald Boesch, Charles Peterson, Douglas Robson, Donald Malins, and Robert Spies. I have reviewed your proposed employment of these individuals and conclude that their employment is reasonably necessary to obtain expertise and qualifications not available within the Department of Agriculture.

With respect to the other individuals listed in your letter, I cannot approve the payment of funds for these individuals without an identification of the specific projects or studies for which these individuals have been, or will be, providing services. In addition, until the Justice Department and the Federal trustee agencies develop an appropriate procedure for identifying individuals that will be providing services, and the agencies determine how the costs of these services will be allocated, I cannot approve the use of funds under the Interagency Agreement for the employment of these individuals.

Sincerely,

Mike Barton
MICHAEL A. BARTON
Regional Forester

*lack of adequate \$ for travel
u: Gary Peterson*

cc:
R. Maynard, OGC
R. Wilson, FPS
J. Wolfe, EAM

APPLIED MARINE SCIENCES, INC.

PO BOX 824
2155 Las Positas Court, Suite V
LIVERMORE, CA 94550
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Facsimile No. (415) 373-7834

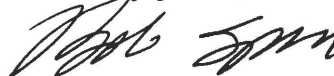
December 20, 1990

Dr. Donald Malins
Pacific Northwest Research Foundation
720 Broadway, Rm 511
Seattle, WA 98112

Dear Don,

I am writing to ask your help in interpretation of the hydrocarbon data from eagle blood samples taken in September of 1989. These data are reported in the 1990 draft damage assessment report, specifically in Table 17. The original data report should also have been sent to you previously, or available from Carol Ann Manen. Part of the argument for continued monitoring of eagles is based on these sort of measurements, that the authors interpret as indicating hydrocarbon exposure. I would like your independent assessment as to whether the author has come to the correct conclusions regarding exposure of eagles to hydrocarbons in this report. I believe that there are additional analyses on blood sampled in 1990 that we are awaiting. Please feel free to call if you have any questions.

Sincerely yours,



Robert B. Spies,
Chief Scientist
Exxon Valdez Oil Spill Studies

cc: S. Saari

RECEIVED DEC 31 1990



January 28, 1991

Ms. Gina Belt, Esq.
% GC DoJ DARC
7600 Sand Point Way, N. E.
BINE 15700
Seattle, WA 98115

Dear Gina:

In response to your phone call today, I am summarizing what we found, as of Friday the 25th, on the Bird Mortality Survey for Glen Ford at ECI. I am awaiting your instructions as to what to do with the original survey forms.

We talked to 25 people and found 20 who provided useful information on the search for dead birds following the spill. These people were aboard 14 different vessels from March through August 1989. By late June few birds were reported anymore. Seven of these people were working in the Kodiak area, five on the Alaska Peninsula, three in Prince William Sound and the rest from scattered locations.

Did the searchers avoid searching some habitats because of access problems or potential danger? Only four said no, they searched all types of coastal habitat thoroughly. Others, however, avoided the following areas: (listed from most to least avoided) exposed wave cut & rock terraces, large cobble & boulder, outer coastal beaches, and Kenai reef areas.

Did they recover birds in water? The majority said yes they did, but the number ranges from only a few birds to about 20% of those seen in the water. Few people picked up birds on intertidal flats.

How difficult were the birds to see? From air it was impossible, from boat very difficult; you had to actually walk the beach to find birds. On heavily oiled beaches, the birds were very difficult to see, about 20% were covered with oil and/or sand. Live oiled birds hid in bushes and were not observed easily. Most searchers felt they missed from 10 to 30% of the birds. Only two volunteers felt they got all of the dead birds. Most people reported seeing heavy scavenging by many species of birds and mammals.

Were the birds heavily or very heavily oiled? Thirteen of the 20 observers saw heavily oiled birds, and six of those said they saw very heavily oiled birds, almost obscured the fact they were birds. From 90 to 99% of the birds were heavily oiled in Prince William Sound and the Alaska Peninsula from April through early June. About

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30-40% were heavily oiled in the Kodiak area. About 30 to 100% of the heavily oiled birds were also covered with popweed.

Time was an important factor in collection and identification of bird species. Usually the beach searchers arrived on the beach from two days to two weeks after the spill hit the area. One guy searched up to three months after the spill. After the birds were collected and bagged, they typically sat on the beach or in the boat for a few days up to a week before pick up and delivery to the collection centers. About 25% said the bags sat from weeks to a month before they were collected or thrown out. Usually, the bags were covered with a tarp or put under cover in the boat.

Did you know of any birds which were collected but never got to a collection center? One worker reported they threw birds over the dunes before the clean up crew arrived. Another State Park Ranger said he video taped the burning of 700 birds... others heard this rumor, but one person saw this too. One searcher identified his 200 birds then tossed them behind the dune. Another reported 100 were buried on the site. Another person saw 80 to 100 dumped overboard into the ocean.

I would suggest that Ford contact John Piatt to get a copy of his report which apparently documents a lot of this stuff. Also, Ford should probably read the interview results himself to get information for his model assumptions. If you have any questions, please feel free to call me at 703-364-1622.

Sincerely,

Sharon Saari

cc C. Gardner DoJ and L. Dennis (Walcoff file)

APPLIED MARINE SCIENCES, INC.

PO BOX 824
2155 Las Positas Court, Suite V
LIVERMORE, CA 94550
Telephone No. (415) 373-7142
Facsimile No. (415) 373-7834

January, 31, 1991

Dr. Brian Rothschild
Chesapeake Biological Laboratory
University of Maryland
PO Box 38
Solomons, MD 20688

Dear Brian,

Thank you for chairing the recent meeting in Seattle on analysis of the data from the salmon and herring projects. From the notes I received and from Chuck Meachem's comments, it appears to have been a successful start to guiding the analysis of data from these projects. I wish I could have attended the meeting, but I was in Washington to describe our proposed program for 1991 to the Federal Trustee Agencies. Since I was unable to be at the meeting, I would like to discuss with you how the organizational aspects of this working group will be handled. It appears that you have things well organized, with assignments and deadlines for producing analyses. We need to reassure ourselves, and those that draw up the budgets for peer review, that the level of effort and costs of conducting these analyses by peer reviewers are appropriate. I know the activities of peer reviewers are not always predictable in advance and that goals can change as new information is discovered, nonetheless we need an estimate of the level of effort of the peer reviewers. We may need, for instance, to look hard at the necessity for constructing a herring life history model. What length of time and level of effort will be needed to carry this out? Will it really help us come to firmer conclusions of whether loss of early life history stages will result in an impact on the adult population?

I have discussed your proposal with the legal team to write a paper on the subject of damage to adult populations of fish from increased early life history stage mortality. It is possible to do this, but it must be a secondary product of your efforts. The primary goal is to fully develop your testimony. If as a result of developing your testimony, however, most of the material for writing such a paper emerges, then everyone will be happy. I have tentatively projected 450 hours for the coming year for you to develop your testimony. Please let me know if this is an appropriate estimate.

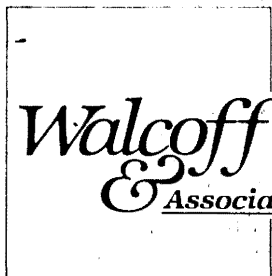
Thank you again for taking the lead in data analysis for fisheries. I look forward to hearing from you in the near future and working with you in this case.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Robert B. Spies". The signature is fluid and cursive, with the first name "Robert" being the most prominent.

Robert B. Spies
Chief Scientist

cc: B. Freedman
J. Nicol
C. Meachem
L. McCracken
S. Saari
G. Cecil
J. Henderson



February 8, 1991

Dr. Robert Spies
Applied Marine Science
P.O. Box 824
Livermore, CA 94550

Dear Bob:

Enclosed are the resumes of several ecologist-modelers who have experience in population models. These may be useful to do a Leslie Matrix model for the seabird data. Remember that Glen Ford, who is already under contract, is also an experience modeler. I assume you have received the resume of Dr. Dennis Heinman as well. If I obtain any more who look qualified, I will send them on to you.

Sincerely,


Sharon Saari

cc: C. Gardner, J. Nicoll, L. Dennis

TECHNICAL RESEARCH ◦ MANAGEMENT CONSULTING

635 Slaters Lane, Suite 102, Alexandria, Virginia 22304
Telephone (703) 684-5588 / Facsimile (703) 548-1111



March 1, 1991

Ms. Sue Lattin
CACI, Simpson Bldg.
Fourth Floor
645 G Street
Anchorage, Ak 99501

Dear Sue:

In connection with our task to acquire information on restoration for the Oil Spill Public Information Center, I contacted the Agriculture Extension Office at the University of Alaska. They are sending directly to Mary McGee the following publications:

Publication List (which I will review too)

An Oil Spill - 10 Years Later

Preliminary Look at the Effects of the Exxon Valdez Oil Spill on Green Land Research Natural Area, Alaska, USA

Ryegrasses: An Option for an Annual Forage Crop in Alaska (Bull.64)

Native Alaskan Pumpelly Bromegrass: Characteristics and Potential for Use

Evaluation of Plants Used for Stripmine Reclamation Near Healy, Alaska

All of the above are from the State publication, *Agroborealis*, which I believe is free and the OSPIC should probably get a subscription to this magazine from the Agricultural and Forestry Experiment Station at the University of Alaska in Fairbanks.

Sincerely,


Sharon Saari

cc: C. Gardner, C. Plisch, Walcoff file

TECHNICAL RESEARCH ○ MANAGEMENT CONSULTING

635 Slaters Lane, Suite 102, Alexandria, Virginia 22314
Telephone (703) 684-5588 / Facsimile (703) 548-0426

Lynette

Dr. David H. Cushing
198 Yarmouth Road
Lowestoft, Suffolk
England NR 4AB

Dear Dr. Cushing:

Thank you for your participation in the January 15-17 meeting on the fisheries impacts of the Exxon Valdez oil spill in the U.S. and the follow-up paper on herring, which you sent to Dr. Brian Rothschild. We sent those invoices for that professional service on to Bart Freedman, who represents the State of Alaska in contracting work.

Due to the recent signing of a preliminary settlement, this project is in an evolving stage, and we are not issuing any new contracts for work at this time. Until such time as you have a signed contract with Walcoff & Associates, for the U.S. government, or with the State, we have no authority to pay you for any more work on this project. Please do not do any more research or send us any more invoices until such a contract is authorized.

Again, please accept our appreciation for your efforts on the spill and our apologies for the contract misunderstanding.

Sincerely,

Lynette Dennis
Project Manager

cc: B. Rothschild, B. Freedman, R. Spies, C. Gardner, J. Nicoll

*Draft for your review
Sharon*



U.S. Department of Justice

Bill Bruffey

Washington, D.C. 20530

March 27, 1991

Via Facsimile

Joe Henderson
Senior Program Analyst
National Oceanic and
Atmospheric Administration
14th & Constitution Ave., N.W.
BF4- Room 6114
Washington, D.C. 20230

Re: Exxon Valdez -- NRDA Science Effort

Dear Mr. Henderson:

Reference is made to my letter to you of March 15, 1991, a copy of which is attached, for your convenience. We have now obligated the balance of available science funding for a junior scientist for Bob Spies (for approximately three months only). We are working with Dr. Spies to project the costs for additional NRDA science work, including continued peer review, a modeler, an atmospheric chemist, an inhalation toxicologist, ornithologists and performance of a bird scavenger study.

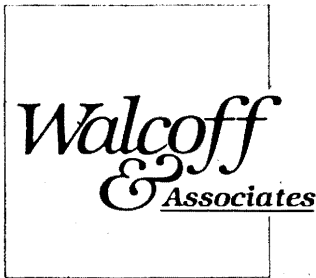
Please feel free to call me or Bob Bruffy if you have any questions regarding this matter.

Very truly yours,

Christina Gardner
Christina L. Gardner
Case Manager

Attachment

cc: Jim Nicoll
Bob Bruffy
Paul Gertler
Bob Spies
Sharon Saari



May 17, 1991

Dr. Robert Spies
Applied Marine Science
P.O. Box 824
Livermore, CA 94550

Dear Bob,

Enclosed are the short resumes of six atmospheric chemists for your consideration. I think Dr. Reynolds sounds the best on the phone. I rejected some others because of irrelevant research or they had worked for Exxon.

I have also enclosed three more resumes for the Junior Scientist position. In light of the great number of models you anticipate for 1992, should you reconsider the PhD from Georgia, Schoenberg or something? I think we should talk to Jim Nichol to see if he thinks he can explain models to a jury before we get too far into them.

Sincerely,


Sharon Saari

cc C. Gardner, G. Fisher, J. Nicoll, L. Dennis

U.S. Department of Justice

NOAA GC-DOJ DARC, BIN C15700
7600 Sand Point Way NE
Seattle, WA 98115-0070
(206) 526-6604

April 12, 1991

Dr. Brian J. Rothschild
Chesapeake Biological Laboratory
Box 38
Solomons, Maryland 20688

Re: EXXON VALDEZ Oil Spill -- Government Procurement
Procedures

Dear Brian:

There has apparently been some confusion regarding the retention of Dr. Oliver Cushing to perform work in connection with the EXXON VALDEZ fisheries damage assessment studies. The Department of Justice has asked that I clarify this matter.

Dr. Cushing attended a January 17-19 meeting in Seattle, and subsequently wrote a paper, which he submitted to you. The State of Alaska asked Dr. Cushing to attend the January meeting and paid his costs. Neither the State nor the Department of Justice, however, authorized Dr. Cushing to write the paper. Nevertheless, he submitted an invoice to the Department for \$7,500 that states that the paper was "commissioned by Professor B.J. Rothschild at the Seattle meeting." Neither the State nor the Department has funds available to pay for the paper. We are making every effort to ensure that Dr. Cushing is paid for his work, but attempting to obtain retroactive authorization for payment is creating considerable difficulties for the financial management unit at the Department.

It is important to understand that only a person with express federal contracting authority can contract for services on behalf of the United States. That means that you (and I, for that matter) have no authority to contract for services on behalf of the United States. Further, in the EXXON VALDEZ matter, the general rule is that only experts under contract to Justice or the State may be asked to perform work. Assigning work to experts requires a formal process initiated by Justice in coordination with the Management Team, based on the Chief Scientist's recommendations.

I appreciate that the government procurement process may be both foreign and frustrating for those who are unfamiliar with it. Nevertheless, failure to follow the rules can create great difficulties for a number of people, as well as possible legal problems. There is always the risk that the government will refuse to honor commitments made by persons who do not have the authority to enter into contracts. I would therefore appreciate it if in the future any requests for expert services be routed through Bob Spies. Please feel free to contact me if you have any questions. Thank you for your continuing assistance on the case.

Sincerely,



James L. Nicoll, Jr.
Senior Attorney
Environmental Enforcement
Section

cc: Christina Gardner

This fax is from

Walcoff & Associates

Phone: (703) 684-5588

Fax: (703) 548-0426

Date: 5-23-91

Project No.: 4700-021

To: Lynette

Company: _____

Fax No.: _____ Contact No.: _____

Name of Sender: Sharon

Number of pages including this cover page: _____

Comments: Spies wants invoices. I said no dec.
Draft letters for you to review +
sign? or CG to sign? ECI report
to Rita by Tuesday says Ford.

Dear Dr. Spies:

As you can see by the attached letter, we have asked the experts to copy you on their invoice letters describing their activities for the time covered by that invoice. This should make them more accountable to you. Note, sometimes one of the lawyers may ask them to do something. Walcoff is also going to send you monthly the computer tracking record which lists the experts, total hours allocated to them, amount used, and funds remaining, so you can follow their spending rates, and also be alerted to who may be running out of time when you need him for an upcoming task, so that we may have to reallocate hours to cover those unexpected needs.

The atmospheric chemist work has been approved, so when you chose among the resumes sent, please let Sharon Saari know so we can negotiate and get him under contract to start work as soon as possible.

Sincerely,

cc Christina Gardner, Jim Nicoll, Gary Fisher, Ken Schoppman

Dear "expert":

As the on again off again settlement for the Exxon Valdez case appears to be off again, we are proceeding with the science effort as if we will be going to court someday. As the case grows more and more people and agencies become involved, and if we begin the "discovery" phase soon, even more scientists will be needed. It is becoming more difficult to keep track of all the action and studies as they progress. Because of the large coordination effort which is needed, we have a few minor requests of you. Please let Walcoff know when you are traveling on behalf of this case, and then invoice Walcoff promptly after you have performed services on behalf of the government. Please state in your cover letter with the invoice what you have been doing in those hours billed and at whose request. Please send a copy of that letter to Bob Spies. We realize that some minor billing is just going to be for you to keep up with professional literature as it relates to the Alaska spill or to read certain reports relating to this spill. Thank you for your patience as we have transferred this peer review effort from DOJ to Walcoff and as we gear up for discovery when it starts.

Sincerely,

cc Christina Gardner, Gary Fisher, Jim Nicoll, Robert Spies

PURDUE UNIVERSITY



SCHOOL OF VETERINARY MEDICINE

May 23, 1991

Ms. Sharon Saari
Walcoff & Associates
635 Slater Lane
Suite 102
Alexandria, Virginia 22314

Dear Sharon:

Thank you for the information regarding contracting a student to assist me with research. The student that I would like to hire is Bryce Gardner, a graduate student in mechanical engineering.

At the present time I anticipate needing his assistance for approximately 25 hours over the summer, and I would like to pay him \$11.00 per hour. This is a rough estimate of my needs, and I would like to have the option of contracting him for additional hours if the need arises. The cost as I calculate it would be approximately \$275.

My secretary informed me that it is necessary to submit my request for approval. I would appreciate notification as soon as possible because I have research that I would like Bryce to begin right away. Please contact me to confirm the arrangement and please provide the necessary paperwork to be completed by the student.

Thank you again, Sharon, for your assistance.

Sincerely,

A handwritten signature in cursive script that reads "A. H. Rebar".

A. H. Rebar, DVM, PhD
Associate Dean for Research

AHR/ng

C: Bryce Gardner



Walcoff
& Associates

COPY

August 7, 1991

Jim Nicoll
Damage Assessment
GC DOJ DARC
7600 Sand Point Way N. E.
BINE 15700
Seattle, WA 89115

Dear Jim:

Enclosed are five marine mammal and seal expert resumes for your review and selection. The Marine Mammal Commission recommends Ken W. Pitcher, who is with Alaska Fish and Game in Anchorage; you may want to invite him to the meeting. Brent Stewart is available on the 14th and 15th, and Hubbs already has a contract with NOAA/EPA on this case ... may be the RPWG literature review. Let me know whom you select so we can make travel arrangements ASAP.

Sincerely,

Sharon
Sharon Saari

cc G. Belt, G. Fisher, C. Gardner, R. Spies, L. Dennis

TECHNICAL RESEARCH ◦ MANAGEMENT CONSULTING

635 Slaters Lane, Suite 102, Alexandria, Virginia 22314
Telephone (703) 684-5588 / Facsimile (703) 548-0426

Walcoff
& Associates

COPY

August 5, 1991

Dr. Robert Spies VIA Express Mail
Applied Marine Sciences
P.O. Box 824
Livermore, CA 94550

Dear Bob:

Enclosed are five resumes of common murre and seabird experts for your selection as potential experts and to attend the meeting on murrens at the end of the month. Note George Hunt is already under contract, and Dennis Heinemann has just been put under contract through ECI to Walcoff. Stan Senner recommends Tony Gaston from Canadian Wildlife Service; we will only have to pay his travel and expenses but not any salary. Please let me know when you have decided, so travel plans can be made and confidentiality agreements signed.

Sincerely,

Sharon
Sharon Saari

cc Gina Belt (whole package via express mail)
J. Nicoll
C. Gardner
G. Fisher
L. Dennis
S. Senner
C. Gorbics

TECHNICAL RESEARCH ◦ MANAGEMENT CONSULTING

635 Slaters Lane, Suite 102, Alexandria, Virginia 22314
Telephone (703) 684-5588 / Facsimile (703) 548-0426



OIL SPILL RESTORATION PLANNING OFFICE

437 E Street, Suite 301 Anchorage, Alaska 99501
(907) 271-2461 FAX: (907) 271-2467

18 July 1991 DATE *Meet Aug 27/28*

TO: Sharon Saari
Walcoff

PHONE _____ FAX 703-364-2040

FROM: **STAN SENNER**
ALASKA, DEPT. OF FISH AND GAME

PAGES (INCLUDING COVERSHEET) 1

*phone
Spies
wants
Gaston
8/6/91*

MEMO:

- (1) Regarding participation by Brian Sharp and Dennis Heinemann in the murre synthesis meeting, I will defer to Bob Spies on that. It is really his meeting, so I wouldn't want to say.
- (2) There is one person that I am trying to recruit for the meeting, and his name is Dr. Anthony J. Gaston. Bob is aware of this, and is agreeable to having his participation. I have not yet been able to connect with Gaston, but I have left a message on his tape. You may want to also try to connect to see if he is available. We may not have to pay him, because he is an employee of the Canadian Wildlife Service. Here are the details:

*Fed. Exp.
Nat Wild Res Cent
100*

Quebec
Dr. Anthony J. Gaston
Canadian Wildlife Service
Ottawa, ON K1A 0H3 CANADA
819-997-6121
953-6612 (fax)

*left mess mailed
need to pay travel
& expense*

or 671-0348

Gaston is probably the leading authority on murres in North America.

*also see Heinemann - model murre ✓
Murre - Alan Springer ✓
✓ FWS - John Trapp 304-263-7539-h 703-358-1821 aff.
ask Geo Hunt? ✓*

August _____, 1991

[addressee]

Re: Exxon Valdez Oil Spill -- Case Preparation

Dear _____:

As you are aware, the disputes arising out of the Exxon Valdez oil spill are now matters of both criminal and civil litigation. Damage assessment must continue apace while the legal team prepares to present findings and conclusions in court. In this environment, more than ever, it is imperative that information regarding the nature and level of your effort flow among appropriate parties so planned activities, accomplishments and funds can be monitored effectively.

To promote this information flow, we request that, if you do not already do so, you:

- (1) Notify Sharon Saari of Walcoff & Associates promptly when you are required to travel in conjunction with this matter.
- (2) With each invoice, include a description and breakdown, by hour, of the services for which you are invoicing. [Bob, do you want a breakdown hourly or some other way? Please let me know.] We will forward your report to Dr. Spies, so he can review and sign off on the invoice before payment.
- (3) Invoice Walcoff promptly for your services and any costs incurred, especially travel expenses.

Please continue to contact Sharon Saari at (703) 364-1622 as you have questions regarding your support to this matter or need assistance from us. We look forward to working with you and thank you in advance for your continuing cooperation.

Sincerely,

LCD

cc: Christina Gardner
Jim Nicoll
Gary Fisher
Gina Belt

D. Spies



THE RAPTOR CENTER
At the University of Minnesota

RECEIVED AUG 12 1991
August 8, 1991

Ms. Sharon Saari
Walcoff and Associates
635 Slaters Lane
Suite 102
Alexandria, VA 22314

Dear Sharon:

Thanks kindly for your thoughtfulness in forwarding the article on peregrines in Alaska to me. They undoubtedly one fine bird and its nice to read a report about how well they are doing. We had good success with them in the midwest this year also, with some 30 pairs fledging about 37 youngsters; we also released an additional 110 birds.

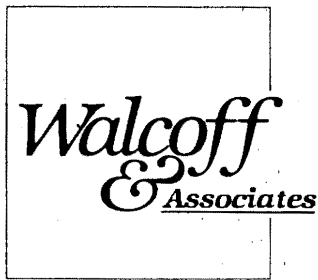
I have signed the Walcoff contract -- in fact I forwarded a copy way back in March for which I received an acknowledgement. Oddly enough, I received another copy and a request to sign it last week -- well, I guess things get lost in the shuffle from time to time.

In any case, thanks again for the clipping and should the occasion arise wherein I am asked to serve as an expert witness, I shall look forward to seeing you.

Very sincerely,

Patrick T. Redig DVM, PhD
Associate Professor
Director, TRC

cc. file



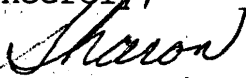
August 20, 1991

Dr. Robert Spies
Applied Marine Sciences, Inc.
P.O. Box 824
Livermore, CA 94550

Dear Bob:

Last week we sent you five resumes for a marine ecologist with a specialty in oil pollution from our existing peer reviewer "stable". Enclosed is one more, Dr. John Teal, from Woods Hole, who would be a new peer reviewer if chosen. Note he is the only one with over twenty years of experience with the impacts of an oil spill... the West Falmouth spill.

Sincerely,


Sharon Saari

cc: C. Gardner, G. Fisher, J. Nicoll, R. Jacobson



UNIVERSITY OF ALASKA FAIRBANKS

Biology and Wildlife

211 Irving Building, Fairbanks, Alaska 99775-0180, (907) 474-7671

September 19, 1991

Ms. Sharon Sauri
P.O. Box 1018
Middleburg, VA 22117

Dear Ms. Sauri:

A few weeks ago I received a message that you phoned saying that I would not be asked to serve as an Expert Witness on U.S. vs. Exxon evaluating damage assessment to seabirds. I expected some type of a follow-up letter, but I've received none to date. Would you please provide information about who is deciding who will be an Expert Witness, the present list of Expert Witnesses and whether or not it is likely or possible that I will be asked to serve as an Expert Witness at some future time.

Thank you very much.

Sincerely,

A handwritten signature in black ink that reads "Edward C. Murphy".

Edward C. Murphy
Assoc. Prof.

Walcoff
& Associates

Gina Belt - review expert. What
DRAFT for your input
He was a got the job
Heenemann do you think?

October 4, 1991

Dr. Edward C. Murphy
Associate Professor
Biology and Wildlife
University of Alaska
211 Irving Building
Fairbanks, AK 99775-0180

Dear Dr. Murphy:

Thank you for your letter of interest in the expert witness program for the Exxon Valdez case. I am sorry we cannot provide you a list of our federal expert witnesses, as that information is confidential due to potential litigation. My job was to collect resumes of potential experts such as yourself and forward them to the Department of Justice. Representatives of DOJ and attorneys chose the experts, not Walcoff and Associates. The position you were considered for was filled by another expert. Your excellent qualifications were reviewed, and we would like to keep your resume on file, should a need arise for your expertise in the future. Thank you for sending us your resume in a timely fashion.

sensitivity.

If you have any further questions, please call Ms. Gina Belt (DOJ) in Anchorage (907) 278-8012 or me at (703) 364-1622.

Sincerely,

Sharon Saari

cc G. Belt, G. Fisher, P. Stiness

TECHNICAL RESEARCH ◊ MANAGEMENT CONSULTING

635 Slaters Lane, Suite 102, Alexandria, Virginia 22314
Telephone (703) 684-5588 / Facsimile (703) 548-0426



October 4, 1991

Dr. Edward C. Murphy
Associate Professor
Biology and Wildlife
University of Alaska
211 Irving Building
Fairbanks, AK 99775-0180

Dear Dr. Murphy:

Thank you for your letter of interest in the expert witness program for the Exxon Valdez case. I am sorry we cannot provide you a list of our federal expert witnesses, as that information is confidential due to its litigation sensitivity. My job was to collect resumes of potential experts such as yourself and forward them to the Department of Justice. Representatives of DOJ and attorneys chose the experts, not Walcoff and Associates. The position you were considered for was filled by another expert. Your excellent qualifications were reviewed, and we would like to keep your resume on file, should a need arise for your expertise in the future.

Thank you for sending us your resume in a timely fashion.

If you have any further questions, please call Ms. Gina Belt (DOJ) in Anchorage (907) 278-8012 or me at (703) 364-1622.

Sincerely,

Sharon Saari

cc G. Belt, G. Fisher, P. Stiness

October 18, 1991

Jim Nicoll
CG DOJ DARC
Damage Assessment Center
7600 Sand Point Way, N. E.
Bine 15700
Seattle, WA 98115

Re: Exxon pathologists and toxicologists

Dear Jim:

You requested we find a pathologist to assist the State with histopathology, review tissue slides for harbor seals, and coordinate with the Armed Forces Pathology Lab reviewers for the Exxon case. Enclosed are the resumes of Terry Spraker, Richard Kocan, Alan Rebar, Mirium Anver, and Joseph Geraci.

You also asked us to find potential candidates in toxicology. Enclosed are the resumes of Ilene Danse, Gordon Edwards, John Budny, Norbert Page, Lee Shugart, and Sam Petrocelli. While they are all good, none seems as qualified to me as Ron Kendall and his staff who specialize in wildlife toxicology.

Note that Spraker is a State expert, and Kocan, Rebar, Geraci, and Kendall are already federal experts. Brighton said today that he prefers we wait on these, and does not think we should hire any more experts. Trustees can hire pathologist if they need one. I will call Bart and tell him. File the resumes.

Sincerely,

Sharon Saari

cc: Spies, Stiness, Dennis letter only

JAMES D. FRASER
709 MCBRYDE DRIVE
BLACKSBURG, VIRGINIA 24060

October 13, 1991

Sharon.
FII.
Ken.

Ms. Sharon Saari
Walcoff, Inc.
635 Slaters Lane
Suite 102
Alexandria, Virginia 22314

Dear Sharon:

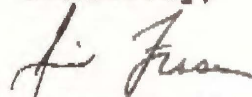
Enclosed please find my invoice for my recent trip to Alaska, plus some work that emanated from that trip. Please note that the Anchorage portion of the trip was canceled by the attorneys involved after the news of the settlement. This worked out fine, though, since the analytical work with the PI took longer than anticipated.

Please contact me if you have any questions.

I understand that the status of the work is under review due to the settlement. Because I believe that additional consultations between me and the PI will be useful to the investigation as the data analysis continues, I would appreciate it if you could tell me as soon as possible if additional hours of consultation beyond those on this invoice are permissible.

Thanks for your help with this.

Sincerely,



James D. Fraser

RECEIVED OCT 17 1991

October 18, 1991

Ms. Lisa Polisar
DOJ Litigation Support Group
601 Pennsylvania N.W., Room 5104
P.O. Box 685
Washington, DC 20044

Re: Exxon expert support

Dear Lisa:

Enclosed are selected pages from the Exxon Plea Agreement, Consent Decree and the Governments' Memorandum in Support. These pages discuss the release of scientific data and what restoration funds are to be used for certain studies. This could be used as a "package" to send to our experts to bring them up to date, if you wish.

Sincerely,

Sharon Saari

cc: Spies, Stiness, Dennis

Dr Stanley E. Senner
P. O. Box 101193
Anchorage AK 99510

2234 NE 9th Av
Portland, OR 97212

December 15, 1991

Dear Stan:

First, I enclose a copy of my recent letter (dated 12/7/91) to Bob Spies containing some general comments on the damage assessment-cum-restoration meetings last week in Anchorage. One thing in connection with that letter that intrigues me: if the trustees intend to open up restoration planning to the public, which they did not do for damage assessment as you know, doesn't that imply that the results of damage assessment need to be made available to the public also? So that they can participate in restoration planning in an informed manner?

I'd like to draw your attention to Item 7 of my letter of December 7 (to Spies). Perhaps the best use of the settlement money is a bold encompassing proposal rather than the "continued monitoring" proposals you are receiving. I wonder what the trustees and the public will suggest for restoration.

My main purpose in writing to you is to put down on paper my thoughts on the proposal to "restore" oiled mussel beds. As it stands, the proposal seems to be inadequate in one important respect, i.e., in that it fails to incorporate available information on the subject of mussels (of biology, damages, alternative recovery methods, and time to recovery under the available alternatives) into the proposal.

That this has not been done so far is in large part a result of the data not having been available until last week's meeting, as well as to the fact that there was no mussel focus per se. Much data from Coastal Habitat, and many of the hydrocarbon analyses, have not, and in some cases still are not, worked up. A mass of data, however, are now available, and this is our first opportunity to pull it together on an ecosystem basis. The intertidal zone constituted one whole area of investigation, and the large number of measured adverse impacts now need to be related to one another, so that as complete a picture as possible can now be formed of what has happened, and what is happening in the intertidal zone. This synthesis is a major undertaking in itself. So far the responsibility for taking it on has not been assigned. I have seen this as a responsibility of both the principal investigators and the peer reviewers so far, and have tried to do as much of it as I could, subject to the availability of the data.

As I said, this integration has not yet been done for the intertidal zone, or even for mussels in particular. There

is an opportunity to do so now, now that at least some of the data have been presented.

Despite the fact that many hydrocarbon analyses have not been run, or if run, have not been worked up, and despite Coastal Habitat Study 1 not having presented data on shorelines other than rocky shores, there is actually a body of information from the various damage assessment studies that relate to mussels. My contention is that these need to be pulled together as a prerequisite to undertaking further cleanup, i.e., that they be the first stage of any restoration proposal, and that subsequent stages be contingent upon the results of the first stage.

Mussel data available include the following:

- * Data from Highsmith et al on mussel densities and biomass on sheltered rocky shores. These indicate that at paired sites sampled in Prince William Sound and along the Alaska Peninsula, mussel biomass and/or density is reduced on oiled areas. (This was not true of Kenai Peninsula, it is thought because of the choice of sampling locations.) The observed mortality suggests that thinning out of mussel beds may be occurring. It would be useful to obtain maps of the distribution of the sampling sites to see where samples have been taken, for the purpose of assembling all the available data on mussels in one place.

- * Data on hydrocarbons in mussels (Karinen, Rice). All available data should be brought together, to obtain a complete picture of levels of contamination, and changes in levels of contamination 1989-1991. There are also other hydrocarbon analyses that have a bearing on the subject and should be looked at, e.g., from fish studies. Once again, the distribution of all the sites from which samples are available needs to be mapped.

- * Data on other intertidal organisms that have a bearing on the subject, e.g., the Fucus data.

- * Data on subtidal organisms that have a bearing on mussel damages and/or contamination, e.g., clams. As above, the distribution of the sampling sites needs to be mapped.

- * Data on sediments that have a bearing on contamination levels in adjacent intertidal zones. Once again, the distribution of the sampling sites needs to be mapped.

- * Data on levels of microbial activity that have a bearing on the levels of contamination in intertidal organisms, and changes over time. Joan Braddock found a delay in microbial activity in sediments until 1990, also pockets of high microbial activity in 1991. The distribution of her sampling sites needs to be looked at and assessed in

relation to the question of hydrocarbons contamination in mussels. Further microbial work seems to be indicated as a component of the planning part of the restoration proposal.

* Relevant data from the literature on mussel biology and ecology needs to be brought to bear on the proposal.

* Intertidal responses to cleanup treatments that were employed in 1989 and 1990, ditto.

* Relevant literature on the recovery elsewhere of denuded mussel beds needs to be reviewed.

These are some of the main considerations. It is only until all this work is done that we can get a picture of:

- a) the biology of the organism (Mytilus edulis) that we are dealing with;
- b) the sampling that has been done to date in the last three field seasons (distribution of sampling sites);
- c) the number and distribution of samples taken but not analyzed;
- d) the effects of the spill that have been documented;
- e) the trends of the damages (increasing, decreasing, no change) and what the trend data tell us of the probabilities of continuing damages or recovery;
- f) the efficacy and likely effects of treatments (to be) employed.

A study of existing information seems to me prerequisite to doing further work that may duplicate what has already been done, or undertaking irretrievable actions that may or may not be indicated by the data. I hope that this fusion analysis can be accomplished before embarking upon a potentially damaging restoration project that involves the eradication of the mussel beds.

I am still in the process of thinking about black oystercatchers (and other bird users of the intertidal--shorebirds, harlequin ducks) in connection with this proposal. This letter is long enough already, so rather than extend it, I will send you my suggestions on oystercatchers and other shorebirds after further consideration. I thought it important to establish a contextual basis for thinking about the mussel aspects of the restoration proposal before any decisions are reached.

Sincerely,

Brian E. Sharp

cc. Pete Peterson
Robert Spies
Michael Fry
Andy Guenther
Brad Andres

Sham Saari

Dr. Robert Spies
Applied Marine Sciences
Box 824 Livermore CA

2234 NE 9th
Portland, OR 97212

December 7, 1991

Dear Bob:

Here are my comments on the 1991 NRDA/Restoration meeting in Anchorage, for the sessions I attended December 3-6.

- 1) Conducting an incisive, meaningful review of the data provided by the bird damage assessment studies was hampered by the reports not having been received until immediately prior to the meeting. A few days review time should be allowed for preparation of the review.
- 2) It was equally difficult to comment intelligently on restoration proposals because these also were not reviewed prior to the meeting.
- 3) The damage assessment review process is incomplete because some damage assessment studies have not presented all their data:
 - a) Results of the current year's work were often not presented. Sometimes data from 1990 and sometimes even from 1989, are not available. The non-availability of hydrocarbon data for the earlier years has been a particular problem, as you know.
 - b) It is common to many studies that they have not looked at, or presented available data on, damages outside of Prince William Sound. The bald eagle study (B4) has apparently now attempted to rectify this problem. Boat surveys (B2), pigeon guillemot (B6), marbled murrelet (B9), and harlequin (B11) are still deficient in this regard.
- 4) This problem was not confined to the Bird Damage Assessment studies. Large segments of data were missing from Coastal Habitat, for example.
- 5) It seems peculiar to me that further funding is being requested in restoration packages to finish the analysis of damage assessment data for which funding was at least implicitly, and probably in most cases explicitly provided to report on the work.
- 6) To the extent that data from damage assessment studies have not been reviewed, and a final assessment of the damages arrived at, in some cases it is difficult to determine whether the restoration projects met the first criterion for acceptance, i.e., "consequential damage." Consideration of restoration proposals is occurring prior to the completion of damage assessment.

7) Many of the restoration packages seem to involve "monitoring." Few restoration projects actually benefit or "restore" the resource. The term "restoration" is in most cases a misnomer and gives the public the misleading impression that something is going to be done to restore the damaged resources, when in fact most of the proposed restoration appears less than significant from a resource point of view.

Perhaps the study-by-study approach to restoration should be reconsidered and replaced by a larger-scale effort that will accomplish something visibly worthwhile. A national park in Prince William Sound, for example, might be a better use of this year's and future year's available settlement funds.

8) In the light of new information, there is now a greater need for integration of data from the various damage assessment studies, in a number of different arenas. This is a particularly pressing need for B11, B12, and Coastal Habitat, Subtidal and Air/Water studies which provide data on damages to and hydrocarbon contamination of the shoreline environment. Mussels are one species that is of particular concern. At this meeting some of the quite extensive data on mussels collected by Coastal Habitat were presented. Ray Highsmith presented data on mussel biomass and abundance in oiled and unoled areas throughout the EVOS-affected area (PWS to AP), but for only one habitat type (sheltered rocky shores). Jeep Rice has 95 hydrocarbon samples in mussels; however, only 24 of these have been analyzed. John Karinen also presented data on mussel contamination. The Herring Bay group probably has additional mussel data. Joan Braddock presented information on microbial activity, and toxicity information was presented by Doug Wolfe. It was disappointing to learn from Rice that no data on damages to mussels (e.g., mortality) were collected by Coastal Habitat at any time (?) during the past three years to corroborate the data on mortality in mussel beds collected by Sharp for B12 in 1989. Exxon has mortality and perhaps other data on mussels.

It is imperative that all of the readily available data on mussels--distribution of sampling sites, density, biomass, size distributions, hydrocarbons, mortality, etc., be assembled in one place, to assess the damages to mussels themselves, and to ecologically interrelate those effects into B11 (harlequins) and B12 (shorebirds-black oystercatcher) as well as the sea otter NRDA studies. Mussel data collected but not yet presented also needs to be obtained from the principal investigators. Relevant data on other intertidal and subtidal studies (for example, sediments, clams) should also be brought into the picture as appropriate. This integration is not only needed for damage assessment reasons. It is also prerequisite to

consideration of restoration proposals involving Coastal Habitat, B11, B12, sea otters, and perhaps others.

This raises the question as to whose responsibility it should be to integrate these Coastal Habitat, Subtidal, and Air/Water data into the higher trophic level studies. The task will take some time, probably more than I have available to devote to it at the present moment.

Participation of the peer reviewer for Coastal Habitat would seem appropriate. An assignment evidently needs to be made. I think we need to discuss this.

9) It is becoming apparent that despite the Exxon cleanup effort, oiling of mussel beds is persistent and worse than expected. I wrote to you about the ineffectiveness of the Exxon cleanup effort in my letter of October 30, 1991 vis-a-vis Judge Holland's reason for accepting the settlement. A separate meeting was held on 12/6/91 to talk about a restoration proposal for mussel beds, which proposes the actual eradication of oiled beds. There appears to be considerable pressure for the proposal to go forward without first considering the available data from the damage assessment data on mussels (outlined in the previous paragraph), which may indicate the extent of the problem, the seriousness of the problem, the impacts of the proposal (likelihood of further damages), and suggest alternatives, including the likely mechanism of recovery without human intervention.

I will address this subject in greater detail under separate cover, I hope soon.

11) B1 (Bird Study 1): In previous letters to you, Glenn Ford, and Michael Fry, I have commented on the remaining sources of over- and under-estimation in the final B1 calculation of mortality of seabirds from EVOS. In retrospect, I should have taken some of the management team's time to provide some details of the directional biases so that they could judge for themselves the extent to which they could rely upon the conservatism of the estimate.

In this connection, I was surprised by FWS' (Paul Gertler's) comment as to the likelihood of the scavenging rates being overestimated. This is apparently Gertler's own, and not a peer-reviewed opinion. Michael (Fry) and I certainly disagree. The comment seems not to have been based on any internal FWS analysis or review of B1 (Kent Wohl, pers. comm. 12/3/91). Gertler (pers. comm. 12/4/91) hypothesized satiation as the mechanism that would have resulted in lower scavenging rates during 1989, but this appears unlikely, due to the great lengths of shoreline along which carcasses came ashore, the lengths of time involved, and the resulting density of carcasses in relation to the large populations of scavengers in the EVOS area. It was the considered opinion

of the principal investigator (Glenn Ford) and this reviewer that the scavenging rate may in fact have been conservatively estimated, for the reasons given in the report. In addition, the principal investigator addressed the possibility of satiation but found no evidence of it. If the scavenging rate used in the model was thought to be too high despite these indications, it could have been suggested as subject that ought to be re-examined. Having been presented as a statement of fact, the confidence of the management team in the estimate of the total mortality may have been undermined.

12) I noted that there was no discussion of the presentation of the newly discovered damages to salmon along the Kenai Peninsula. Jerome Montague (pers. comm. 12/6/91) indicated that the monetary effect of these damages will be about \$120-150 million per year, and that the effects might well last for several years. These unanticipated damages suddenly focus attention on both the financial amount of the settlement itself, and on the re-opener clause of the settlement, which limits any additional liability by Exxon to \$100 million.

I also noticed there was no discussion as to when the damage assessment data will be made available to the third party litigants and to the public. I suppose that this is a matter for the trustees to decide.

Sincerely,

Brian E. Sharp

Dr. Robert Spies
Applied Marine Sciences
Box 824 Livermore CA

2234 NE 9th
Portland, OR 97212

December 15, 1991

Dear Bob:

This is by way of an afterthought to my letter of December 7. In the last paragraph of that letter, I touched on the timing of the release of data to the public and/or third party litigants. If the trustees intend to open up the restoration planning process to the public (which of course was not done with damage assessment), this implies that the results of the damage assessments will need to be made public also. This seems to be a logical necessity since restoration has to be based on an indication of damages. The public needs the damage assessment data to participate in an informed manner in restoration. Opening up restoration planning to the public thus opens up access to the damage data.

I enclose a copy of a letter to Stan Senner on the oiled mussel bed restoration proposal. My two basic tenets are that the damage data on mussels should be examined before embarking upon an ambitious cleanup project that threatens to do further damage, and that alternatives need to be considered.

Sincerely,

Brian E. Sharp

cc Michael Fry

Ms. Sharon Saari
c/o Walcoff and Associates
635 Slater's Lane
Alexandria, VA 22314

223 NE 9th Av
Portland, OR 97212

December 16, 1991

Dear Sharon:

In our phone conversation today, you mentioned that since the Exxon Valdez settlement, the need for continuing involvement by the Department of Justice has been questioned. I think the question needs to be carefully examined. I suggest that the following three considerations are important:

1) To fulfill the terms of the settlement, the data from the damage assessment studies need to be made available to the third party litigants and the public. It is therefore essential to finalize the damage assessment reports. There are still problems with many of those, and review will be necessary.

2) Since much of the damage assessment data have only recently become available, there is now a need, and for the first time the opportunity, to integrate data from related studies in different disciplines. This is an important part of the finalizing damage assessment, but responsibility has not been assigned. Principal investigators and peer reviewers are possibilities.

3) The damages from the Exxon Valdez Oil Spill now appear to be greater than were known to the trustees at the time of settlement. Moreover, since many of the restoration proposals being considered are in effect ongoing damage assessment, additional revelations of damages are to be expected in the future. In view of these ongoing and additional damages, I foresee either the reopening of the settlement under the reopener clause, or even, since the public was excluded from the settlement decision-making process, the possibility of a challenge to the adequacy of the settlement itself. Either way, the settlement does not put an end to the damages, which are continuing and greater than expected, or to the Department of Justice's probable continuing involvement, and it seems therefore ill-considered and premature for DOJ to withdraw as a player from the case.

RECEIVED DEC 20 1991

For the above reasons, DOJ might want to maintain a level of expertise and familiarity with the settlement process. A peer review capability would be important to assess both damages that have been documented and unexpected new damages, so that they can act in a scientific advisory capacity to the Department of Justice. Without a scientific advisory capability, the DOJ would be operating in the dark.

Sincerely,

Brian E. Sharp

Brian E. Sharp

cc. *Bob Spies*

bcc *Stiness DOJ*

Walcoff
& Associates

January 9, 1991

Cynthia Plisch
Department of Justice
Room 5100
601 Pennsylvania Avenue, N.W.
Washington, DC 20004

Dear Cindy:

I have enclosed a number of resumes and qualifications of firms to assist in development the DoJ repository system design. Note that John Jordan's "repository" is a hole in a mountain for nuclear waste ... not the same type of repository. I have selected a few small well-qualified firms in the Washington, DC area, e.g., Eckard and Peleri Corp., as well as Anchorage, e.g., Alaska Microsystems, Comp-U-Ease, and Micro Age-Trans Alaska. If these do not suite, the Special Library Association has a consultant database; see attached example under database design consultants.

If you have any questions, I will return to the U.S. on January 21st.

Sincerely,

Sharon Saari
Scientific Assessment Manager

cc: L. Dennis
C. Gardner, DoJ

TECHNICAL RESEARCH ○ MANAGEMENT CONSULTING

635 Slaters Lane, Suite 102, Alexandria, Virginia 22314
Telephone (703) 684-5588 / Facsimile (703) 548-0426

RECEIVED MAR 0 1 1991

APPLIED MARINE SCIENCES, INC.

PO BOX 824
2155 Las Positas Court, Suite V
LIVERMORE, CA 94550
Telephone No. (415) 373-7142
Facsimile No. (415) 373-7834

February 22, 1991

Dr. Donald Siniff
Department of Ecology, Evolution and Behavior
University of Minnesota
109 Zoology
318 Church Street S.E.
Minneapolis, Minnesota 55455

Dear Don,

I am writing to ask your help in reviewing the findings from the river otter investigations conducted in connection with damage assessment from the *Exxon Valdez* Oil Spill. The results of this study are reported in the enclosed manuscript by Duffy et al. Additional information is also available from Dr. Boyer at the University of Alaska, Fairbanks [(907) 474-5311] and from the 1990 Study Plans and Study results. The authors found a difference in weight/length for river otters from an oiled area (Herring Bay) compared to an unoiled site (Esther Passage) and a difference in serum haptoglobin concentrations. Information and data not reported in this manuscript and but available from Dr. Boyer relate to movements of telemetered animals and scat analysis.

Part of the process of developing evidence for potential litigation or in settlement negotiations is a review of study results by independent experts. Since you are helping us with the sea otter population studies, I hope that you would be willing to also help us with review of this study. The authors have recently requested an increase in this study to about 450 thousand dollars for the coming year and we would like to have your opinion if the results to date indicate damage and if this study should be continued at the proposed level of funding.

Would you please undertake a review of the ecological aspects of this study at your earliest convenience ?

If you have any questions in this regard or some of the materials are not available to you do not hesitate to call me at the above number. If it would be helpful, I can arrange a conference call between several of us involved in this matter. In any case, please call me to discuss the completion date for this review. Thank you in advance for your assistance.

Sincerely yours,



Robert B. Spies
Chief Scientist
Exxon Valdez Oil Spill Studies

cc:

J. Faro
T. Boyer
S. Saari
D. Siniff
J. Nicoll
B. Freedman
R. Nowlin

October 9, 1990

Dr. Robert Spies
Applied Marine Science
P.O. Box 824
Livermore, CA 94550

Dear Bob:

I have redrafted the language in the contract to you to show tasks specific to the State and specific to DOJ, and that contract is being written to you as an individual. It should be in the mail soon.

I have a random list of comments on your overall schedule. I have looked at it basically as a clue to our DOJ experts' roles for the development of contracts with them on this science review. I have to balance this with what they think it will take in terms of time. The overall total of some 3,000 hours looks good, but I hope it is not an underestimate of the work to be done.

For Malins, I do not think you gave him enough time for a review of the hydrocarbon data and analysis. I gave him another month, which is still less than he wants. For Costa, you did not give him enough time for field work. I will have to look at his invoice, but I think he needs a couple of months (hindsight). By the way, did Siniff do any otter field work?

For Eberhardt, the Oct. 1 start is a myth, due to the budget crisis in the federal government in October... October 30 looks more realistic. Eberhardt needs another 200 hours for the statistical review and other marine mammal work, according to Bart. If not Eberhardt doing the task on stat critique, then who? Robson or Green? I think they need at least a week to do that (40 hours).

John Ford's schedule looks OK, but I gave him another 24 hours and two trips to Alaska, if he might check on the photo identification process as well. On the harbor seal project, we may be able to drop the "new expert", if NOAA has the data. Let me know so I can start a search for such an expert. Also, I don't think you gave the seal people enough time to write a product.

Finally, I have some suggestions for experts available to help. On the bald eagle research, either Fraser or Redig could resolve the survey with nest location issue. Also Kendall may be useful to do the sea duck fat scores. We have the resume file on these and some other science experts for this purpose.

Hope the steelhead were running and you had luck. I told the Copper Whale to hold a room for you. See you on the 18th, and I will get with Diane next on the agenda for the coastal oiling work to begin as soon as possible. I invited Tom Jennings and Mike Mitchell to join us on that meeting with Diane Lyles.

I have enclosed a partial list of the names and addresses of the Principal Investigators to be used both for the letter to PIs about the oiled habitats, and also to give to Rebecca in Anchorage, so they have access to the files. I know you have a better or more complete list since you mailed out the database questionnaire to them. Can we share?

Sincerely,

Sharon Saari

cc Dennis, Gardner, Nicoll

Lynette- Phil wants us to draft a letter to experts to remind them of confidentiality agreements, because somebody from Fish and Wildlife Service did publish in December. So, here is a draft, change however and send on to Phil for his review & approval. SS

Dear Expert:

As you know, in October 1991 the federal and State governments settled the Valdez oil spill case with Exxon, and the restoration efforts will go on for the next ten years under terms of the settlement. You may have seen a publication on this spill in the December 13, 1991 issue of Science, written by a government employee. Some of the experts and principal investigators have been asking why can't we publish our results? And when?

Under the settlement terms, the governments are make this information available to the private litigants, and negotiations are underway to accomplish this goal. It is hoped that over the next few months, the veil of secrecy will be gradually lifted, and the results will be made available to the private litigants, the scientific community, and the general public. The governments are still discussing the questions of timing and in what format the data will be released. We at Walcoff are hoping for a scientific conference co-sponsored by the various agencies involved in the Natural Resource Damage Assessment, but the final decision will rest with the Trustee Council.

In the next few months, try to finish up what active efforts are underway and get back reviews of requested work to Dr. Spies. Future peer review work will probably be sponsored directly by the government agencies. Most future funding will be available through the restoration activities of those agencies. In the meantime, remember, you are both legally bound to the government by your signed confidentiality agreement, as well as ethically bound to the principal investigators to not release their data prematurely. We will let you know when you are free to publish you findings.

If you have any questions, please call Sharon Saari (703) 364-1622 or myself.

Walcoff & Associates TEL:703-684-6341

Jan 31, 92

8:45 No.002 P.02

*Need to call
Sharon*

February 1, 1992

Dear Expert:

The recent settlement of Federal and state litigation arising from the Exxon Valdez oil spill has prompted numerous questions regarding the status of expert confidentiality and the release of data from research funded by the Federal government.

The settlement includes restoration efforts which will continue for the next 10 years. A scientific article was recently published which inappropriately included federally funded research data. We would like to take this opportunity to remind you of the terms and conditions of your Expert and Confidentiality agreements.

While the terms of the settlement call for eventual disclosure of government sponsored research findings to private litigants, negotiations are still underway to determine the timing and form of the release of this data. ~~It is anticipated that within the next few months, the veil of confidentiality will be lifted from this work, and the results will be available to litigants, the scientific community, and the general public. Walcoff is working with the Department of Justice and other Trustee Agency personnel to formulate a scientific conference as a possible mechanism for the release of National Resource Damage Assessment information. While these plans for disclosure are underway, you are prohibited from releasing data obtained while conducting or reviewing research as part of the oil spill investigation without prior written approval from the Department of Justice via Walcoff.~~

Accordingly

Trustee Council

If you have any questions, please contact Sharon Saari (703) 364-1622 or myself. Thank you for your continued cooperation.

Sincerely,

This is to advise you that as of February 28th, 1992

Lynette C. Dennis
Project Manager

Your work has been approved by the Trustee Council for continuation. However, at the present time, no additional funding has been ~~been~~ made available. Therefore, please

L.L.EBERHARDT
2528 W. Klamath, Ave.
Kennewick, Wa 99336

March 12, 1992

Sharon Saari
P. O. Box 1018
Middleberg, VA 22117

Dear Sharon:

This is to summarize the status of our efforts on the sea otter study. In July, 1990 we proposed 3 goals: (1) estimate degree of reduction in size of the Prince William Sound sea otter population associated with the oil spill period, (2) evaluate available total population estimates, possible improvements in methodology, and their effect on estimates of the total loss of sea otters in the period in question, and (3) estimate the time required for the PWS sea otter population to recover to pre-spill levels.

Our initial efforts were largely devoted to the first two goals. The results of these efforts have been described in a manuscript, "Impact of the Exxon Valdez oil spill on sea otters", by R.A. Garrott, L. L. Eberhardt, and D. M. Burn. We propose to submit it when the "confidentiality" question is resolved. We met with Bart Freedman, Jim Nichols, Bob Spies, Doug Burn, Jim Bodkin, Don Siniff, and Paul Gertler on September 4 and 5, 1991 to review the loss estimates and recovery time issues. Siniff, Garrott and I pointed out that valid analyses of recovery time would depend on the data collected by Dr. C. Monnett, and his active participation in the analyses.

when?

*Dr. Wm.
Sci. Center*

Some limited projections of recovery time can be made on the basis of information on observed sea otter population growth rates in PWS in past years. Ways to utilize that data were discussed in the meeting, and I carried out those analyses in the weeks after the meeting, and visited Bart Freedman on Oct. 1 to review progress, and obtain his views on utility of the results in presenting the case against Exxon. Very shortly thereafter a settlement of the case was announced. Once the settlement was announced, it appeared that the main value of the data would be furthering scientific knowledge, and that projecting recovery time would not have to be done under the pressures and deadlines of litigation. My main recent efforts have been devoted to resolving two issues concerning recovery time calculations based on reproductive and survival data. Projections based on available population growth estimates have been included in the manuscript mentioned above.

The technical issues concern estimates of reproductive rates and utility of the Lotka-Leslie model for calculating a growth rate from reproductive and survival rate data, along with the question of how to calculate confidence limits for such estimates. Our main past experience with sea otter reproductive rates comes from work done in California under Dr. Siniff's direction. The chief issue arising there was how one might best estimate reproductive rates based on telemetry data. I have since been able to obtain data on reproduction collected in Alaska in the 1970's by Karl Schneider, and Dr. Garrott obtained the data collected from carcasses picked up in PWS (and spent a good deal of time insuring that the carcasses would be examined, using Schneider's techniques).

I devised and programmed a Monte Carlo simulation to check out methods of calculation, mainly testing the utility of an interval estimate (i.e., reciprocals of the inter-birth interval). The complications inherent in such an approach stem from the fact that sea otters may give birth in any month, but exhibit a peak period of several months duration. Because the gestation period is about one year, this results in a complex reproductive pattern. The simulation outcomes indicate that the interval estimates are likely to be biased.

The second issue stems from the fact that the usual methods of calculating a population growth rate from reproductive data depend on the assumption of either a constant, year-around reproductive rate (Lotka's integral equation) or that reproduction is concentrated in a brief annual period (as often assumed in using Leslie's matrix approach). Since sea otters follow an intermediate pattern, it seemed essential to conduct another Monte Carlo simulation to determine whether the usual methods are biased for that reproductive pattern.


A third issue concerns confidence limits for growth rate estimates. I believe that such estimates are best obtained by the statistical technique known as bootstrapping and had carried out some simulation studies to test that prospect independently of the sea otter work.

The reproductive simulations are essentially finished and mainly need arrangements to incorporate some actual data and various related matters for manuscript preparation. The programming has been completed for tests of the Lotka-Leslie model, except for some final checks of various outputs against the available field data, and some tests of internal consistency of the mode.

The only work on the confidence limit issue carried out on the sea otter project has to do with the question of sample sizes needed for various components (reproduction and survival rates of various age classes). This cannot be usefully approached via bootstrapping so I have done a little work on an approximation via the "delta method" on the current project. Initial indications are promising, but a good deal of further effort will be needed to complete this aspect. It is mainly important in planning future work, so that I believe we will have most of the techniques in hand needed to conduct an analysis of the PWS reproductive and survival data when it becomes available.

*
mor 8

Sincerely



L. L. Eberhardt

cc: Siniff, Garrott

Copies to Bob Spies, Carol Corbus & DOJ (Brover) from Saari

Date: Wednesday, January 23, 1991 6:26 pm
From: SS53 (BRIGHTON)
Subject: Restoration search request -Reply

Cindy: What we need is all publicly available scientific studies or reports concerning: (1) any of the effects of the Exxon Valdez oil spill, or of cleanup activities, on the environment or on uses of natural resources, including both descriptions of the immediate effects and predictions of effects (or of recovery) over time; and (2) the effectiveness, feasibility, or costs of any restoration technologies or methods that may be applicable to resource injuries of the type caused by the Exxon Valdez oil spill. Our primary concern should be for studies that may be relevant to the basis for the four initial restoration projects proposed for implementation in 1991: (1) beach rye grass restoration (any information on the extent of harm to areas above high tide and/or on the feasibility of this type of restoration work); (2) the public education project (information on the effects of the spill on human behavior and on the desirability, feasibility, effectiveness, and/or content of a public education program to erase unfounded fears); (3) fish habitat restoration (again, both injury studies and reports on the types of restoration measures being considered); and (4) land acquisition (particularly information on injury to species that use uplands habitat and sustained population losses as a result of the spill, or on the relationship between preservation of uplands habitat and the viability of the species of interest here, which are primarily eagles, Marbled murrelets, and Harlequin ducks). However, it makes no sense to limit the search to these initial topics; we might as well be comprehensive while we are at it. Please let me know if you need more clarification. --BB
cc: Nicoll, Fisher, Gardner

Task 26

Date: Monday, January 21, 1991 5:23 pm
From: SS53 (BRIGHTON)
Subject: OSPIC -Reply

Cindy: I certainly did not mean to slight the OSPIC collection! My only point was that the people concerned with restoration have not, to date, canvassed the available public domain materials on the effects of the Exxon Valdez spill with the specific objective of determining the extent to which they can be used to help support the proposed 1991 restoration projects. For all I know, all of the relevant public materials are already in OSPIC (though there could be exceptions). But even if they are all there, we need to specifically identify which ones may be relevant to the current restoration decisionmaking. That is the task that I suggested Sharon Saari help Dr. Spies with -- though you are an obvious candidate to help with this as well. Dr. Spies, Paul Gertler, and Susan MacMullin have all agreed that this needs to be done ASAP. --BE
cc: Nicoll, Fisher, Gardner

Do Task

Sharon - please call me
re this. (Helen)

Thank!

Christina

August 28, 1992

Dr. Robert Spies
Applied Marine Sciences
P. O. Box 824
Livermore, CA 94550

Dear Dr. Spies:

I understand from our conversation in Anchorage that as of August 1, you are taking over the management of the science experts "peer reviewers" from the Exxon Valdez oil spill. As soon as you have all your contracts in place, let us know, so we can release those and other experts on the case. Also let us know which experts you have retained.

Brian Sharp has talked to you this week, and I am sending his time and expenses in August to you for the work on restoration which he did for you. We paid his airfare, because we already had purchased the ticket for him.

I plan to attend the Symposium in February. If you receive any papers or abstracts for which you do not have an expert in that field, please call me and I will look through our database, which has both experts we hired and a lot more we never used. I enjoyed working with you on this process, and look forward to other professional endeavors, but not another oil spill!

Sincerely,

Sharon Saari
Project Manager

cc B. Sharp and P. Stiness

**U.S. Department of Justice****Environment and Natural Resources Division**

Executive Office

Washington, D.C. 20530

January 15, 1993

To Whom It May Concern

Please be advised that Ms. Sharon Saari and Dr. Dennis Heinemann are traveling on behalf of the U.S. Department of Justice and, in that capacity, are entitled to receive government rates for airfare and accommodations, including tax exempt status where applicable.

They will be working on government business from January 1, 1993 to September 30, 1993. Any questions relating to this matter should be directed to: Executive Office, Environment and Natural Resources Division, U.S. Department of Justice, Washington, D.C. (202) 616-3354. We appreciate your cooperation.

Sincerely, ,

A handwritten signature in cursive script, appearing to read "Lisa Polisar".

Lisa Polisar
Contracting Officer's
Technical Representative
Litigation Support Group
Executive Office