

Public meeting
notes for DEIS,
rec'd from Rod
9/26/94 -
notes include
diskettes.

August 16, 1994

I. Introduction

It needs to be pointed out from the start that the public comment solicitation for the draft environmental impact statement (DEIS) was not intended or designed to be a statistically valid measure of public feelings about the direction of the restoration program. Many factors combine to prevent this from occurring. First, the timing was not conducive to measuring public sentiment. Second, the sample was very small. Last, responses were spontaneous. There was no instrument designed to allow a poll to be taken. The NEPA public comment process is not intended to be a public opinion poll. It is to serve as an avenue of information to the public and to solicit their involvement in reviewing the document.

II. The Comment Period

The 45-day public comment period for the DEIS for the Exxon Valdez Restoration Plan ended August 1. We received 211 written or telephone comments. Public meetings were held in Anchorage, Seward, Homer, Kodiak, Cordova, and Valdez. A total of 53 people attended these meetings. A teleconference was held on July 20, to provide another opportunity for up to 25 communities (apart from the meeting location in Anchorage) to participate if they so desired. Only three communities took advantage of this opportunity (Cordova, Seward, and Old Harbor) with ten people present.

III. Those Who Commented

Of the 211 responses received or postmarked by 8/1/94, 119 (56%) were from Alaska and 92 (44%) were from other locations, 1 of these from Canada. Of 92 Alaskan responses, 35 (29%) were from the EVOS area and 84 (29%) were from other areas of Alaska.

Geographic Breakdown of Responses to DEIS				
	EVOS Area	Other Alaska	Outside Alaska	Total
Number:	35	84	92	211
Percentage:	16.6%	39.8%	43.6%	100%

IV. The Comments

The comments can be broken down in five subject areas. These are: expressions of preference for a particular alternative; habitat protection and acquisition; general restoration; monitoring and research; and restoration reserve. Because of the efforts of the Alaska Rainforest Campaign, habitat acquisition and general restoration were heavily commented on. The following represents a sampling of preferences and comments received.

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A. Alternative Preference

Very few of those who commented clearly selected any alternative. Most comments focused on the restoration categories. Alternative preference was mostly given by saying which alternatives they, the public, did not like. However, among those few expressing a clear preference, Alternative 2 was chosen by seven people who commented and Alternative 5 by three. Alternatives 1, 3, and 4 were not chosen by any of those commenting.

B. Habitat Protection and Acquisition

This was by far the most commented on part of the restoration program. With those commenting asking for "most," "at least \$500 million" (or more up to all the funds), or "2/3 of the funds" to be spent on acquiring lands. Of the 211 persons commenting, 134 wanted the Trustees to spend more than shown in Alternative 5 (\$295-325 million).

Specific comments:

" best use of civil fines is purchase of land an/or timber rights on land that is important as habitat. At least two thirds of the funds should be spent to protect habitat."

" Strengthen the habitat Protection budget and deflate the budgets that will end up in some contractor's bank account."

" Strengthen habitat Protection budget for acquisitions of larger parcels of land."

" Most of what's left of the money should be spent to acquire large parcels of land, including inholdings."

" Spend money to have a permanent impact on lands. Acquire lands for the coastal forests and related areas in the Kenai-Afognak-Kodiak region."

" \$300 million for Habitat Acquisition. Buy salmon streams and recreation sites in and adjacent to the EVOS area instead of conducting studies on fish stocks and recreation."

" Provide habitat that cannot be taken by government, military, farms, parks, personal use or any other. Disallow pollutants or even human interaction."

" there should be more emphasis on habitat protection and acquisition than on artificial enhancement of commercial and sport fisheries and recreation and tourism."

" The amount of money allocated to the habitat program in alternative 5 is inadequate. Emphasize Dangerous Passage, East Side of Knight Island, Bainbridge/Evans/Latouche Islands, South End of Knight Island, and Chenega Island."

" Forest habitat which will otherwise be logged should be preferred over habitat that is unlikely to be developed."

" use all of the settlement funds to acquire the private lands within Chugach National Forest, Kenai Fjords National Park, Afognak Island, and Kodiak National Wildlife Refuge."

" Reduce this! Does not support the ACE position to increase land acquisition."

" In my opinion this state already has far too many lands in the public sector. I also believe that public sector lands are less conducive to proper management and resource development. I hope that no more of our resources get locked up with this oil spill"

" Purchase large tracts of land so whole environmental habitats can be preserved."

" I urge you to use the settlement funds within Chugach National Forest, Kenai Fjords National Park, Afognak Island and Kodiak National Wildlife Refuge."

C. General Restoration

The opposite emphasis was made for general restoration. Comments ranged from "reduce" or "eliminate", to "slash the general restoration boondoggles." In most, if not all cases the same people expressed the idea that habitat should be increased while reducing general restoration. Of the 211 people commenting, 132 requested that funding for this restoration category be reduced or eliminated. The following statements taken from public comments received convey the thoughts expressed.

Specific comments:

" 1/3 to 1/2 of the remaining funds should be used on General Restoration"

" No General Restoration boondoggles"

" Don't put money into lots of little General Restoration projects."

" don't see the sense of spending a lot of money to clean up little patches. Tanker spills from both world wars seem to have eventually been cleaned up on their own."

" Shift money from General Restoration to Habitat Protection and Acquisition"

" Eliminate support for facilities, including aquaculture, aquarium, and tourist facilities. Drop fish hatchery support and support for museums. Reduce scientific studies, both monitoring and hypothesis testing, to a total of \$20 million."

" Use the money for acquisition of habitat and good, focused scientific studies with a preference going to Alaska based researchers and field technicians."

" Resist temptation to spend money on short term pork barrel research and General Restoration"

" No more spending for scientific studies."

" We oppose virtually all enhancement and manipulation forms of restoration."

" support general restoration projects that includes public education"

D. Monitoring and Research

Several of those commenting spoke directly to this category of restoration. The statements made are reflected below.

Specific comments:

" Cut in half proposed allocations for marine research"

" Limit studies of oil effects to long-term research on sub-lethal effects of Prudhoe Bay oil."

" Do support studies so we will know what is there come the next spill."

" Would like to see studies done on the Sound, but do so with extreme scrutiny, even researchers go overboard with their costs."

" Slash budget for scientific studies"

" Perhaps the isolated areas from the oil spill that are still degraded can be studied, but most concerned about proposed amount budgeted for studies"

" Stop studying how and why species are disappearing from the oil and do something about it."

" Spend no more than 10% on research"

" Please refuse to dole out money for porkbarrel make work projects."

" Research needs some money, but protection of habitat is highest priority"

" Much of the research which has been conducted or proposed has little chance of contributing to actual restoration"

" target scientific studies of the resources will be much better than buying land"

E. Restoration Reserve

There was a polarization of views here. Either people wanted to see the restoration reserve added to more alternatives or they were opposed to the idea altogether. Of the eight people commenting on this item, two directly support the concept, one wanted to limit the amount to \$1-3 million, one wanted to wait until the last two years to set aside anything, and four people were opposed to setting any money aside.

Specific comments:

" Use the restoration reserve as a long-term investment strategy for acquiring additional sites should the results of monitoring and research reveal the need to obtain additional habitat areas for select species."

" Establish a small endowment to fund costs associated with conservation easements: \$1 to \$3 million."

" There is no rationale in the EIS for how the Reserve fund would improve restoration, or even how it would work or what it is. Therefore, the Reserve should not be included as part of the proposed action."

" Do not need to set aside funds each year, but can set aside payments from Exxon's last payment or two."

" The endowment option should be included in each of the alternatives, not just alternative 5."

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2009 Belmont Road NW, #403
Washington, DC 20009

29 January 1994

Mr. Rod Kuhn
EIS Project Manager
645 G Street
Anchorage, AK 99501

RE: EIS for the Restoration Plan for the Exxon Valdez Oil Spill
Area - Consider Acquisition of Habitat in Kodiak NWR

Dear Mr. Kuhn:


I urge you strongly to consider in the draft environmental impact statement for the restoration plan for the Exxon Valdez oil spill area the purchase of in-holdings in the Kodiak Island National Wildlife Refuge. It is my understanding that native individuals and native corporations hope to sell their in-holdings. They would prefer to sell to the federal government to preserve the area in its wilderness state. If they cannot sell to the government, they likely will sell to development interests. The latter would severely harm wildlife habitat on Kodiak, especially that of the Kodiak brown bear. I believe that federal resource protection agencies would obtain an excellent return on the investment -- high "bang for the buck" -- given the relatively pristine nature of the habitat on Kodiak, and the magnitude of threatened development.

Therefore, as part of its discussion of habitat and acquisition, I urge the Forest Service to consider the alternative of purchasing these in-holdings.

In addition, I request that I be placed on the mailing list to receive any subsequent notices or publications concerning this EIS, as well as the draft and final EISs themselves.

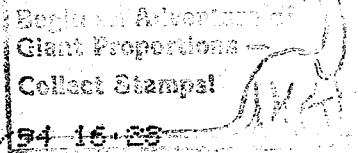
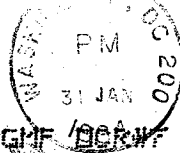
Thank you for your kind attention to this matter.

Yours sincerely,


Edward B. Zukoski

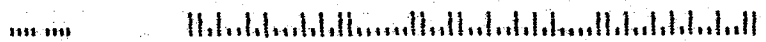
cc: The Hon. George Frampton, Asst. Secretary for Fish Wildlife
and Parks, U.S. Department of the Interior, Washington, D.C.

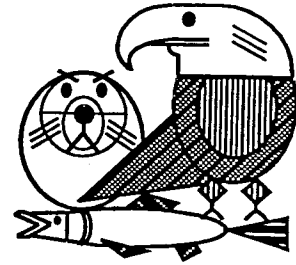
Zukoski
2009 Belmont Rd. N.W. #403
Washington, D.C. 20009



WASH. D.C. GPF / BCRWF 01/31/94 16:23

Mr. Rod Kuhn
EIS Project Manager
645 G Street
Anchorage, AK 99501





EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL

ENVIRONMENTAL IMPACT STATEMENT

PUBLIC COMMENT

OPEN HOUSE MEETINGS

JUNE 27 - JULY 20, 1994

SCHEDULE

Travel Arrangements for the DEIS/DRP Public Meetings

June 29, 1994 - Seward Trip:

Team: Sandy Rabinowitch, LJ Evans, Gerry Sanger, & Rod Kuhn

Leave Anchorage EVOS Office at 12:30pm in USFS Minivan.
After the meeting, drive back to Anchorage arriving approximately 11:00pm.

July 1, 1994 - Homer Trip:

Team: Bob Loeffler, Tami Yockey, Rod Kuhn

Leave Anchorage Airport on ERA/Alaska Airlines flight 4874Y at 10:15am.
Arrive Homer 11:05am. Pickup rental car and drive to City Council Chambers.
Leave Homer at 10:20pm on ERA/Alaska Airlines flight 4855Y.
Arrive Anchorage Airport 11:30pm.

July 5, 1994 - Kodiak Trip:

Team: Sandy Rabinowitch, Cherri Womac, Bill Hauser, & Rod Kuhn

Leave Anchorage Airport on ERA/Alaska Airlines flight 4892Y at 10:05am.
Arrive Kodiak 11:15am. Pickup rental car and drive to ADF&G Office.
Leave Kodiak at 10:50pm on ERA/Alaska Airlines flight 4899Y.
Arrive Anchorage Airport 11:59pm.

July 7-8, 1994 - Cordova Trip:

Team: Molly McCammon, Rebecca Williams, Bill Hauser, & Rod Kuhn

July 7 - Leave Anchorage Airport on ERA/Alaska Airlines flight 4816Y at 7:00am.
Arrive Cordova 7:50am. Pickup rental car and drive to USFS Office.
Staying at the Reluctant Fisherman Inn.
July 8 - Leave Cordova at 8:20am on ERA/Alaska Airlines flight 4817Y.
Arrive Anchorage Airport 9:10am.

July 19, 1994 - Valdez Trip:

Team: Veronica Gilbert, Cherri Womac, Karen Klinge & Rod Kuhn

Leave Anchorage Airport on ERA/Alaska Airlines flight 4802Y at 11:10am.
Arrive Valdez 11:50am. Pickup rental car and drive to City Council Chambers.
Leave Valdez at 10:00pm on ERA/Alaska Airlines flight 4809Y.
Arrive Anchorage Airport 10:40pm.

USFS Furnish Tickets for:

<u>Name</u>	<u>Employer</u>	<u>SSN</u>	<u>Destination</u>	<u>Date</u>	<u>Est. Cost</u>
Tami Yockey	ADF&G	535-76-8485	Homer	7/1	\$180.00
Cherri Womac	ADF&G	574-28-1877	Kodiak	7/5	\$178.00
			Valdez	7/19	\$200.00
Rebecca Williams	ADF&G	574-58-0147	Cordova	7/8-9	\$224.00
William Hauser	ADF&G	388-40-9346	Kodiak	7/5	\$178.00
			Cordova	7/8-9	\$224.00

For Gerald Sanger US Fish and Wildlife Service, 548-50-5150:

Travel to Seward and back on 6/29/94. Using Government vehicle. Leaving at 12:30pm
returning at 11:00pm.

For Cecil R. Kuhn 274-46-0640:

Plane tickets to Homer, Kodiak, Cordova, and Valdez.

Rental Cars (mini van or other large vehicle) needed for all trips. (Homer, Kodiak, Cordova, and Valdez.)

Lodging for Cordova only unless weather causes flight cancellations.

Per diem rates:

<u>Town</u>	<u>Lodging</u>	<u>M&IE</u>
Seward	\$90.00	\$65.00
Homer	\$71.00	\$60.00
Kodiak	\$74.00	\$65.00
Cordova	\$60.00	\$81.00
Valdez	\$95.00	\$61.00

Estimated POV 8 miles per trip or 32 miles total.

Miscellaneous expenses, including:
Gas for rental car and Phone calls.

NOTES

EIS PUBLIC COMMENT OPEN HOUSE MEETING

JUNE 27, 1994

645 G Street

Anchorage, AK 99501

4:00 - 8:00 p.m.

ATTENDEES

Rod Kuhn
Eric Meyers
Joe Sullivan
Bill Hauser
Ken Chalk
Ron Bruyere
Dianne Munson
Gerry Sanger
L.J. Evans
Bob Loeffler
Sandy Rabinowitch
Tim Holder
Dean Hughes
William Waters
Charles McKee
Paul Twardock

QUESTIONS

None.

COMMENTS

None.

SIGN-IN SHEET

Public Meetings on Draft Environmental Impact Statement & Restoration Plan
June 27, 1994 - Anchorage

NAME	ADDRESS	AFFILIATION
Paul T Wardock	4101 University Dr. 99508	Self
Charles E. McRee	P.O. 143452 99514	"

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Seward DEIS Meeting
June 29, 1994, 4:00 – 8:00 PM
Kenai Fjords National Park Visitor Center

Presenters: Rod Kuhn
Gerry Sanger
Sandy Rabinowitch

Attendees: Christopher Smith, Seward Phoenix Log
A.J. Paul, UAF/IMS
Harrison Tuttle
Mary Jane & Frank Ashton
Maria Gillett, NPS
Pat Reilly, Kenai Peninsula Borough
Debbie Adam Troutman, Friends of Kenai Fjords National Park
Anne Castellina, NPS
Darryl Schaeffermeyer, SAAMS
Ricky Gease, NPS
Michael Tetreau, NPS
Chris Duguay, NPS

- The end of October decision – will that be on this whole program or make decisions on which projects will be funded?
- How much of these science studies are just to get background studies out? How much of this is ways for the governments to just fund science that they would like to do?
- So a lot of the studies are filling in missing baseline data?
- It's excellent that we're going to be sharing this scientific data (obtained through the damage assessment and Trustee Council research and monitoring studies) among the various state and federal agencies.
- This restoration reserve, how long will that go? Is that meant to be continuous into the future? There has to be some system set up then into the future to manage that. The Trustee Council obviously can't do that.
- I suspect that less than half a million a year was spent in the whole region on scientific research every year before the spill. (Implying that was seriously inadequate.)
- This would just be a gift (the restoration reserve) to add to the body of scientific knowledge. If you just gave a million bucks a year to each of the

affected agencies (for research within the spill area), you would be amazed at what they could do. It would be phenomenal.

- How does this (restoration program) interact with the National Biological Survey, with getting this all under one ecosystem-directed manager.
- You're talking about ecosystem management, with all this money, are you studying forage fish in the whole ecosystem, or are you studying forage fish in Cook Inlet and forage fish in Resurrection Bay and forage fish in Prince William Sound?
- Lack of continuity or loss of continuity could be a problem with these projects. Do you see the Trustees moving towards more integrated, long term projects, where an agency might go in and propose a five-year project, so you have the same person with the same pair of eyes come back every year to do the bird survey? That continuity is important.
- The attorneys don't know anything about science. (They shouldn't direct the process.)
- So as far as acquisitions of lands would go, that would be at a later date, except for these hot spots, critical or endangered locations?
- Which lands are currently under consideration for habitat protection?
- And only the pieces of those large parcels which have the high scores would be acquired, right?
- We only had two parcels within the park selected as high value, one which was owned by Port Graham and one owned by English Bay. Purchase wouldn't all have to be fee simple, it could be some conservation easement or other things, which allow some public access.
- Are all these lands under consideration owned by the Native corporations?
- I have a philosophical question. It seems like the whole purpose is for the government to buy lands and to do studies. What is the impetus to buy lands from the Native corporations?
- Who is to say the Native corporations wouldn't be a better place for the lands? For what reason would the Native corporations sell the land?
- Lands that get bought — are there any guarantees that they will be designated wilderness areas?

- It's interesting that with each purchase, the land will be disposed of as an individual thing. Not each parcel will become a state park.
- There are state marine parks in PWS that are being managed by the forest service under memorandums of understanding. so that kind of co-management or cooperative agreements might come about?
- The state park folks are putting their dollars into the parks that generate revenue, because they aren't getting the revenue to manage them from the state budget. the marine parks don't generate any revenue.
- Even if it is identified as a state park, what occurs within it depends on the state's administration.
- The state's done real well with places like Blackstone Bay where DNR has itself put development parameters. You could put stipulations on the lands. If someone was real sharp, they could put those kinds of constraints on at the time of purchase to protect the land.
- I'm kind of intrigued with the restoration reserve. I'm wondering if there's any constraints on how it is spent. It could be used to buy lands 20 years from now if it is determined to be critical habitat? Are the stipulations on that money likely to be changed?
- It seems like there needs to be some very specific rules on the restoration reserve money, like you may not touch the principal.
- Setting aside the \$12M into a restoration reserve is moving forward.
- One of the restoration projects under consideration is a library or a data retrieval place. They've talked about using the IMS as a depository for all those studies that are being done. I'm thinking about the future when the next ship hits the rocks. Now we're going to have pre-spill data, it's important that information be accessible in the future.
- It's interesting to me just to see the two different procedures—the federal government seems to put a lot more steps into listening to public input. It surprised me because I thought the state would do more, would be more responsive.
- How much did the plan and the DEIS cost? (Rod noted the figure for the DEIS budgeted as of January last year, which was \$350 thousand. LJ promised to find out the amount and call the person back tomorrow. Sandy said he estimated the ultimate cost of the Restoration Plan at between \$1 and \$2 million.)

- I like alternative five in the DEIS, but I don't know much about the Restoration Plan. (We explained that the Restoration Plan is alternative five. He said then fine, that's what he likes.)
- Would the buying back of the lands (inholdings) of Kenai Fjords National Park need another NEPA process?
- Do the boat captains here help you with any information? (addressing lack of baseline data.)
- Representing the Friends of Kenai Fjords national Park, we will be supporting one of the restoration alternatives regarding the buyback of the lands, and on the side, I will be supporting the IMS. But getting the lands or easements back as an alternative and possibly to encourage more studies is something the Friends would support. This is a newly formed group to support specifically the buyback of the lands. PCA has been helping us.

**Public Meetings on Draft Environmental Impact Statement & Restoration Plan
June 29, 1994 - Seward**

NAME	ADDRESS	AFFILIATION
Christopher Smith	P.O. Box 89; Seward, AK 99664	Seward Phoenix COG
AJ Paul	POB 1197 Seward 99664	UAF -IMS
Harrison Tuttle	213 Shamrock Trail Lewisville, NC 27023	
Mark & Janet Ashburn	St. Louis, Mo.	
Wanda Gillett	PO Box 627 Seward AK 99664	NPS
Pat Reilly	Box 1846 Seward AK	KPB Assembly member
Debbie Adam Trautman	PO Box 1126 ⁹⁶⁷ Seward AK	Friends of Kenai Fjords NP.
ANNE CASTELLINA	PO BOX 1727 SEWARD	NPS
DARRYL SCHAEFER Weyer	P.O. Box 1329	SAAMS
Ricky Gease	POB 1727 Seward	NPS
Michael Tetreau	" " "	"
Chris Duguay	" " "	"

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HOMER EIS PUBLIC MEETING
July 1, 1994
4:00pm - 8:00pm
Homer City Council Chambers

Attendees:

1. Rick Gustin
2. Hal Spence*
3. Tricia King*
4. Lawrence McCubbins
5. Tabitha Gregory
6. Jack Cushing
7. Willy Dunne
8. Craig Matkin

(*Reporters)

QUESTIONS:

GUSTIN: What is the main reason for these meetings?

Does the structure of the process change yearly?

Concerned that studies from 1992 that were cancelled were never restarted (monies were cut and never restored). Data is lost. Need to do long term studies. Feels food mussels studies should be done every year. Harlequin ducks and Harbor seals declining (he worked on harlequin duck studies, has been laid off when funding was cut). Dolly Varden studies were showing a decline in 1992 and the studies were cut and now you don't know long term effects. Unless you do long term studies, you don't know the effects. Important to have consistency in yearly studies (trend data). Is the process for project proposals being opened up to the public? What is the timeline for this process?

MCCUBBINS: When is the deadline for projects? Is it too late to send in a study? Would like to be added to the mailing list.

GUSTIN: The Seward site is not part of the EIS?
Could you define what the ecosystem approach is?

MCCUBBINS: Do a study just to do a study. No baseline to compare the studies. There are no studies for the Homer side of the Sound (Elizabeth Island). Interested in bottomfish. There was \$150,000 bottomfish study in 1992. What happen to the monies? What is actually being done?

What happened to the funds that were allotted to gather the information and make it available to the public? What system will you use to give it to the people? Will IMS be a gathering place for the information on studies for the public? What happened to the money that was spent on these studies? Why can't the draft

be available to the public? You have these two reports. Now you have to use funds to make one report? Are most scientists state and federal? Monies are being used to pay their salaries, not the studies related to the spill. Are you going to pick one of the alternatives and that is the way things will be done?

GUSTIN: When will the trustees decide which alternative to choose?

MCCUBBINS: 6.3 million dollars just to decide on an alternative?

GUSTIN: The Trustees favor alternative 5, unless the public comments change the trustees mind this will probably be the alternative that will be used?

MCCUBBINS: What about actual restoration? Can we as a public up the reserve fund? What would it take in that fund to have 50 million in the fund? I want 20 million in the reserve fund every year so we have 20 million until who knows when.

GUSTIN: Other oil spills did not do studies longer than 7 years.

MCCUBBINS: Increasing the reserve fund by 60 million would be money well spent.

GUSTIN: There has been some money spent on habitat acquisition right? Are there restrictions on the lands to promote restoration? Can the trees be logged, can that be changed? Is there habitat that is acquired that some years down the line will be used for logging or mining, etc? People think that when you buy habitat it will be protected forever.

MCCUBBINS: With the buyback, no restoration of the fisheries because it is in the state park, no private person can do restoration. Privately managed, the public cannot go do restoration. This is in the Tonsina area. Enhancement should be allowed on the parcels that are acquired (this should be included in the easements when purchasing land).

GUSTIN: When a parcel is purchased restoration should be allowed to help the injured species. Have there been any proposals to make habitat acquisitions from State Parks or Federal lands?

CUSHING: What about purchase of native lands?

GREGORY: Can you put the lands into special status to protect the land?

GUSTIN: If you look at PWS and the area that was actually impacted by oil, most of the land is State, Federal or Native land. Changing the status of the land would be beneficial.

GUSTIN: There is political pressure exerted on the Forest Service to do more logging.

MCCUBBINS: Clearcutting has a bad name because the Forest Service did not put in any restoration measures. The best restoration there is, is to replant trees. Prime example is just across the Bay here. Clear cut, dead woods, private industry has been doing that for years. This is what we're trying to stop.

GREGORY: Has the tc prioritized private land for purchase? Is there a separate pot of money for purchase?

GUSTIN: That's just in alternative 5? Parcels are being evaluated separately from the alternatives?

MCCUBBINS: What is alternative 1? This has to be done by law?

GREGORY: In alternative 5 it has the least acquisition. Is there the possibility that money could run out on the higher rated parcels?

GUSTIN: If you were buying the land that had a lot of valuable timber rights you would be paying more than if you were buying land without the trees.

CUSHING: How do the municipalities get formally involved (in the small parcel process)? City of Homer particularly. You are not going to individuals to purchase their land? The City of Homer would have to contact the private owners to submit a nomination for parcel purchase?

GUSTIN: You would have to prove the habitat was injured by the spill to have the parcel purchased?

MCCUBBINS: Is there any proof that the spit was actually injured?

CUSHING: Do you have any recommendations on how to get owners interested?

GUSTIN: The TC will do a similar process for small parcel as they did for large parcel (ranking system)?

DUNNE: Large parcel is finished? The nomination consists of submitting a form?

?: Has Overlook Park been nominated?

CUSHING: Are you buying a conservation easement or something?

DUNNE: **I feel very strongly that the majority of the money should be spent on habitat acquisition protect as much habitat as possible. I understand that alternative 5 is the choice.

GUSTIN: Longest lingering effect of the spill is the oiled mussel bed problem. A lot of small beds that have not been cleaned. Does not want all the money spent on habitat acquisition.

DUNNE: Seen monies wasted by bureaucrats on monitoring.

MATKIN: How do you get a copy of the map? (large parcel map)
When is the deadline for comments on EIS?

GREGORY: What percentage of respondents were for habitat acquisition?

MCCUBBINS: How to submit a proposal for 95 as a private individual?

GREGORY: How many small parcels have been nominated?

Scurvy Creek Fishery Enhancement, INC
Homer, AK 99603

Public Meetings on Draft Environmental Impact Statement & Restoration Plan
July 1, 1994 - Homer

NAME	ADDRESS	AFFILIATION
Rick Gustin	Box 15056 Fritz Creek	Fisherman
Hal Spence	3482 Landings St.	Homer News
* Lawrence Blair McCubbins	PO Box 1656	Scurvy Creek Fishery
Tabitha Gregory AK Center for the Environment	PO Box 100606 Anch. / 515W 8th #201 Anch 99501 99510	
JACK CASHING	1423 Bay Ave Homer	CITY OF HOMER COUNCIL MEMBER
Willy Dunne	PO Box 15043 Fritz Creek	99603 KB State Park Cit Adv. Board
Tricia King - Homer Tribune	P.O. Box 15012 Fritz Creek	99603 Homer Tribune
CRAIG MATKIN	P.O. Box 15244 Fritz Creek	Biologist/Fisherman

STANDARD SMALL PARCEL

NOMINATION FORM

fax
complete
7-6-94
ty

PLEASE FAX TO:

JACK CUSHING - HOMER CITY
COUNCIL MEMBER
235-6745

WE MAY BE INTERESTED IN APPROACHING
PRIVATE PROPERTY OWNERS OF UNDEVELOPED
INTERTIDAL SPIT LAND, TO SEE

**Exxon Valdez Oil Spill
Trustee Council
645 G St., Suite 401
Anchorage, AK 99501-3451**

IF THEY WOULD BE
INTERESTED AS
POSSIBLE SELLERS

Place
Stamp
Here

**Exxon Valdez Oil Spill
Trustee Council
645 G St., Suite 401
Anchorage, AK 99501-3451**

Kodiak July 5, 1994

Sandy: Intro and development of Restoration Plan

Carol: Regarding how the parcels were ranked. She recalls they were ranked one way in 93, but with the current appraisals has the ranking changed at all?

Sandy: Yes, with clarification. Some of the parcels are being reranked, large parcels. The agencies who have primary interest in specific large parcels, example the one here in Kodiak, probably US Fish and Wildlife Service. Within the system we setup have the ability to reconfigure boundaries. The agency can loosen the lines, combine parcels and ask for different configurations to be reranked. The goal is to see how the TC could help in the decision makers in all this, can they maximize the restoration benefit by taking this parcel and this parcel that may not be connected or another one up the coastline, based on the criteria can they get a better benefit if they acquired or in some way protected that parcel. That process is ongoing. Don't know how much of that information has gotten out to the public.

John: State for the record, why given the questionable history of public management of lands, in the adjacent areas in this State, that you feel purchasing land is habitat protection? Without a management strategy it is somewhat questionable strategy to purchase lands.

Sandy: Collective answer, like any complicated issue is, that there is an overriding belief that there is a whole slew of other resources and there is at best, a minimal understanding why the population of some of those resources is in decline, some in very steep decline. Others that maybe their population were doing okay, the oil spill sent them into decline, some are back up. Collective belief is that by preserving habitat that the critters depend upon. Is it most of a preventative measure.

John: Not questioning the preservation, just questioning the cosnative relationship between purchasing and preservation.

Sandy: If it isn't done, the potential of additional damage is

John: You have heard over and over again from members of the Public Advisory Group requests to look at alternative strategies for preservation other than outright purchase. But that seems to be the way it is going. Doesn't personally see the justification for that. Doesn't believe Washington can manage land better than we can ourselves.

Rod: Exactly who the land would be managed by varies by where the parcels are located. John: Washington is a little farther away

than Juneau.

Rod: Exactly who would manage the land is another matter.

Rod: Intro and development of EIS.

John: Add an additional comment about the applied marine research that you are aware that Jim Ayers has had a series of scientific planning meetings over the course of the spring. One of the outcomes of that the ecosystem approach, positive outlook. More emphasis toward the research understanding the ecosystem as opposed to counting. Encourage you to say research and monitoring instead of monitoring and research. As he views alternative five it would accomplish a much greater degree of improving our understanding of the ecosystem, improving our understanding of what happened. How these species recover? What the interactions between those species are? There is some monitoring that will have to continue. Doesn't think that because alternative five has a lot of monitoring, that we should view it as a lot of money spent on counting. A lot of money including restoration reserve money will go toward understanding the ecosystem, toward what happened with the oil spill. Not just counting whatever.

Rod: There have been workshops. There is a Restoration Plan. The workshops help focus them and help us move toward how the final Restoration Plan will look. Incorporated more specific information how this monitoring should be going on.

ADFG employee: Sees the value of counting fish, weir sites on private property, etc. We are seeing more and more commercial development. Two or three times the escapement. There are so many boats in the harbor now, because the Red River and _____ are not producing. They are harvesting the surplus, the lands that we have in mind, they have raised the rates until we cannot afford them. Fortunately there is someone who has given them a short term lease for cabin sites. Without those weir sites, we cannot provide adequate protection for those resources. We would prefer to see land purchased for the dollars received by the Dept of Fish and Game or another agency for research. The best investment is in habitat, protect watershed, protect innumeration sites.

Refers to the map in _____ boundaries of the oil spill extended well down Chignik Lagoon. All outside fishing was suspended in 1989 with the exception of Chignik Lagoon. There are publication are available to you. All bays in Kodiak, with the exception of Olga Bay were oiled. Not the same extent as PWS, but to were it interferred with commercial fishing. The map should show it.

Sandy: Reviewed map and determined they were talking about two different maps.

ADFG employee: There was a very comprehensive monitoring and surveying program in the Archeapelago twice a week. It wasn't the PWS quantity, but it was certainly enough to shut everything down.

Along the beaches to the south end of Kodiak with the exception of Olga Bay. The weir sites are important and the Dept of Fish & Game has prepared a list of all the locations where they are not in public ownership.

Sandy: Refers to map in DEIS, does it include all oil areas?

ADFG employee: To some extent it does.

Tabitha: One thing that has disturbed her is that, in the summary, it uses vague words about habitat acquisition is great and about the alternatives. You have to turn to the big book to find the money. When you look at the money, the third alternative has the least amount for habitat acquisition. Which isn't really the preferred alternative. Alternative five has more money. Doesn't understand why that wasn't made clearer, that if you vote for the preferred alternative, you are voting to cut habitat acquisition.

Rod: The preferred alternative, what we heard was that we don't know enough to be precise on how to divide the pie. The brochure made it look like we had a finely divided pie. The Draft Restoration Plan has none of the percentages in it. For analysis purposes, how might these funds be divided up in the table, for an economic feasibility. The emphasis for the Trustees is one of flexibility, letting the money go where it would do the most use. Draft Restoration Plan does not preclude us from spending more than what is shown. Those figures were used for analysis purposes. There were single figures for earlier alternative, but for the Draft Restoration Plan we didn't. When to Trustee to get direction regarding numbers that could be used. Then decided on ranges of numbers. All the Trustees are not enthused with acquiring habitat. Trustees change. Over the next ten years, we don't know who the Trustees will be at any given time. Alternative five is flexible. We are getting involved with habitat acquisition now, will probably be spending a great deal of funds. That is what the public is saying to us. "We want to spend that money on acquiring and protecting habitat." The figures do not represent hard portions. They are relative in that one is greater than another, that one would be greater emphasised than another. Doesn't necessarily mean that in any given year, that the Trustees could spend 100% of the money.

Tabitha: If you hear from someone responds in favor to alternative five, that next year the Trustee Council could actually be working up alternative three or four.

Rod: Alternative five has some policies that control how things go, that are different that alternatives three and four. You want to look at the policy that guides the alternative, not just the assumption of how dollars would be spent. Today's best guess, tomorrow it could change. The policies will guide how it is to be spent. Policies tend to be cast in stone once something is selected, rather than the specific funds that are received.

Sandy: An example, referred to alternative three and five. Find the list of resources whose populations declined are a very short list. Then if you go to alternative five, it says restoration may be considered for any injured resource. This list gets quite a bit longer. In Alternative five, you could do some work on bald eagles, be it habitat. But under alternative three, you would find that their populations were not declining. You couldn't spend a penny on bald eagles. The policy changes you can see the ones you can spend money for and those you can't. The implication get thin. It is a matter of choice what you can support. The policies can narrow or widen the focus.

John: In 1991, the beginning of this process. The assumption was that herring and pink salmon were reasonably recovering in PWS. Both have now been shown not to be the case. There is a lot of things we don't know about what is happening to the system. I agree we have to count them, and personally agrees with the weir site acquisitions. It is a directed purchase that has a defined use in terms of public management. I support that sort of acquisition. Judge Holland had the foresight to allow within the settlement for identification of species. Whole lot of resources, didn't know much based on data, so we really didn't tell you because we really didn't have any inkling that we would be able to prove that they were injured. By using a broader brush, by using the ecosystem approach where we are not necessarily studying everything. We are coming much closer to understanding the dynamics of the system. We can look at those things that perhaps are integral to the ecosystem, we didn't realize it at that point. We still have major marine mammal declines going on. Restoration dollars are not going to be directed toward those in the cases that they weren't on the injured species list in the oil spill. By understanding the system dynamic and availability for marine mammals and birds in the oil spill area. Why, they may allow us to get a better grasp on what is happening in those species. There are some advantages, to painting restoration in a broader stroke.

Joel: Which is the alternative that would best incorporate an attempt to ensure those species about which we have not quantified the extent of damage or the total ecosystem, because we have know that we don't have the data gathered yet. Things may pop up that we aren't even looking for yet. Which alternative should we be heading for to ensure inclusion?

Rod: Alternative five is the most inclusive in that respect to proposed action that is the Draft Restoration Plan.

John: Alternative five also has the reserve. Thinks it is the only way to grasp on any of these things, by looking at longer time frames. The ocean side can range anywhere from 7 to 14 years or greater. If we can get through a couple of cycles of natural change, since we haven't done before the oil spill, we have an opportunity to do it now. It would allow us to really get a grasp on what the natural ability, natural cycle would be. Without that information, it is going to be impossible to come to answer that

question. The restoration reserve is a critical aspect of this restoration process.

Sandy: In an earlier June, 1993 version, more detailed and specific. It was rejected by the Trustees. We were instructed to try again with more flexibility, this is the result. There are things popping up that weren't expected. A lot of money has been spent. It was driven for litigation purposes. It was hard to change, but it has changed. There are still more questions that need answers. The Trustees have been shifting toward trying to establish a plan and direction that gives flexibility. They would want the ability to funnel resources into an area, should there be an unforeseen need.

Joel: In the process of no one understanding the change, are we directing sufficient amounts of money to research to find those things out? Are we establishing some kind of baseline of data that says "Even if we don't know where we were, at least we know where we are, so when we get further down the road we'll know where we've been this time." Are we allocating the appropriate money to resources?

Sandy: We would like to hear your opinions.

From my perspective the Fishery Industrial Technology Center is ready, willing and able to conduct research. There already exists the bodies, the facilities and the equipment to do it. How come we aren't channeling some money into to gathering this information that we need to have to establish that baseline? Once the baseline is established some money track some of these processes down the road, five or ten years down the road whatever these cycles are

Duplicated

DUPLICATED

5, 10, or 15 years. Whatever the cycles are, if indeed the cycles are 15 or 20 years in terms of temperature changes and all the stuff that goes on as a result of just mere temperature changes in the water over periods of time. How can you establish anything if you don't know where you're at or where you are going?

Sandy: We don't have answers to all those questions, our goal is to get your input to these kinds of alternatives as to some extent. We are going to push to have you tell us what you think of this. Why more dollars aren't funded to the facility across the bridge, I don't have a pat answer.

John: Provide some background. The inception of the Fisheries Industrial Technology Center, the intent has been to provide a working platform, not only for the University of Alaska, but also other state and federal agencies and we have been gradually moving toward this objective over the course of many years. Starting about the same time as the oil spill got into some very serious discussion with NOAA NMFS in terms of this facility. We just completed a requirement study for not only NOAA but NPS, FWS and ADFG to provide for much broader facilities needs with respect to both management, research, and monitoring type activities. As a result of the last requirement study, we are talking on the order of an additional 95,000 square feet and \$30,000 facility. Those of you who have been over to the Fish Tech Center, that is about five times more than we have today. If it included all the NMFS personnel which is the way it is envisioned and all the Fish and Game personnel which is less certain at this point. It could easily be housing 100 times, we are using space far more cost effectively than the Seward facility, if I may say so myself. If you want the numbers from those I can recite those to, but I won't bother. We have the capabilities here and the long term planning to develop a facility which will provide for the long term research and monitoring needs for the fisheries in the North Pacific. Primarily fisheries, although if we get right down to it, most marine mammals and marine birds use fish as their major food source. Or use food sources in the phytoplankton zooplankton level which the fish are competing for. We need to understand that corner. I don't see this as a facility that is competing with Seward, but as one which is complimenting what the Trustees are trying to do in Seward. Trying to develop a strong fisheries corner for it. Fisheries corner that is here in the second largest fishing port in the US, not somewhere else. And yet, it would be very appropriate in terms of general restoration to see some dollars go into that. We received \$3 million from the state criminal settlement. We currently have \$3.6 million identified in the project. A lot of the money is going to come from leases, we never did ask for \$25 million like the Seward folks did. We feel that somewhere around a third of the facility could be directly tied into activities justified by the court settlement, therefore, that is all we were ever looking for is on the order of \$7 to 10 million. Frankly I think that would be money very well spent.

Sandy: I guess that is the problem, we are always trying to be

good and reasonable, you should have asked for \$25 million.

Guy from Seward Wayne Stevens????: \$47 million for a tourist attraction that will not pay its way. Evidently there is some money already committed to that. \$47 million divided by 17 mammals, it comes up to several million per mammal. We have a ten year plan here, the Tech Center is ten years old now. We need to ask for more than back off to something else. We have information from our delegation in WDC, they will support it. This is the place, Kodiak is the largest mothership is anchored right here.

Rod: In the Seward situation, this year the Trustee funded the Environmental Studies. The request is \$25 million but that hasn't actually been funded. Maybe a little over \$100,000. It is still up in the air whether the Trustees are going to fund that facility.

Wayne Stevens: The University is sucked in, yet it doesn't sound like they are real enthused about it. The people I talked to in Fairbanks say it was a surprise to them. Nobody will really admit to being the ringleader of getting that thing going.

Rod: I think you see the Trustees as being more supportive as we more through the years at the local and the non established governmental involvement. In Cordova, the Seaplan, is not a government agency, it is private. With these types of things, the idea of competitive proposals and getting more public involvement in putting together proposals. The Trustees to date have not had a plan with a long term goal in mind as to how to deal with this. They have been dealing with things that needed to be done on an annual basis instead of looking at things long term. Now by the end of this year, they should be able to look very long term. Work groups, workshops that have gone on. All these are longing toward the longer run of the program, not just the end. When you look at habitat, to date we have been looking a imminent threat sorts of situations. Somebody sold the timber on a piece of land and we are going in there trying to buy it back. That resulted in very high prices for land. Verses if you have a piece of land that you haven't sold anything on and someone comes along and wants to negotiate with you about buying the resources. That is a little bit different, you less pressure at the negotiations.

Carol or Tabitha??: It is my understanding that the way the appraisal process is now set up, there aren't going to be any negotiations by a third party. You give me 50. No, how about 40, how about 45. The government appraiser will come in with a figure and that figure is out there on the table. The landowner can ask for their own appraiser, but there is no process so that the landowner's appraiser and the government's appraiser can negotiate between the two figures.

Sandy: That is correct, because it is not unusual for the federal government to do what you just said. Can't speak clearly for the state, I don't know the rules anymore. The federal government. The state and federal processes have been brought together in a

unified approach. The federal government, by law, must present an offer based on an appraisal based on the fair market value. Economically the same process as selling a house. You could then make an offer and we could haggle over the price. The federal government has to present the appraisal, that it has reviewed and approved. That review and approval process is to make sure that it meets federal standards and the government cannot try to negotiate the landowner down. It is not legal for the federal government to do that.

CARol or Tabitha??: In terms by when the government decides on the rules by which the appraisal is done, figures such as Seal Bay and Kachemak Bay are not allowed to be comparable, they don't look at those two purchases as comps. So when assigning fair market value they are necessarily low balling it.

Sandy: Kachemak Bay's sale wasn't based on the current appraisal fo the property value. There were several appraisals done years back. They don't remain current, they have a life span of about six months. The federal standards are actually written by the Dept of Justice. Those powers are actually for the Dept of Justice to delegate.

Rod: Those are just appraisal guidelines.

Sandy: They are guidelines, we are required to follow them. There is a lot of latitude and flexibility.

Rod: There are regulations that govern the agencies may sell or purchase resources under fair market value. Arriving at fair market value is actually done through, not even pure government standards it is actually done through national appraisal standards at are done broader than just government standards. Private appraisers the whole thing, there is a national appraisal organization that deals with how you deal with appraisals and how you deal with appraisers.

Sandy: SEveral of the things you have talked about, the Seward facility being a good example, you have yet another opportunity to comment if you want. The invitation to the 95 Work Plan. The Public Advisory Group that John is on got a copy just a week ago.

John: Unless Sandy tells me otherwise it is available to be reviewed by the public.

Sandy: Is that whole big document out to the public yet.

Cherri: Now that the Public Advisory Group has it.

Sandy: It is a separate document, there is a separate review process and timelines. I'm trying to find the date. It is several months away. This fall. Some future version of that will be publish and go out to the public for comment.

Pat Carlson: Appreciates group coming down. They will be providing written comments by the August 1 date. Were just working it all through digesting it.

Rod: Mentions the July 20, teleconference. You can go to the Legislative Information Office.

Are there any Trustee Council meetings before the September period.

Sandy: July 11, August 5,

What are the agendas, do we know?

Cherri: No.

Are they required to have monthly meetings or periodic meetings?

Sandy: Not really. There is enough business that they seem to come about monthly. July 11, Aug 8, PAG August 2, early September the week of the 5th. October 31.

Cherri: There is a newsletter coming out that will have the date in it.

The schedule on the EIS, it that in September it will be ready, then the Trustee Council coming to vote in October.

Rod: This a Draft Environmental Impact Statement, the final Environmental Impact Statement which incorporated what people commented on will go into Chapter 5. The FEIS will come out the end of September and consistent with the Council of Environmental Quality regulations we will then have a record decision which cannot be any soon than 30 days from than which will put it at the end of October that would be the earliest the Trustees could make a decision. That could be at that October 31 meeting that they could find their decision and implement the Final Restoration Plan.

Bill Hauser: My roll here has been to provide information to help create this document. I've been part of the process, but not having a strong background in NEPA, this Restoration Plan and this EIS that supports it will not cause any action to occur. All it does is allow action, allows acceptance of proposals to do something. It is not these documents that are creating or generating anything, just allowing actions to proceed in the future.

Rod: This is the umbrella under which things are to be done in the future.

Bill: It still requires proposals to come in from the public, scientists and agencies.

Rod: There will be more Annual Work Plans in the future. There will be site specific NEPA documentation. If you are going to

build a fish ladder, you will still have to analysis the site specific to that resource.

~~John: It provides the skeleton which is more than we have today.~~

Bill: If there is a new action proposed that is outside of this umbrella, it is going to require justification.

Rod: If several years from now the Trustee don't like to umbrella, they can always analysis and develop a new umbrella which would result in another NEPA document.

Could they do that every year or every time there is a new group of Trustee?

Rod: It is a surprise today that we even have an EIS on the street now. It is hard to get everybody to agree on the assumptions. What is reasonably foreseeable in the eyes of six public people, such as the three state and three federal Trustees and remember that they have make unanimous decisions.

What is the rate you give the process now, it has been five years now? Is it failure, is it passing, is it great.

Rod; Has been amazed that they have been able to accomplish everything that they have been able to do. I've been on the outside looking, like most of the population of Alaska. The expertise I bring to this is developing environmental documents. I had to come in and read oil spill documents to determine what has gone on in the past, what will go on in the future?

Sandy: It is a tough process. For anyone that has been around since the spill, seen the damages, seen the pain and misery caused. It is a tough process, there is no right or wrong answer.

Bill: Would respond in much the same way. Has been around in the fringes of the process. While other colleagues have been deeply immersed in it, he has been highly critical of it. During the past several months has got a different kind of exposure to it in participating in this document. He isn't a part of the oil spill process. With only this small amount of exposure, I am impressed that they are able to accomplish as much as they have. With the level of control and the cooperation that they need. There are still folks out there in the trenches dealing with projects. It is a cumbersome, challenging process just to stay with it, much less to accomplish something. The work that is being produced is very good quality with the review process that is built into it.

Rod: In the last six or seven months we have change three major personalities out of seven. A new Executive Director, two new Trustees. It continues to go.

Sandy: The next spill hopefully will happen closer to the begining to the fiscal year. For several years, we had the state

fiscal year, the federal fiscal year and the oil spill year and everything had to start happening right after the spill. That simple event is a nightmare bureaucratically. Took three or four years to agree that we could get off the oil year, forget about it. Switch the whole process onto the federal fiscal year. Trying to explain to people in Juneau or WDC that that we have this oil spill year.

Bill: What about the poor guy out there in the trench trying to do his project, he would get money that he should have gotten in March that was approved in April for a project that needed to start in February. He would be writing reports in the state and federal fiscal year. For the oil spill they had to do budgets that were three months long and nine months long.

John: It was worse than that, this FY94 Work Plan supposedly started on the federal fiscal year. Even though it didn't get to the Trustees then. In reality it was approved January 31. The Seaplan, the budget wasn't approved and the funds weren't transferred until almost into May. To get people out for the herring season, it was virtually impossible. A lot of that money was funded on the promise that it was coming through. It is something all scientists deal with, trying to get the field year back to where you have enough planned that you can get out.

What is the status of previous comments on this brochure? Organizations representing millions of Americans have commented on the brochure. What is the status of those comments as a guide to the EIS and should they all do it again?

Rod: In September 1993, the summary of the 2,000 comments received in response to the brochure. Comments have been made a part of the process and are largely influencing and reflected in this DRAFT Restoration Plan.

So in effect these town meetings such as this one and the other three I understand you have had, you are asking for comments on the comments.

Sandy: Comments on the documents.

That evolved from the comments. This is your fourth meeting. What kinds of things have come out in those meetings that you think are helpful, useful in contributing? If you were sitting in our chairs what kinds of things do you think you would be thinking about or what points would you be raising?

Rod: Depending on how much homework a person has done before coming to the meeting, I would expect people to come to the meeting as you folks have done and others have done in the previous meetings. To express your preference for certain management directions such as the establishment of a restoration reserve or your preferences relative to habitat acquisition and protection. Whether there should be more on that or less of that in the

programs in the future. Those types of preferences. If you really get into things and really do your homework on the EIS for example, I would expect people to say things like: maybe you underestimate the impact to pink salmon in Alternative three. Let me point out in Chapter two there is a table on page 19, with a one word summary of all the environmental consequences, the impacts to each of these resources. One of the things we have there is, under economy we have to divide it up. We have a model that does a good job of dealing with numbers but when you are somewhat speculative on, what kind of economic benefits that may be due commercial fisheries enhancements or tourism or marine enhancements. We have no way of plugging those in. Forestry, we had some assumptions, that dollars spent in habitat acquisition were going to actually take away from forestry jobs in that industry. However, does that same dollar gonna result in increased in recreation and tourism by preserving the viscus that people come to see? Also, by increase in commercial fisheries. It is very easy to make a case that that negative impact is more than offset by commercial fisheries industry and recreation and tourism industry. We had no comparison, couldn't compare apples and oranges. Couldn't compare them exactly. Things like that a person could comment on. Realistically we are trying to use the best tools that we have. We had our own economist on the team and contract with a research economist to do so of the modeling for us.

Has there been any attempt when you look at the trade off in terms of habitat acquisition?

Rod: Some lobbyists are going to be out of work.

Is there any provision for redirecting their economic capability or training? How did you deal with economic displacement?

Rod: We didn't deal with trying to mitigate the economic displacement of taking loggers out of the job market. We do have a relatively flexible work force at that level, people move back and forth across the various sectors of the economy. Whether it be in construction or out in the woods. There are some similar things involved. We are not talking about an area of the country where you have the really highly developed timber dependent infrastructure. So it is not quite the same.

Will that adversely affect and rightly so will be most concerned.. I think that is what we see here in our fishing industry. How do we prepare for this and how do we mitigate the economic dislocation this has caused? Some of the dreams and efforts and progress people have made toward their haunt or their boat is lost forever it is not going to show up in this kind of this.

Rod: Bear in mind that the EIS does not report on impacts to the oil spill. It's impacts are from "what would happen if today we didn't spend another dollar of the oil spill money? We stopped spending money altogether. What would be the difference between doing that and then doing something else? So it is just measuring

that increment or estimating what that increment would be. Whether that is a large amount or lesser amount or what? And in all these cases, with the exception of that of economy, we are saying what we see are in some way break even or somewhat beneficial impacts. Whether we see something, say like Marbled Murrelet which we see are closely tied to some timber stands. If buying timber and keeping it from being harvested that is beneficial to Marbled Murrelets. But buying timber is less beneficial to the sea otter.

Carol or Tabitha: The economist must have had and I understand all the problems with the model. I was wondering now that some of the corporations have said that we are going to use up all of our timber in ten years. It looked like they were looking a ten year period, did your model take into account the value that would be lost simply because the timber of some corporations is going to run out before the ten year period? Did that model take into account that some of those jobs that are going to be lost?

Rod: Model mainly looked at if you spend money taking timber out of the base, then you are going to lose jobs. It was more of a dollar to job sort of relationship, rather than looking at whether they are exhausting the timber faster than it is replaced. If all the commercial timber were to be eliminated over a ten year period? What we basically did was said that all commercial timber on these private lands would be harvested over the analysis period, so that all the commercial timber would be gone in a very short period of time. Which is consistent with the kind of role, the scenario that has been played out in the private sector. When they get the opportunity they have been depleting their lands.

John: The EIS doesn't preclude it and neither does the existing Work Plans, but I'm very concerned about the apparent shift of emphasis within the oil spill area primarily to Prince William Sound. As stated fairly eloquently earlier a lot of Kodiak, including all the bays were oil, the level of oil was not as high as it was in PWS, one could arguably say the toxicological implications were equally great because of the oil in the water column is probably a key factor. We had larger numbers of dead sea birds here than any other part of the oil spill area. We were the only part of the oil spill area that totally lost their salmon season. I simply would like to implore you to pass the word along that if Kodiak was an important part of the injured habitat and it is critical with the Kodiak Archeopelago continue receives and emphasis an area that needs restoration.

Rod: People in the Cordova area have gotten together and put forward something that the Trustees used as a good proposal they funded. The Trustee Council is looking to see what kinds of proposals come out of these areas. They are trying to balance the expenditures and not trying to put everything in PWS. PWS has been the major focus of all the research and all in recent days has had the organization out of Cordova has put forward the ecosystem studies. There is nothing to say that these ecosystem studies couldn't be done out of Kodiak as well.

John: Not to mention the fact that oceanographers on the Seaplan program and others not on the program recognize full well that the oceanographic dynamics feeding the Sound come from outside the Sound. In a very real sense, the Northern Gulf of Alaska particularly the Northwestern part of the Gulf of Alaska which is driven primarily by the Alaskan current is indeed driven primarily by the Alaskan current which is a feature that is external to the Sound and the relative influence of that feature is what drives the whole river versus lake hypothesis. It is in a very real sense only of subsistence not just in the Sound but the Northern portion of that system.

Sandy: If you interpret the funding of the Seaplan by the Trustee Council to be a measure of success, one of the reasons it was successful was because of an outpouring of support from Cordova in all forums that the Trustee Council pays attention to.

John: Carl Rosier said as much when he was here for the ground breaking for the Archeological Repository.

Sandy: If there is a lesson to be learned, that community cohesiveness is important.

Rod: These are public officials that do listen to what the public is saying. They have shown it in what they have done here, they are very sensitive to what the public has been saying. The Executive Director is very concerned that we hear and respond to what the public is saying. Don't take these documents and say "well here is another doorstop." Please respond in some fashion. At the very least express what your preference is. It doesn't necessarily have to be tied to these five as they are packaged you can say a different alternative with a restoration reserve plugged into it.

Tabitha: I feel that I'm getting a mixed messages. If we comment on these numbers on this table or on the alternatives as they were expressed earlier, even though this was for analysis purposes only, they are the only numbers we have to go by. If we are specific to those numbers, then it seems that what you were saying earlier is that it doesn't really matter. I'm a little confused as to what is helpful in the comment. Should we be specific, are they real numbers, are they proportional? This document seems to be the document that helps us know how the money will be allocated. So just a little clarification is needed.

Rod: Both are correct, one a specific dollar amount is more of an indication of an emphasis than saying in Alternative Five your table says 295 to 325, I really think that should be 350 to 450. That is something may or may not be changed in the Final Environmental Impact Statement, but it is something that can be used by the Trustee Council in saying Alternative Five will have . . . I don't know whether we can get all six Trustees to say that we feel that at least 60 percent of the money should be spend on habitat protection in the future. There are very strongly divided

opinions among the Trustee Council about habitat protection. They have agreed on the parcels to date where they could easily see the threat.

Tabitha: The public comment reflects that the people of Alaska would like 400 to 450 million spent on habitat acquisition. This legal document is a legal document.

Rod: It is a legal document in the decision making process.

Tabitha: Can the Trustee Council be held responsible for that?

Rod: They will be held responsible for what comes out of the final decision, the final. That will probably have emphasis expressed not necessarily. . . depending upon the Trustees. The Trustees that want more spent on habitat protection are looking to the public that want more spent on habitat protection. So that they can look at the other Trustees and say even though you don't feel comfortable with this, this is what the public wants. So you will give them the support they need to carry the vote. All these have to be unanimous decisions. Trustees do change. If they have part of the record they can turn to and they can say look when we set up our program, we said that habitat protection was going to be an emphasis. The major emphasis items in our Restoration proposal in the future. The public said we want you to spend most of the money on that, then in the future they might be able to carry the vote with a different set of Trustees. Every two years we have a change either the state or federal administration.

Sandy: It is confusing but keep in mind there are really two documents here to comment on the EIS and the Draft REstoration Plan. Another thing you can do is take the same thought go to page 15 where it talks about allocation of funding and target your comment right there. There are two distinct documents, you can comment on one or the other or both. You do have options, the bottom line is the more you can tell the Trustees, clear and articulate the better. On the brochure we received 2,000 comment through written and public meetings. It really did pull the Trustees in a direction shown here.

John: I know that what would be helpful to me as a Public Advisory Group member and I think for the Trustees as well is direct your comments toward what type of habitat you would like to see acquired or what criteria you would like to see used for the habitat acquisition. If your objective is inholdings in the refuge or ensuring the integrity of the Kenai Fjords, something that gives us direction. Just the words "spend more dollars on habitat" tends to rub a number of us the wrong way. Why do we want to buy the habitat? Why do we want to put more land in public hands when there is so little land in private hands in the state already? I'm personally not opposed to protecting habitat. It is important to do. You need to find ways to do it. Help by giving some guidance by what priorities we should put on that. I would listen, I think the Trustees would also.

Sandy: Shine more light on your comment. For habitat you want more research, is there any kind of research that you think is particularly important? Harbor seals, sea otters, that all helps. When they pile up 2,000 deep, something really does come out of that.

Rod: Sandy was involved in the preparation of the Draft Restoration Plan. Alternative five in the EIS is Draft Restoration Plan. The dollars you see in here are not in this document. They are more illustrative in nature. I had to ask the Trustees what could I assume for analysis purposes? That is what we were given for analysis purposes. They couldn't decide where they wanted to spend the money. Any one Trustee couldn't decide how they wanted to spend the money today. This range was something I could get all six Trustees to at least say "okay, you can use that for analysis purposes." That is why there are broad ranges in somethings and narrow ranges in others. They know that you are reading these numbers and it builds some expectations that you are going to want to hold them to. One may say there is no way in the world he is going to spend 300 million while another may say there is no way he is going to spend less than 300 million. Those numbers are not reflected in here at all. This document is the guide.

Sandy: When the document was written, there were several pages written about the allocation of funds. The Trustees as a group were not comfortable if they couldn't all get together on the numbers, of making a committment in this draft document. It is an example of there perceived need to maintain a lot of flexibility in that future decision making. Whether they are going to get enough comfort to actually put some numbers in the final plan or not, I don't know.

Public: The current set of Trustees who will be voting in October on this Restoration Plan, may be voting on something just until the end of December? YOU have three new state Trustees and they could vote on a new Restoration umbrella or will this be something permanent?

Sandy: Lets say this documents continue on the same course, that the final ones are kind of like these drafts. Lets say that on October 31, six persons vote to accept these documents. Then at the governor's election, someone else wins other than Hickel and there are three new state Trustees. Lets say that they want to change this, they need six votes to change this. If they can't get all six votes, they have to stay on course. That is the way this process works. As hard as it is for them to make a decision, it is just as hard to change it. They are aware of it as well. The EIS process was project 94422 in the 94 Work Plan which was funded over this fiscal year and just the first month of fiscal year in 95. They didn't another \$350,000 to do it again.

Rod: It wasn't something that everyone wanted to go out and spend money, but it had to be done to comply with the law the federal Trustees are bound by NEPA. That is one of the reasons we have

these annual work plans that are were are just going to do this much. Because there hasn't been an umbrella in place to take a long term view. The federal Trustees are going to be bound to do incremental things.

Public: Going on with the public access to lands acquired, how important is that to the Trustee Council?

Sandy: It is important to them. There was a draft position paper that is intended to lead toward a policy paper that was passed out at the last Public Advisory Group meeting. It was entitled "less-than-fee simple acquisition, and what the Council has directed to staff to do is work out a policy paper that helps guide the Trustee decision making on acquisition where less-than-fee simple title is all the property rights. Several people commented one of which was a corporation land owner concerned with creating policy to quickly and the effects of such policy. It is an issue that will be before the public eye for a while.

Tim Richardson: Have been to many Trustee Council meetings, at everyone the PAG says no one is listening to us. How is the PAG doing these day?

John: What was the attendance at the last meeting?

Sandy: There was an hour long discussion on that exact subject started by Chairman of the PAG.

JOhn: It is unclear as to how the Trustees want to use the PAG. Charlie Cole used to give the PAG a lot of flack, yet he actually paid attention and read all the transcripts because he tended to recite stuff back to you verbatim that wasn't in the summaries. Other Trustees seem to view us as a nicety, a public entity they can point to to say we have you, but not necessarily listen to. In many respects there hasn't been a lot of attention paid to PAG. There is a lot of effort in the PAG, in trying to establish a restoration reserve. A lot of it came out of the public comments to the brochure. Somewhere along the way the combination of the two seems to have had an effect.

Tim: Do you see more opportunity for it? Are you divided?

JOhn: There is a lot of variance, some of it was intentional. They went back specifically to try to find a new set of "at larges" the ones that originally put their credentials forward weren't going to work out. A number of those Public-at-Larges have some very outspoken opinions about various restoration alternatives. I think that the discussion that goes on, helps to communication back to our decision groups, helps the decision group understand what the process is doing. In terms of how much influence the PAG actually has on the Trustee Council, I don't know. If Jim Ayers follows through and incorporates the PAG to a greater extent and in the monitoring and research activities. There is a real possibility that the PAG will have a greater influence in the sense of habitat

acquisition. For example, next door here, the archeological repository project. That took forever to accomplish but the original concept of it came up in the PAG. There are some positive things we can point to in terms of accomplishments. There are certainly other cases where there are tremendous amount of frustration. They would receive documents like this days before the meeting or not until the meeting. The idea that your aren't going to have a chance to really read through these things and yet your are going to be asked make recommendations on them is frustrating to the PAG. There is no opportunity to take them back and discuss them with our communities or our constituent groups. In that sense the system is failing. The system is hopefully going to get on a more relaxed time frame. We hoped it was going to happen for 95. The whole process for the 95 Work Plan took along time to put together. That process was positive. That process broaden out the scientific input that can into the planning process to a much greater extent that it had been previously. Before that it had been a small clique of scientist, most of whom were agency scientists. This group brought together a lot of people, a much broader consistuency, in some cases outside of the state and if you look through the project ideas that have been submitted it reflects the desire implicated in items three and five general guidelines. That competative proposals would be encouraged in public input. It was most scientific input, but it was outside the Trustee agencies. It is not ideal, the Trustees could really benefit from a group such as the PAG over the next years. It will become a more relaxed process. Much more directed as each year's activities are going to provide more direction. The concept of involving more projects is now being talked about. Prior to this whole process it was not done specifically because the EIS hadn't been done. This EIS is a watershed of many of our minds.

Bill Hauser: Is there any clearly defined process which the Trustee Council uses or inputs information from the PAG?

John: The PAG has a definable agenda spot on every agenda. There is an official mechanism, it just isn't used.

Bill Hauser: It isn't like a sixth or seventh vote.

John: No. We are mixed in with all other public comments that are received. Some of the comments made a Trustee Council meetings, especially some of the flowery comments made on the Seward facility have a far great impact on the TC than those from the PAG. The PAG basically took a position against the Seward facility. If that gives you an idea of how much influence we have on the process. That is a public project, not a restoration project.

Rod: It seems to me that Jim tried to structure things so that each one of the projects there was a definition of how the PAG felt about it.

John: Our votes are always tallied. It always go to the Trustee with a full tally of the vote. On the 94 Work Plan, we ranked them

high, medium and low. The number of votes in each category was recorded. Some of the Trustees more than others pay a fair amount of attention to that. When we were first formed, we tried to develop a mechanism for ourselves to formalize input from our local communities. Many of us feel it is important to have active local community groups. We were forbade to do that. We cannot have local informational sessions. Not on an official basis, it has to be a talk to your neighbors and don't break the open meeting law.

Rod: Your charter is up for renewal.

John: All of us have appointments that officially end in October.

Sandy: Under FACA, Federal Advisory Committee Act, doesn't charters come back up.

Rod: Charters expire and are renewed. There was not rotating.

JOhn: We will presumably all get reappointed so there will be some continuity. There will be some members that don't want to be reappointed and some there will be new appointments anyway.

Rod: FACA recharters all advisories every two years.

John: In reality the settlement requires a public entity, advising the Trustees. That is what the PAG does, it is a public advisory group of some sort is required. Presumably we will be rechartered.

Rod: When the rechartering comes up it may be an opportunity to hold public meetings in your area. It may not be allows under your current charter.

John: It is allows, just under the current Trustees, they didn't want us to serve the public comment.

Rod: The consense document regarding the "Williams Protocol."

John: At lot of those elements came out of the PAG, now whether they were taken because they were from the PAG or they were a consensus from other sources?

Sandy: Having written a bunch of those, they came from all of the above.

Rod: What seemed to be happening, was the PAG had forwarded a document to the Trustee Council, yet the Council had not said anything about it and then had used it.

John: There are numerous cases that can be pointed to. A lot of the frustration could be alleviated and qualified people could be found to serve if the role of the PAG and the mechanism for PAG input into the process were much better defined.

Sandy: Refers to three subcommittees appointed at meeting: budget,

fee simple policies and work plan. You are on 95 Work Plan. They tried to keep it to a workable size group.

John: Did any further come up whether Jim really wants a PAG member on the Scientific Steering Committee?

Sandy: The group you are involved with, will probably be asked to attend that meeting on the July 12 and 13.

John: Jim had suggested that I might be available for that role.

Christine Stahl Johnson: Is it mostly because they don't really know what they are restoring? We don't know what kind of impact we are going to have on it so don't put too much into it? Habitat is a major part of it.

Rod: We are better off understanding that ecosystem out there and any relation and how in small ways we might effect a large change versus going out there and

Sandy: Another interesting thing, if you go back and took every plausible idea and three reasonable people and reasonable knowledge would look at every idea there was for general restoration. They are reasonable, they are practical, we don't think something bad is going to happen. It was hard to get that general restoration number up.

Christine: Until last month I was Chairman and Scientific Advisor for RCAC and we had mandated us by OPA 90 and council direction to come up with an environmental monitoring program \$500,000 for two years. That is not a lot of money. There always came to mind. How can we bring together all the pieces of people studying environmental monitoring and impact and make some synergistic effect of all our individual pieces of money instead of everyone doing something different. While your talking about the purpose of the settlement money is to restore after the spill, is there anywhere in there that these programs will help us identify what we have or where to go with the next step? It is not part of restoration, we can't put in prevention response or equipment. In terms of focusing the money on understanding what we have and recognizing that we are under the risk of another one. If it is potentially larger. If we are going forward with habitat. Habitat acquisition is one of the things in habitat protection. It isn't that big of a stretch to go from protection to understanding what we have here and how we want to protect it from another spill. What would be the best way to protect our critical habitat? Is that a mind set that can be incorporated in any one of these plans or something that works along that line?

Rod: It could be incorporated the Draft REstoration Plan. It is most flexible and it does look at a more holistic approach.

Sandy: Brings up the Invitation to Submit FY95 Proposals. Mentions winter workshops.

Christine: These are the scientists under Dr. Spies?

Sandy: Other additional people were brought in, now just those under Dr. Spies. Help review and guide the future. In addition please include in the budget the cost of two trips to Anchorage and seven days time of principal investigators. That time will be used for winter workshops to discuss the results of 1994 field season and make adjustments for 95. There are two winter workshops planned by the Trustee Council to come and talk about what they have been doing, whether with oil spill money or other money relative to the restoration.

Christine: It is hard to see how the whole picture really integrates. It doesn't make sense to do a restoration plan when were lacking what the potential for the future and what we are looking for in terms of preparing ourselves, understanding what potential impacts we are going to run up against. What really are our priorities when it comes to protection for preparedness and response? Preparedness and response in terms of critical habitat and fishery stuff. I support habitat acquisition, but I have had a real hard time with the small amount of effort relative to habitat acquisition and what really is going on in terms of the biological impacts and the importance of the marine resources. We can't buy them. The bays and estuaries around Kodiak. Kodiak Island is nursery habitat for every species that you find in the Gulf of Alaska, you are going to find here. It is going to be connected in some way to this area. How do we intergrate a restoration plan that helps us protect or deal with critical marine habitat? We should be able to look at NRDA and restoration and back track and say what would be the best approach and how do we intergrate this effort with what is going on with the Trustee Council? And all this other effort that is going on with industry? Kodiak hasn't gotten enough attention in the importance in the R2 in this region and the ecosystem of the whole impact of the... A large portion of what get spawned in PWS and Cook Inlet gets raised up here. The halibut are one and two year olds in the Kodiak region. We know these are the whole patterns in the gulf we need to understand clearly how to protect this habitat. A lot of the effort is done in PWS, it is easier to deal with. Rather than the complexities of what is going on here. Other than buying forests, which is great.

Rod: Those alternatives vary quite a bit. Alternative two is habitat protection. Alternative five proposed action.

**Public Meetings on Draft Environmental Impact Statement & Restoration Plan
July 5, 1994 - Kodiak**

NAME	ADDRESS	AFFILIATION
JERRY BABBITT	FITC, 900 TRIDENT WAY, KODIAK, AK 99615	NMFS, UR DIVISION
John French	FITC, 900 Trident Way Kodiak	UAF - FITC
Pat Carlson	210 Mill Bay RD. Kodiak	Acting Mayor ^{Kodiak is equal Borough}
Bruce Barrett	211 Mission Rd, Kodiak	ADF&G / COMM. FISH
Tim Richardson	4104 Denfeld Ave Kensington ^{AK}	At high Koyuk, Old Harbor
Caryl Boehm	1851 Panmutter Anch	AK Ctr. for Env.
Tabitha Gregory	PO Box 10000 Anch. AK	AK Ctr for the Environment
Alvin Bunch	Box 884 Kodiak AK	AK Druggists Assn
Tim Brisg /	1025 H St. Anch. AK 99501	AK Cen. for the Env.
Wayne A. Stevens	Box 1485 Kodiak AK 99615	KODIAK CHAMBER OF COMMERCE
CLIFF DAVIDSON	Box 746 KODIAK	ALASKA LEGISLATURE
JOEL BOLGER	323 CAROLYN, KODIAK	APPROVED FOR KODIAK ISLAND BOROUGH
Jessie Sank-Johnson		

COMMENTS

Comments on the Draft Exxon Valdez Oil Spill Restoration Plan: _____

Figure S-1 does injustice to the extent of oiling that occurred in the Kodiak & Chignik Management Area. For example ADF&G ~~the~~ document oiling in every Kodiak bay w/ exception of Olga Bay on the south end of Kodiak Is (Barnett & Monkewitz 1989). Further, Chignik was oil to the entrance of Chignik Lagoon.

Comments on the Draft Environmental Impact Statement: _____

Name: Bruce Barrett Date: 5 July 94

Address: ADF&G - Kodiak

**Exxon Valdez Oil Spill
Trustee Council
645 G St., Suite 401
Anchorage, AK 99501-3451**

Place
Stamp
Here

**Exxon Valdez Oil Spill
Trustee Council
645 G St., Suite 401
Anchorage, AK 99501-3451**

SUMMARY OF COMMENTS FROM THE KODIAK PUBLIC MEETING

Kodiak July 5, 1994

[Note: This is a summarized version of the Kodiak public meetings, the full meeting transcripts include the Trustee Council's staff responses and the full context of the conversations.]

Carol Boehnert: Regarding how the parcels were ranked. She recalls they were ranked one way in 93, but with the current appraisals has the ranking changed at all?

John French: State for the record, why given the questionable history of public management of lands, in the adjacent areas in this State, that you feel purchasing land is habitat protection? Without a management strategy it is somewhat questionable strategy to purchase lands.

Staff Response.

John French: Not questioning the preservation, just questioning the cognitive relationship between purchasing and preservation. You have heard over and over again from members of the Public Advisory Group requests to look at alternative strategies for preservation other than outright purchase. But that seems to be the way it is going. Doesn't personally see the justification for that. Doesn't believe Washington can manage land better than we can ourselves.

Mr French stated his support of the scientific planning meetings being conducted by the Trustee Council towards an ecosystem approach. He feels that alternative 5 would greatly improve our understanding the ecosystem; however, he is concerned that not enough money may be allocated towards research for all the resources affected. He stressed that research isn't just a matter of "counting" animals.

ADFG employee (Bruce Barrett?): There are threats in some of the areas that have fish weirs. The fish weirs are extremely important and are being threatened by more and more commercial development. Would like to see a greater emphasis given to acquiring the innumeration sites that are on private property. The weir sites are important and the Dept of Fish & Game has prepared a list of all the locations where they are not in public ownership.

Map S-1 was discussed and its purpose was clarified. It doesn't show the extent of oiling, rather the oiling at specific intervals during the first 56 days.

Tabitha Gregory: Doesn't understand why the money allocations were not made clearer in the Summary. You have to look in the full text to see that if you vote for alternative 5, you are voting to cut habitat acquisition.

Tabitha Gregory: If you hear from someone responds in favor to alternative five, that next year the Trustee Council could actually be working up alternative three or four.

John French: In 1991, the beginning of this process. The assumption was that herring and pink salmon were reasonably recovering in PWS. Both have now been shown not to be the case. There is a lot of things we don't know about what is happening to the system. I agree we have to count them, and personally agrees with the weir site acquisitions. It is a directed purchase that has a defined use in terms of public management. I support that sort of acquisition.

Judge Holland had the foresight to allow within the settlement for identification of species. Whole lot of resources, didn't know much based on data, so we really didn't tell you because we really didn't have any inkling that we would be able to prove that they were injured. By using a broader brush, by using the ecosystem approach where we are not necessarily studying everything. We are coming much closer to understanding the dynamics of the system. We can look at those things that perhaps are integral to the ecosystem, we didn't realize it at that point. We still have major marine mammal declines going on. Restoration dollars are not going to be directed toward those in the cases that they weren't on the injured species list in the oil spill. By understanding the system dynamic and availability for marine mammals and birds in the oil spill area. Why, they may allow us to get a better grasp on what is happening in those species. There are some advantages, to painting restoration in a broader stroke.

Joel Bolger: Which is the alternative that would best incorporate an attempt to ensure those species about which we have not quantified the extent of damage or the total ecosystem, because we have know that we don't have the data gathered yet. Things may pop up that we aren't even looking for yet. Which alternative should we be heading for to ensure inclusion?

John French: Alternative five also has the reserve. The ocean {cycle} can range anywhere from 7 to 14 years or greater. If we can get through a couple of cycles of natural change, since we haven't done before the oil spill, we have an opportunity to do it

now. It would allow us to really get a grasp on what the natural ability, natural cycle would be. Without that information, it is going to be impossible to come to answer that question. The restoration reserve is a critical aspect of this restoration process.

Joel Bolger: In the process of no one understanding the change, are we directing sufficient amounts of money to research to find those things out? Are we allocating the appropriate money to resources?

From my perspective the Fishery Industrial Technology Center is ready, willing and able to conduct research. There already exists the bodies, the facilities and the equipment to do it. How come we aren't channeling some money into to gathering this information that we need to have to establish that baseline? Once the baseline is established some money track some of these processes down the road, five or ten years down the road whatever these cycles are 5, 10, or 15 years. Whatever the cycles are, if indeed the cycles are 15 or 20 years in terms of temperature changes and all the stuff that goes on as a result of just mere temperature changes in the water over periods of time. How can you establish anythings if you don't know where you're at or where you are going?

John French: The inception of the Fisheries Industrial Technology Center, the intent has been to provide a working platform, not only for the University of Alaska, but also other state and federal agencies and we have been gradually moving toward this objective over the course of many years. Starting about the same time as the oil spill got into some very serious discussion with NOAA NMFS in terms of this facility. We just completed a requirement study for not only NOAA but NPS, FWS and ADFG to provide for much broader facilities needs with respect to both management, research, and monitoring type activities. As a result of the last requirement study, we are talking on the order of an additional 95,000 square feet and \$30,000 facility. Those of you who have been over to the Fish Tech Center, that is about five times more than we have today. If it included all the NMFS personnel which is the way it is envisioned and all the Fish and Game personnel which is less certain at this point. It could easily be housing 100 times, we are using space far more cost effectively than the Seward facility, if I may say so myself. If you what the numbers from those I can recite those to, but I won't bother.

We have the capabilities here and the long term planning to develop a facility which will provide for the long term research and monitoring needs for the fisheries in the North Pacific. Primarily fisheries, although if we get right down to it, most marine mammals and marine birds use fish as their major food source. Or use food

sources in the phytoplankton zooplankton level which the fish are competing for. We need to understand that corner. I don't see this as a facility that is competing with Seward, but as one which is complimenting what the Trustees are trying to do in Seward. Trying to develop a strong fisheries corner for it. Fisheries corner that is here in the second largest fishing port in the US, not somewhere else. And yet, it would be very appropriate in terms of general restoration to see some dollars go into that. We received \$3 million from the state criminal settlement. We currently have \$3.6 million identified in the project. A lot of the money is going to come from leases, we never did ask for \$25 million like the Seward folks did. We feel that somewhere around a third of the facility could be directly tied into activities justified by the court settlement, therefore, that is all we were ever looking for is on the order of \$7 to 10 million. Frankly I think that would be money very well spent.

Wayne Stevens????: \$47 million for a tourist attraction that will not pay its way. Evidently there is some money already committed to that. \$47 million divided by 17 mammals, it comes up to several million per mammal. We have a ten year plan here, the Tech Center is ten years old now. We need to ask for more than back off to something else. We have information from our delegation in WDC, they will support it. This is the place, Kodiak is the largest mothership is anchored right here.

The University seems to be a reluctant partner in the Seward IMS facility. No one that Mr Stevens talks to in Fairbanks is willing to admit to being the one who was the "ringleader" to get the proposal established.

Carol or Tabitha??: It is my understanding that the way the appraisal process is now set up, there aren't going to be any negotiations by a third party. You give me 50. No, how about 40, how about 45. The government appraiser will come in with a figure and that figure is out there on the table. The landowner can ask for their own appraiser, but there is no process so that the landowner's appraiser and the government's appraiser can negotiate between the two figures.

Carol or Tabitha??: In terms by when the government decides on the rules by which the appraisal is done, figures such as Seal Bay and Kachemak Bay are not allowed to be comparable, they don't look at those two purchases as comps. So when assigning fair market value they are necessarily low balling it.

Pat Carlson: Appreciates group coming down. They will be providing written comments by the August 1 date. Were just working it all through digesting it.

John French: The Restoration Plan and DEIS provides the skeleton which is more than we have today.

{A discussion amongst the staff highlighted some of the scheduling and logistical problems that have occurred in the past.}

John French: It was worse than that, this FY94 Work Plan supposedly started on the federal fiscal year. Even though it didn't get to the Trustees then. In reality it was approved January 31. The Seaplan, the budget wasn't approved and the funds weren't transferred until almost into May. To get people out for the herring season, it was virtually impossible. A lot of that money was funded on the promise that it was coming through. It is something all scientists deal with, trying to get the field year back to where you have enough planned that you can get out.

What is the status of previous comments on this brochure? Organizations representing millions of Americans have commented on the brochure. What is the status of those comments as a guide to the EIS and should they all do it again?

Carol or Tabitha Gregory: The economist must have had {????} and I understand all the problems with the model. I was wondering now that some of the corporations have said that we are going to use up all of our timber in ten years. It looked like they were looking a ten year period, did your model take into account the value that would be lost simply because the timber of some corporations is going to run out before the ten year period? Did that model take into account that some of those jobs that are going to be lost?

Mr. French is very concerned about the apparent, though unstated, shift of emphasis within the oil spill area primarily to Prince William Sound. All the bays were oil, although the level of oil was not as high as it was in PWS, one could arguably say the toxicological implications were equally great because of the oil in the water column is probably a key factor. We had larger numbers of dead sea birds here than any other part of the oil spill area. We were the only part of the oil spill area that totally lost their salmon season. I simply would like to implore you to pass the word along that if Kodiak was an important part of the injured habitat and it is critical with the Kodiak Archeipelago continue to receive an emphasis as an area that needs restoration.

John French: Not to mention the fact that oceanographers on the Seaplan program and others not on the program recognize full well that the oceanographic dynamics feeding the Sound come from outside the Sound. In a very real sense, the Northern Gulf of Alaska particularly the Northwestern part of the Gulf of Alaska which is driven primarily by the Alaskan current is indeed driven primarily by the Alaskan current which is a feature that is external to the Sound and the relative influence of that feature is what drives the whole river versus lake hypothesis. It is in a very real sense only of subsistence not just in the Sound but the Northern portion of that system.

Tabitha Gregory: I feel that I'm getting a mixed messages. {regarding how to best comment on the draft Restoration Plan and DEIS} Should we specific, are they real numbers, are the proportional? This document seems to be the document that helps us know how the money will be allocated. So just a little clarification is needed.

Tabitha Gregory: The public comment reflects that the people of Alaska would like 400 to 450 million spent on habitat acquisition. This legal document is a legal document.

John French: I know that what would be helpful to me as a Public Advisory Group member and I think for the Trustees as well is direct your comments toward what type of habitat you would like to see acquired or what criteria you would like to see used for the habitat acquisition. If your objective is inholdings in the refuge or ensuring the integrity of the Kenai Fjords, something that gives us direction. Just the words "spend more dollars on habitat" tends to rub a number of us the wrong way. Why do we want to buy the habitat? Why do we want to put more land in public hands when there is so little land in private hands in the state already? I'm personally not opposed to protecting habitat. It is important to do. You need to find ways to do it. Help by giving some guidance by what priorities we should put on that. I would listen, I think the Trustees would also.

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John French: It is unclear as to how the Trustees want to use the PAG. Charlie Cole used to give the PAG a lot of flack, yet he actually paid attention and read all the transcripts because he tended to recite stuff back to you verbatim that wasn't in the summaries. Other Trustees seem to view us as a nicety, a public entity they can point to to say we have you, but not necessarily listen to. In many respects there hasn't been a lot of attention paid to PAG. There is a lot of effort in the PAG, in trying to establish a restoration reserve. A lot of it came out of the public comments to the brochure. Somewhere along the way the combination of the two seems to have had an effect.

Tim: Do you see more opportunity for it? Are you divided?

John French: There is a lot of variance, some of it was intentional. They went back specifically to try to find a new set of "at larges" the ones that originally put their credentials forward weren't going to work out. A number of those Public-at-Larges have some very outspoken opinions about various restoration alternatives. I think that the discussion that goes on, helps to communication back to our decision groups, helps the decision group understand what the process is doing. In terms of how much influence the PAG actually has on the Trustee Council, I don't know. If Jim Ayers follows through and incorporates the PAG to a greater extent and in the monitoring and research activities. There is a real possibility that the PAG will have a greater influence in the sense of habitat acquisition. For example, next door here, the archeological repository project. That took forever to accomplish but the original concept of it came up in the PAG. There are some positive things we can point to in terms of accomplishments. There are certainly other cases where there are tremendous amount of frustration. They would receive documents like this days before the meeting or not until the meeting. The idea that your aren't going to have a chance to really read through these things and yet your are going to be asked make recommendations on them is frustrating to the PAG. There is no opportunity to take them back and discuss them with our communities or our constituent groups. In that sense the system is failing.

The system is hopefully going to get on a more relaxed time frame. We hoped it was going to happen for 95. The whole process for the 95 Work Plan took along time to put together. That process was positive. That process broaden out the scientific input that can into the planning process to a much greater extent that it had been previously. Before that it had been a small clique of scientist, most of whom were agency scientists. This group brought together a lot of people, a much broader constituency, in some cases outside of the state and if you look through the project ideas that have been submitted it reflects the desire implicated in items three and five general guidelines. That competative proposals would be encouraged in public input. It was most scientific input, but it was outside the Trustee agencies. It is not ideal, the Trustees could really benefit from a group such as the PAG over the next years. It will become a more relaxed process. Much more directed as each year's activities are going to provide more direction. The concept of involving more projects is now being talked about. Prior to this whole process it was not done specifically because the EIS hadn't been done. This EIS is a watershed of many of our minds.

John French: The PAG has a definable agenda spot on every agenda. There is an official mechanism, it just isn't used. We are mixed in with all other public comments that are received. Some of the

comments made at Trustee Council meetings, especially some of the flowery comments made on the Seward facility have a far greater impact on the TC than those from the PAG. The PAG basically took a position against the Seward facility. If that gives you an idea of how much influence we have on the process. That is a public project, not a restoration project.

John French: Our votes are always tallied. It always goes to the Trustee with a full tally of the vote. On the 94 Work Plan, we ranked them high, medium and low. The number of votes in each category was recorded. Some of the Trustees more than others pay a fair amount of attention to that. When we were first formed, we tried to develop a mechanism for ourselves to formalize input from our local communities. Many of us feel it is important to have active local community groups. We were forbidden to do that. We cannot have local informational sessions. Not on an official basis, it has to be a talk to your neighbors and don't break the open meeting law.

John French: All of us have appointments that officially end in October. We will presumably all get reappointed so there will be some continuity. There will be some members that don't want to be reappointed and some there will be new appointments anyway.

In reality the settlement requires a public entity, advising the Trustees. That is what the PAG does, it is a public advisory group of some sort is required. Presumably we will be rechartered.

John French: A lot of those elements came out of the PAG, now whether they were taken because they were from the PAG or they were a consensus from other sources?

John French: There are numerous cases that can be pointed to. A lot of the frustration could be alleviated and qualified people could be found to serve if the role of the PAG and the mechanism for PAG input into the process were much better defined.

Christine Stahl Johnson: Is it mostly because they don't really know what they are restoring? We don't know what kind of impact we are going to have on it so don't put too much into it? Habitat is a major part of it.

Christine Stahl Johnson: Until last month I was Chairman and Scientific Advisor for RCAC and we had mandated us by OPA 90 and council direction to come up with an environmental monitoring program \$500,000 for two years. That is not a lot of money. There always came to mind. How can we bring together all the pieces of people studying environmental monitoring and impact and make some synergistic effect of all our individual pieces of money instead of

everyone doing something different. While your talking about the purpose of the settlement money is to restore after the spill, is there anywhere in there that these programs will help us identify what we have or where to go with the next step? It is not part of restoration, we can't put in prevention response or equipment. In terms of focusing the money on understanding what we have and recognizing that we are under the risk of another one. If it is potentially larger. If we are going forward with habitat. Habitat acquisition is one of the things in habitat protection. It isn't that big of a stretch to go from protection to understanding what we have here and how we want to protect it from another spill. What would be the best way to protect our critical habitat? Is that a mind set that can be incorporated in any one of these plans or something that works along that line?

Christine Stahl Johnson: It is hard to see how the whole picture really integrates. It doesn't make sense to do a restoration plan when were lacking what the potential for the future and what we are looking for in terms of preparing ourselves, understanding what potential impacts we are going to run up against. What really are our priorities when it comes to protection for preparedness and response? Preparedness and response in terms of critical habitat and fishery stuff. I support habitat acquisition, but I have had a real hard time with the small amount of effort relative to habitat acquisition and what really is going on in terms of the biological impacts and the importance of the marine resources. We can't buy them. The bays and estuaries around Kodiak. Kodiak Island is nursery habitat for every species that you find in the Gulf of Alaska, you are going to find here. It is going to be connected in some way to this area. How do we intergrate a restoration plan that helps us protect or deal with critical marine habitat? We should be able to look at NRDA and restoration and back track and say what would be the best approach and how do we intergrate this effort with what is going on with the Trustee Council? And all this other effort that is going on with industry? Kodiak hasn't gotten enough attention in the importance in the R2 in this region and the ecosystem of the whole impact of the... A large portion of what get spawned in PWS and Cook Inlet gets raised up here. The halibut are one and two year olds in the Kodiak region. We know these are the whole patterns in the gulf we need to understand clearly how to protect this habitat. A lot of the effort is done in PWS, it is easier to deal with. Rather than the complexities of what is going on here. Other than buying forests, which is great.

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SUMMARY OF EIS PUBLIC COMMENT OPEN HOUSE MEETING

July 7, 1994

U.S. FOREST SERVICE OFFICE

612 SECOND STREET

CORDOVA, ALASKA

4:00 - 8:00 p.m.

ATTENDEES:

Molly McCammon
Rod Kuhn
Bill Houser
Rebecca Williams
Rick Steiner
Evelyn Brown
Jody Seitz
David Scheel
Sandra Medearys
Mary Ann Bishop
Nancy Bird
Mark Willette
Greg Petrich
Monica Riedel
Samual Sharr
Andy Gunther
Karl Becker

Comments:

Rick Steiner: First of all, the selection of names for the different alternatives is more than a little subtle in trying to influence public opinion, I think. The names actually could have been read in reverse if you think about the limitation of habitat acquisition throughout the plan.

He would like to see an Alternative between 2 & 3. This would leave about 30 million dollars in general restoration with the difference going into Habitat Protection.

He also described the research program as being enormous in the preferred alternative. If you look at the 150 million dollars that have already been spent, and consider that some of the general restoration projects have to be researched first, it becomes a 500 million dollar research program. In comparison, NMFS spends only 6 million dollars a year for research throughout the entire state of Alaska. It does need research and monitoring, but not at the levels proposed here.

The next comment was about the reserve. The Justice Department and the State of Alaska were very clear in their comments about the settlement that we have to have this money now, we can't wait years from now to settle this thing in court, we have to have this money now, we have to use it in the interest of the injured ecosystem. Putting it in the bank is not using it in the interest of the injured ecosystem.

Mr Steiner also commented that "bricks and mortar" projects, are a real fear that a lot of people have with the general restoration category. Its very difficult to imagine why building buildings is going to help the injured ecosystem.

The impact statement really didn't adequately analyze the impact so far, the lack of habitat protection. There's been over 100 square miles of coastal forest clear-cut between the oil spill and right now, and so I'm not sure if the impact statement really adequately addresses that. This document does not look backwards and it should.

David Scheel: Wouldn't the best way to find out what might happen if you didn't do anything, versus if you did do anything, be to look at what happens when you did what you did, and if that's nothing in terms of habitat protection then you can extrapolate the trend that you've seen in that period, into the future. I mean that would be a rational way to go about estimating the impact of continuing the course of action you have been following since the oil spill.

The structure of the document is not conducive to getting the highest quality public comment. By lumping so many things into the different alternatives the real issues are obscured and it is difficult to combine aspects of the alternatives. For instance, on the duration of the restoration program, I'm definitely on Alternative 4, but for habitat protection I'm somewhere between 2 and 3.

Mary Ann Bishop: When you sent out the brochure last summer, when you had the 4,000 responses, was the winning one Alternative 5?

Name Unknown: I'm interested in who will make the determination that a resource has recovered and the criteria that will be used.

Evelyn Brown: Would like to see something between Alternative 2 & 5. Concern about general restoration portion of Alternative 5 because of the continuing lack of baseline data. I would like to see enough baseline established where you can wisely determine what your restoration alternative may or may not provide, and in the mean time shift the money you were going to spend on that end on habitat protection. That's your best bang for your buck, if you want to just try to protect the ecosystem, but I strongly believe we need some research and monitoring, and so I agree with a level that you have listed in Alternative 5.

David Scheel: You've stated its going to be a guide to Trustees in making

decisions, and if it says an emphasis will be placed on general restoration or on research in leu of habitat protection, then once that emphasis is written into the record of decision then it becomes a legal guide to decision making and it has a huge impact in that regard.

Rick Steiner: The reopener clause should take care of unforeseen damages that goes beyond the settlement period. Also, if you look at this from the oil industry side it is setting a presidents that will benefit the industry in the next calamity. They'll say "they said they had to have this money on this payment period, and they didn't even need it. They didn't even use it."

Greg Patrick: They've gone through with three habitat purchases and those were environmental assessments rather than EISs and I don't understand why the EIS. I just didn't want that business to be a reason to some short term option.

David Scheel: Which one of these options has enough emphasis placed on habitat protection to protect all of the high ranking parcels? (Staff comment) At full purchase or at the lowest level of protection?

Rick Steiner: Buying only the highest ranked parcels completely violates your ecosystem concept that you tell us you support. Because it's not broad, I mean if you're piece mealing what you ranked as high value your not getting watershed, your not getting ecosystems, your getting chunks. They are large parcels but 125,000 acres spread from Cordova to Kodiak is small chunks.

David Scheel: Have you analyzed the parcels in relationship to the surrounding land status. In other words are you just buying 15,000 acres in the middle of a clear cut or are you buying 15,000 acres as part of a 210,000 acre watershed. And those make very different, have very different impacts on how much protection you get from that land.

Rick Steiner: When will the small parcel analysis be ready?

Nancy Bird: Alternative 2 as I understand it, was supposed to push habitat acquisition/protection most, and sort of put everything else, research, restoration activities, at much less. And yet the last policy on habitat protection says to increase human use in spill area? How do those two things go together?

David Scheel: It should be made clear if that means low impact uses.

Jody Seitz: You said that jurisdiction of those lands as far as regulations go is under discussion, the land requirement of habitat protection there is a discussion on who is going to regulate. And that is where the subsistence uses on those lands is addressed.

David Scheel: Human uses are not defined in these documents.

Jody Seitz: The only reason habitat protection can be tied to injured resources is that if you can protect that habitat in its form right now and not disrupt it by logging, mining or increased recreational use in order to allow those fish and bird populations to increase. So how does it follow if we went to Alternative 2 as the chosen alternative, we would end up to increase human use? How does purchasing timber right and land increase human use?

Nancy Bird: No restoration monies toward increasing human uses, I fully support doing what ever we can to restore existing uses. Ms Bird would like to see an alternative between 2 & 5 that promotes habitat protection that uses long term easements when possible. *"At the same time I support very strongly some on-term money for research on populations that I don't believe that we really know what impacts there really are."*

Jody Seitz: I'm having trouble finding a definition for general restoration as opposed to monitoring and research.

Rick Steiner: The settlement says pre-spill condition. Increasing human use, beyond what they were pre-spill, building whatever out here, is a not pre-spill condition, and I think it violates the sentiment and the legal mandates set.

Jody Seitz: I have a real hard time giving the recreational uses other than the impact on the economy, the same consideration in the same kind of address for restoration as an injured resource. And I don't believe it should be considered in the same kind of light, recreational pursuits just like sport fishing, and I just find it very difficult to give recreational pursuits that same value.

Rick Steiner: His preferred alternative would also include the ability to protect habitat outside of the spill region, with precedence within the region. For instance, Cape Suckling, right on the outside of the spill area, but it would give tremendous value to the aesthetic value to replacement wilderness value.

Nancy Bird: Whose is going to read these comments? Will the Trustee Council read these notes? I heard Charlie Cole read every letter he ever got.

Rick Steiner: Where would the Institute of Marine Science fall, under restoration, or research?

Nancy Bird: From the reading of the settlement that I did initially it didn't appear to me that bricks and mortar was really what the intent of the settlement. However you can certainly make a good case for some bricks and mortar projects, I don't want to throw them out absolutely but 99% of them are not really applicable.

Most communities in Alaska are saddled with enough public buildings to maintain. How much of Trustee Council money goes into the maintenance for the IMS?

Jody Seitz: I had a question about boat launch projects, I got wind of these projects when I was working for Fish & Game, and I was just wondering if you know how many of these projects were proposed? I can understand trying to draw recreation use away from injured areas, but I also have a problem with including these kind of facilities under the restoration focus. So I was wondering how many of these projects you've heard about? (Staff comment) So our PAG people brought back with them a package that we can look at?

Rick Steiner: Alternative 5 actually has the maximum, or close to the maximum negative environmental impact, by allowing passively much more clear cutting, much more habitat destruction, that was not addressed. And so in a sense that has to be addressed very clearly in here, we've got to be honest in that. Under Alternative 5 we'd lose a lot more habitat than the other alternatives, than at least Alternative 2 or 3.

Nancy Bird: Can you describe for me how you came up with the five alternatives. The last meeting like this I went to like this we had the that little newspaper thing did a great job outlining alternative for the lay person walking in. Somehow I guess I'm not following how these alternatives came out of this. (Staff comment) And so, increased human use, it just does not follow for me, that people who voted for habitat acquisition/protection (indiscernible) percentage of the money and would be saying that they also wanted to see that use to increase human use here. Habitat protection policies in every meeting I went to that particular policy got shutdown.

Am I not correct when you got the responses to this (brochure) this is what you sent out, and you got all these responses to, which lead to the Alternative 5, but it's not necessarily true that the public voted for Alternative 2 to include these pieces of the policies.

Rick Steiner: \$500 million at minimum for habitat protection minimum.

There was a discussion with the Trustee Council staff regarding reimbursements. Mr Steiner was told that the Forest Service has decided not to request additional reimbursements. He asked if the other agencies might do the same. He suggested that they wait until 2001 to see if reimbursements should be the priority use of the funds.

Nancy Bird: Ms Bird had heard that some reimbursement funds went towards a fish project in Montana.

Rick Steiner: Can we go on record as asking the federal agencies to follow the

lead of the State of Alaska and give us an itemized break down of where these reimbursements go?.

Nancy Bird: Who do we submit a request to?

Jody Seitz: Scientific information could be more widely publicly distributed and it would be interesting for people to see, why this (habitat protection) is a big part. I know I'm probably saying a contradictory thing to ask you to put out more information, but that the documents are too big.

Rick Steiner: Well the only complex thing in the habitat argument though is that it's not just injured resources its replacing injured resources services, and that get under this whole nebulous contingent value, aesthetic, wilderness, things like that for damage, and replacing the equivalent quote unquote protection. And it gets out there. It'd be just a short fact sheet as to why, justification.

Karl Becker: Mr Becker questioned how the modified alternative 5 was selected as the preferred alternative when there was overwhelming support for greater emphasis on habitat protection with very little amount for administration, as little as you could get away with, and monitoring and research somewhere down in the 10 to 20% range, maybe 25% if you throw in general restoration, but more of a 25/75 cut between habitat and research monitoring and information.

He stated that people in Cordova would feel "a lot safer" if they had a sense of what the minimum commitment was going to be given to each of these categories.

Mr Becker supports an alternative between Alternative 2 & 3. And I guess I have to reiterate, that the public comment overwhelming supported something in terms of habitat protection in this area, not in Alternative 5. That's why I'm surprised this came out as the preferred alternative, and with the break down that it did.

I'd like to see in research funding to be based on a long term comprehensive research plan, like the SEA plan. Any research that is done should tie in with the SEA plan or some other comprehensive plan.

What I don't want to happen is the agencies getting hooked onto this oil spill funding. The objectives mandated should be met thru legislative funding rather oil spill monies.

Mr Becker also commented on the IMS project. "I just find that thing has been through more changes than a chameleon, and I think that is a terribly transparent attempt to siphon restoration monies into a potentially illegal project. I think not only is it inappropriate use of restoration funds, the project was conceived as something totally unrelated to restoration, it was an amusement park, and it has been massaged to keep as many elements of that as possible but yet conform to restoration projects."

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EIS PUBLIC COMMENT OPEN HOUSE MEETING
July 7, 1994
U.S. FOREST SERVICE OFFICE
612 SECOND STREET
CORDOVA, ALASKA
4:00 - 8:00 p.m.

ATTENDEES:

Molly McCammon
Rod Kuhn
Bill Houser
Rebecca Williams
Rick Steiner
Evelyn Brown
Jody Seitz
David Scheel
Sandra Medearys
Mary Ann Bishop
Nancy Bird
Mark Willette
Greg Petrich
Monica Riedel
Samual Sharr
Andy Gunther
Karl Becker

Comments:

Mary Ann Bishop: What year does this document go through? Six years?

David Scheel: Could you say a word or two about the process for changes to the draft Restoration Plan, based on the comments you are soliciting in this process right now. How do they get incorporated?

Rick Steiner: First of all, the selection of names for the different alternatives is more than a little subtle in trying to influence public opinion, I think. In other words calling one limited, one moderate and one comprehensive implies something more than I think it should have. The names actually could have been read in reverse if you think about the limitation of habitat acquisition throughout the plan. It could have been limited habitat destruction as number two, moderate habitat destruction as number three or four and comprehensive habitat destruction as number five. Those would

have been as legitimate, so that's one comment, the names ought to go or else a little more moderate. (Staff comment) But they are in here, you can see them, so people, the public will think of them in those terms. Next comment is the reserve, first of all, if we are voting I'm voting for alternative between two and three, so Alternative 2.5, alright? (Staff comment) Limited general restoration, your Alternative 2 has zero general restoration, number 3 has 75, so I'd say somewhere around 30 million dollars would be adequate for that. I see a lot of wasted money that will go to general restoration because a lot of sort of nice, fuzzy, peace corps kind of projects that are not going to do a lot of things, you know, no offense to the peace corps, mind you. The monitoring and research this is an enormous, I mean if you look at your preferred alternative, and you recognize that it's already 150 million dollars or so has been spent on monitoring and research, an additional 150 would be spent here, plus a lot of the general restoration proposed would be researched, and the restoration reserve would probably be researched. This ends up to be a 500 million dollar research program. Over the remaining life of the settlement, I say this a little bit nervously here, around distinguished colleagues and scientific community but, if we're talking 20 to 30 million dollars a year on a research program, which is exactly what we are talking about, that's what your preferred Alternative is, that is an enormous scientific research program. Absolutely enormous, by way of comparison NMFS told me this morning all their research in Alaska, for all of Alaska, Bering Sea, Arctic, wherever they work, about 6 million dollars. OK. The University of Alaska, School of Fisheries & Ocean Sciences, all the Sea Grant research, everything they spend is around 16 million. You put those together and you have around, for the entire state, and so it's a huge research program proposed, I think it could be limited, it does need research and monitoring, I don't think at the levels proposed here. Next comment, the reserve, I think is not only, the reserve is probably marginally legal, in the first place in terms of the settlement, but more importantly it was clearly not the intent of the court in approving the settlement that this money not get spent as it comes in. The Justice Department and the State of Alaska were very clear in their comments that we have to have this money now, we can't wait years from now to settle this thing in court, we have to have this money now, we have to use it in the interest of the injured ecosystem. Putting it in the bank is not using it in the interest of the injured ecosystem. Bricks and mortar, I think that's one of the real fears a lot of people have with the general restoration category. That a lot of that stuff is going to build buildings. And its very difficult to imagine why building buildings is going to help the injured ecosystem, I mean even for the research scientists who are generally not facilities limited, were generally project limited. I suppose the last thing I want to mention is that the impact statement really didn't adequately analyze the impact so far, the lack of habitat protection. There's been over 100 square miles of coastal forest clear-cut between the oil spill and right now, and so I'm not sure if the impact statement really adequately addresses that. If we're looking at an ecosystem approach, that has happened since March 24, 1989. (Staff comment) This document does not look backwards and it should. I guess I would suggest then because we haven't done anything to date, much, for habitat protection, that needs to be

considered and that's why we need to put a little more funds, for habitat protection.

David Scheel: Wouldn't the best way to find out what might happen if you didn't do anything, versus if you did do anything, be to look at what happens when you did what you did, and if that's nothing in terms of habitat protection then you can extrapolate the trend that you've seen in that period, into the future. I mean that would be a rational way to go about estimating the impact of continuing the course of action you have been following since the oil spill.

Rick Steiner: They've heard from people for years, Molly. (Staff comment) Who came up with Alternative 5 as the proposed action? (Staff comment) The six Trustees last fall.

David Scheel: I would say one of the things about the structure of this, and I guess I've seen a number of them by now and they all seem to have this problem, is that you get these nice prepackaged alternatives, and you may feel that, gee, on habitat protection I'm somewhere between Alternative 2 and Alternative 3. In realm of what should be protected or where the money should be spent I'm definitely with Alternative 5. On the duration of the thing, I'm definitely on Alternative 4, and while in a dialog like this, there is an opportunity to make this kind of comment. The prepackaging of the alternatives that way makes it difficult. I don't know if there is an alternative, I don't know if that's legally mandated or what, I'm just saying that if you really were interested in getting the most highest quality feedback from the public, I would think that packaging an alternatives like that with a number of different things varying between alternatives, obscures a lot of the issues you should be trying to find out. (Staff comment) Right.

Mary Ann Bishop: When you sent out the brochure last summer, when you had the 4,000 responses, was the winning one Alternative 5?

Name Unknown: I'm interested in who will make the determination that a resource has recovered and the criteria that will be used.

Evelyn Brown: Would like to see something between Alternative 2 & 5. Concern about general restoration portion of Alternative 5. The reason is, is for the very reason when you started off your talk, you talked about when the oil spill occurred we didn't have enough base line to understand what was going on, and your talking about some restoration alternatives here that are laying on top of this lack of knowledge about base line, so your going to lay some restoration alternatives on the ecosystem before you understand the full capabilities of those restoration actions, I'll give an example is food, I've attended a lot of the meetings and Molly, I'm real familiar to a lot of you, but the biggest thing I heard was food, is it food? Are the marine mammals in decline because of oil overlaid on top of the lack of food, is it the birds and everything else. We don't even know about the basic food chain problem in the ocean and yet

we want to put more fish out there before we really understand the species mix, the ecosystem shift and all that. And so I have a real problem with that, starting off with the 65 to 100 million for direct restoration part until we establish some baseline, and understand is it smart to go out and enhance a bird species when there no food for the bird to feed on? Is that a good use of our money? Was it a good use of our money to spend \$80,000 per sea otter cleaning them up when they all just died. I don't want a repeat of those kind of decisions, and so if, in that case I would like to see enough baseline established where you can wisely determine what your restoration alternative may or may not provide, and in the mean time shift the money you were going to spend on that end on habitat protection. That's your best bang for your buck, if you want to just try to protect the ecosystem, but I strongly believe we need some research and monitoring, and so I agree with a level that you have listed in Alternative 5. I believe that if you cut the annual research and monitoring amount down too much there so many research projects that will get a piece of the pie that each individual piece of the pie will be meaningless. And that is a problem and there has been a problem in deciding what research is important to do and what research isn't, but the Trustees are going to look at, aren't going to be able to decide that in one meeting and so are going to give a piece of pie to all these researchers and if the piece of pie to individual researchers is too small then they really can't accomplish anything, so it has to be at a level in which we can get some meaningful information out that we can use in the future. And if we keep the level of funding for that too small, that will never be accomplished. All we will get is the same old button counting, research stuff that we've been doing, and no ecosystems research that's what I'm thinking of. And I'm not opposed to direct restoration, I'm just opposed to doing it now without understanding. (Staff comment) Why are they listed in here then?

David Scheel: But nevertheless, you've stated its going to be a guide to Trustees in making decisions, and if it says an emphasis will be placed on general restoration or on research in leu of habitat protection, then once that emphasis is written into the record of decision then it becomes a legal guide to decision making and it has a huge impact in that regard.

Rick Steiner: Another thing on the reserve, two points I guess. One is that there is a reopener in the settlement to take care of unforeseen damages in the future which go after 2002, that's what that was all about, there was no intention in this thing to settle at least genuine, open, sentiment...(indiscernible)...not use this money as it came in, the other problem is this will set a very dangerous precedent in future natural resource damage settlements when history will look back at this thing and say look at the Exxon settlement, they said they had to have this money on this payment period, and they didn't even need it. They didn't even use it. If I was industry, if I were Exxon or Texaco, whoever has the next big calamity like this, I would make that a very critical point in handling things. (Staff comment) Then you ask for a reopener, then that's unforeseen damages. (Staff comment) Then the settlement was inadequate and should have been structured as such. (Staff comment) Yea, but I think it's very

strongly suspected what it will be used for. (Staff comment) Yea, I just think from an investment stand point what we are talking about is investing in the injured ecosystem recovering fully, the best thing you can do with that reserve is use it now, if it's general restoration and there is something you can do, use it for it. If it's habitat protection, what you're doing to get back though is your sanctioning the clear cutting of several areas, you're sanctioning habitat destruction by setting aside a reserve. And I think the reserve that we need is the coastal habitat protection as it is right now, that's a hell of a lot more of a reserve investment than a bank account somewhere in Houston, Texas.

Greg Patrick: They've gone through with three habitat purchases and those were environmental assessments rather than EISs and I don't understand why the EIS. I just didn't want that business to be a reason to some short term option.

David Scheel: Which one of these options has enough emphasis placed on habitat protection to protect all of the high ranking parcels? (Staff comment) At full purchase or at the lowest level of protection?

Rick Steiner: Which completely violates your ecosystem concept that you tell us you support. Because it's not broad, I mean if you're piece mealing what you ranked as high value your not getting watershed, your not getting ecosystems, your getting chunks. They are large parcels but 125,000 acres spread from Cordova to Kodiak is small chunks. (Staff comment) I'm not arguing, I'm making a comment.

David Scheel: I haven't studied the habitat acquisition problem very much at all, I just wanted to ask, you provide a ranking here that ranks each parcel independently, apparently from its location in relationship to other parcels. In other words are you just buying 15,000 acres in the middle of a clear cut or are you buying 15,000 acres as part of a 210,000 acre watershed. And those make very different, have very different impacts on how much protection you get from that land, and I haven't analyzed those kinds of questions at all. But I was just asking in the context of the alternatives you have laid out, which ones have enough funds to do a darn good job of protecting this chunk of land that you have laid out as important to protect. (Staff comment) But a lot of those chunks, I don't even know what the rank is, but a lot of those chunks are broken out by ownership lands and they have relatively little following of watershed, you may protect for example 90% of a stream, and fail to protect the entry point of a stream into the ocean, and hence, your doing a great service but it's not actually helping. I can't tell whether you've analyzed, like I said I've not studied this, but I can't tell whether you've analyzed the parcels that way. (Staff comment) I understand there's been a lot. (Staff comment) OK.

Rick Steiner: When will the small parcel analysis be ready?

Nancy Bird: Lands acquired from the Forest Service? (Staff comment) I came in

late, is this like a public hearing where you're taking comments and you write them on the board and the deadline ? These things always sort of amaze me, when we get all this information, but most people don't have time, but in the perusal I did, one thing that jumped out at me in Alternative 2, I guess I'm not following the policies, because it doesn't, Alternative 2 as I understand it, was supposed to push habitat acquisition/protection most, and sort of put everything else, research, restoration activities, (indiscernible) at much less. And yet the last policy on habitat protection existing activity How do those two go together? Pushing habitat protection and yet increasing human use in spill area? How don't those two things go together?

David Scheel: Does that specifically mean non consumptive human use then? (Staff comment) It could be interpreted to be talking about that, it's not clear that its not.

Jody Seitz: Your talking about big time consumptive uses, your not talking about subsistence uses. (Staff comment) You mention this earlier, you said that jurisdiction of those lands as far as regulations go is under discussion, the land requirement of habitat protection there is a discussion on who is going to regulate. And that is where the subsistence uses on those lands is addressed. So I was referring to the word consumptive. Because people may not make the distinction between timber and mining and subsistence. What David was talking about I think, unto the fishing as well as other kinds of restoration activities, habitat, was I right?

David Scheel: My main purpose for speaking up was to see if as Nancy was saying was in fact what she was getting at, which was that habitat protection generally does not involve increasing human use in the area. If human use in an area has impacts on the other organisms that live in an area, be it trampling down the vegetation around some trees at a camp site all the way up to clear cutting and mining. Hunting and fishing following somewhere in between. It's not clear how and in what way or what types of human uses will be encouraged to increase in this so called protective lane. (Staff comment) I was just noticing that human use is not defined in here.

Jody Seitz: My point in bringing it up was my support for the last three years is habitat protection is important to injured resources and the injured resources that we may not even know are injured yet, and that aren't listed in the tables as injured, quote unquote, that the only reason habitat protection can be tied to them is that if you can protection that habitat in its form right now and have it either disrupted by logging, mining or some type of activities, a lot of the resources that we are trying to recover from are fish resources, birds even if you have increased recreation activities that are perhaps lessor consumptive use, your still going to damage those areas and not allow those fish populations, bird populations to increase. I guess I just raise that as a, it doesn't follow to me to have that listed as a policy, but I wasn't sure if I was misreading what these policies mean. (Staff comment) So how does it follow if we

went to Alternative 2 as the chosen alternative, we would end up to increase human use? (Staff comment) How does that follow? I guess that doesn't answer the question, how does purchasing timber right and land increase human use? (Staff comment) And the purpose behind the Trustee Council staff putting that policy down under Alternative 2? (Staff comment)

Rick Steiner: Nancy about the only way I can see it is that for instance Tatitlek lands that are posted, no trespassing, is that the parcel acquired there, and the tenants of the acquisition are guaranteed public access. That's the only way that I can see that.

Greg Petrick: In the Seal Bay State park the resolution that the Trustees signed, there is a specific clause that hunting & fishing would be maintained, and that was signed in the bill too, so in that instance it was very important use of the AIA? because they determined that it wasn't compatible with what they wanted to achieve.

Nancy Bird: And when the Trustee Council gets to the point where they adopt a alternatives, adopts a restoration plan, policy that would be included guiding principles, so if they adopt that they would be saying we want either existing or increase? (Staff comment) I guess my comment would be no restoration monies toward increase (indiscernible) I fully support doing what ever we can to restore existing uses. No one alternative here that really fits what I always wanted, but probably somewhere between 2 & 5. It seems like every meeting I've every gone to, I say the same thing, but it seems it never comes out like I'd like it to. Something that promotes habitat protection most in, I guess I worry that in the most recent discussion occurring the word missing is habitat acquisition, and worry that will close a lot of doors I still strongly believe there is a way to do conservation easements and have a long term kind of easement, 80 years, 100 years, I think that is clearly the only way that we know right now to help restore some of these populations. At the same time I support very strongly some on-term money for research on populations that I don't believe that we really know what impacts there really are.

Jody Seitz: I'm having trouble finding a definition for general restoration as opposed to monitoring and research.

Rick Steiner: A lot of fear around Prince William Sound, this talk of making it a world class recreation area, increasing human use, under the guise of direct restoration. That's one of the fears of that category. This idea that we can re-engineer a new ecosystem out there, I don't think, not only is it ridiculous, but i don't think that was the intent of the settlement. The settlement says pre-spill condition. Increasing human use, beyond what they were pre-spill, building whatever out here, is a not pre-spill condition, and I think it violates the sentiment and the legal mandates set.

Jody Seitz: I have a real hard time giving the recreational uses other than the impact on the economy, the same consideration in the same kind of address for restoration as an injured resource. And I don't believe it should be considered in the same kind of light, recreational pursuits just like sport fishing, and I just find it very difficult to give recreational pursuits that same value.

Rick Steiner: Which of these alternatives if any, would allow habitat acquisition/protection outside of defined spill region? (Staff comment) Right. I guess I submit that should be targeted Alternative 2.5, to allow, if, it would certainly have a president for within the spill region, obviously, say we have 500 million which I think is what should be allocated, use it for areas that give good bang for buck. If you have already protection everything you can within spill area. But it's not addressing injured services as it is the injured resources themselves. Look at services in that context as well. For instance, Cape Suckling, right on the outside of the spill area, but it would give tremendous value to the aesthetic value to replacement wilderness value. (Staff comment) Perfect example, not finding the high value they thought they were. Somebody found it. Are our comments made here are they sufficient or do we need to write or call in at the July 20?

Nancy Bird: Whose is going to read these comments? Will the Trustee Council read these notes? If we write a letter on July 20, will they read that? I heard Charlie Cole read every letter he ever got.

Rick Steiner: Where would the Institute of Marine Science fall, under restoration, or research?

Jody Seitz: So this and that (IMS) constitutes the actual EIS for the entire 1994 Work Plan?

Rick Steiner: Where would it fall categorically?

Nancy Bird: Along those lines without naming the Seward facilities specifically, Institute of Marine Science doesn't want them linked. I guess that I to a certain extent lump that proposal as well a number of others have been proposed as a sort of bricks and mortar type project, from the reading of the settlement that I did initially it didn't appear to me that bricks and mortar was really what the intent of the settlement. However you can certainly make a good case for some bricks and mortar projects, I don't want to throw them out absolutely but 99% of them are really applicable. And it's partly that just the idea that doesn't need restored resource per se, and number 2 I think that most communities in Alaska are saddled with enough public buildings to maintain. How much of Trustee Council money goes into the maintenance for the IMS?

Jody Seitz: I had a question about boat launch projects, I got wind of these projects

when I was working for Fish & Game, and I was just wondering if you know how many of these projects were proposed? I had the same agreement that I've heard expressed here tonight, I can understand trying to draw recreation use away from injured areas, but I also have a problem with including these kind of facilities under the restoration focus, because they are recreation it's a choice this is a big state there are a lot of places to go, and trying to address recreational services because I don't see them as vital to sustaining communities when they bring very little into the area. So I was wondering how many of these projects you've heard about? (Staff comment) So our PAG people brought back with them a package that we can look at?

Rick Steiner: I don't know, these guys, the three votes were for between 2 & 5. Mine was for 2.5. (Staff comment) If I could make one specific comment then, on the EIS, the thing it failed to do for me, and I will admit that I have not read the entire thing but I don't think it's in there, is when looking at preferred alternative, Alternative 5 that one actually has the maximum, or close to the maximum negative environmental impact, by allowing passively much more clear cutting, much more habitat destruction, that was not addressed. And so in a sense that has to be addressed very clearly in here, we've got to be honest in that.

Greg Petrick: We've lost some parcels since, last year, recently on that, Delphin Point.

Rick Steiner: And the fact that over the next, looking forward, which is what you mean, over the next six years of this, under Alternative 5 we'd lose a lot more habitat than the other alternatives, than at least Alternative 2 or 3. And that weighed against the potential benefits of Alternative 5 I think (indiscernible). (Staff comment) But not the converse.

Nancy Bird: Can you describe for me how you came up with the five alternatives. The last meeting like this I went to like this we had the that little newspaper thing did a great job outlining alternative for the lay person walking in. Somehow I guess I'm not following how these alternatives came out of this. (Staff comment) And so, increased human use, it just does not follow for me, that people who voted for habitat acquisition/protection (indiscernible) percentage of the money and would be saying that they also wanted to see that use to increase human use here. Habitat protection policies in every meeting I went to that particular policy got shutdown. (Staff comment) I thought that was out the window now. (Staff comment) Now it all makes sense. But am I not correct when you got the responses to this (brochure) this is what you sent out, and you got all these responses to, which lead to the Alternative 5, but it's not necessary true that the public voted for Alternative 2 to include these pieces of the policies. (Staff comment) I have that one at home too.

Rick Steiner: \$500 million at minimum for habitat protection minimum. (Staff comment) It's an easier way, it's a more tangible way of thinking about it than all the

words. (Staff comment) The other thing that should serve as in Alternative 5 what has been spent to-date, which has been largely on other things, you add that in, general restoration proposed and the other stuff and it comes out more equivalent than, actually habitat acquisition takes a back seat to science and monitoring. (Staff comment) I realize that, the public heard ad nauseam, (indiscernible) in the settlement period, but they don't seem inclined to do that. (Staff comment) How much have they taken so far in reimbursement? \$140 million? (Staff comment) And they want another \$40 million? (Staff comment) Forgive the backload? (Staff comment) Is that tallied up anywhere? What they spent, where it's gone? (Staff comment) So the agencies could forgive it? The agencies can take it? Well not the Trustees, the Trustees decided to take the reimbursement at the rate they decided. When they decided, how much to take as reimbursement out of the payments. The Trustees themselves, for the first couple of years, since the settlement, they've done it very openly, well not very openly, they have made the decision at the Trustee Council meetings, we're going to take X amount of the payments as reimbursement. And then within that I'm sure the agency scrambled for it. But I do believe they do have the legal authority to say we're not going to take anymore reimbursements until the year 2001. (Staff comment) The money comes from the court to the Trustees, not to the individual agencies. So from the court to the individual agencies? But only at the discretion of the Trustees? (Staff comment) Right, so then there is that intermediary, in other words, and agency can't petition the court. (Staff comment) So that's junk bonds? Why can't the court invest at prime or in normal (Staff comment) Yea, but the Permanent Fund is invested in Exxon, and I don't think ethically we could stand for it. (Staff comment) Well what has the status on \$50 million did the state, where do the feds have their \$50 million invested? (Staff comment) How much have they had so far?

Nancy Bird: Well I think you have gotten some so far, because the rumors last summer was that Trustee Council money was being used to repair some fish stream in Montana, and they were using Trustee Council money to do so, and that was coming back to Cordova and circulating thru Cordova. Well when you tracked it down it turned out that it was indeed money that had been reimbursed to the forest service, for some project they had lost in '89, because Montana had given up something so that the settlement could go forward. And some reporter in Montana had picked up on it and had written it up that, you know that the Trustee money is being used here.

Rick Steiner: The reimbursement? (Staff comment) Have the feds done that? They have not been able to do this. Can we go on record as asking the federal agencies to follow the lead of the State of Alaska and give us an itemized break down of where these reimbursements go?. (Staff comment)

Nancy Bird: Who do we submit a request to?

Rick Steiner: Phil Janik. Now is the State, is Fish & Game then and the state

prepared to follow this august lead of the Forest Service and forgive all further reimbursements? (Staff comment) Sure. (Staff comment) Well, I gotta run, thanks for coming down folks.

Jody Seitz: Rick before you go, I think there is one thing that's real important to the issue, I keep bringing up. And that is I don't think it's very well understood that in some parts of Prince William Sound, why habitat acquisition is so important. Why it is, that, well Whittier, Valdez, Chenega.

Rick Steiner: Well, in Chenega very clearly understand it, Tatitlek is just come on the as a willing seller, so they understand it.

Jody Seitz: Maybe some people do.

Rick Steiner: The Corporations that (indiscernible) maybe not all the share holders.

Jody Seitz: Well I guess my point is that there is a certain amount of information about why people think that that is important. And obviously why people don't feel that the state laws are adequate. But I really don't think this is out there.

Rick Steiner: So there is these villagers themselves, we can write off Whittier and Valdez I think.

Jody Seitz: This is a large pot of money and it's not just something (indiscernible)

Rick Steiner: The justification for it is voluminous, and I think the Trustees have done a fairly good educational job on at least on some people. So you're saying,

Jody Seitz: I'm just giving you my perceptions. (Indiscernible) (Staff comments) I don't have to be convince, these are questions I received this last spring.

Rick Steiner: So you're recommending some sort of educational effort for these villages on this topic?

Jody Seitz: I think (indiscernible) some scientific information could be more widely publicly distributed and it would be interesting for people to see, why this is a big part. (Staff comment) Well part of it is probably the size of document, I know I'm probably saying a contradictory thing to ask you to put out more information, but that the documents are too big.

Rick Steiner: Well the only complex thing in the habitat argument though is that it's not just injured resources its replacing injured resources services, and that get under this whole nebulous contingent value, aesthetic, wilderness, things like that for

damage, and replacing the equivalent quote unquote protection. And it gets out there. (Staff comment) It'd be just a short fact sheet as to why, justification.

Karl Becker: So the draft Restoration Plan replaces this thing in its entirety. And how was this Alternative arrived at, I thought this alternative that seemed to get most public support. (Staff comment) But didn't habitat acquisition get an overwhelming support? (Staff comment) How did it get shaved down to 35%? (Staff comment) Oh, oh, I see. I haven't had a chance to even look at that. What is the preferred alternative? (Staff comment) In spite of the fact the reimbursements have been taken off the top? (Staff comment) It's a shame that their accounting wasn't more precise. (Staff comment) It's that dilemma you have when you do a cost analysis of an action, it depends on your point of view. (Staff comment) Well that's a good overview. I guess my sense of having, what I've read about the public comments, and having gone thru this process, really somewhere in this neighborhood was where this whole process should be right now, which is one of the assumptions I made after that whole thing turned out. The overwhelming public support was for a great deal of habitat protection, certainly, a very little amount for administration, as little as you could get away with, and monitoring and research somewhere down in the 10 to 20% range, maybe 25% if you throw in general restoration, but more of a 25/75 cut between habitat and research monitoring and information. (Staff comment) For Alternative 5. (Staff comment) I think that is defiantly the case around Cordova. There is a real concern about what is happening to some of the resources out there, they would feel a lot safer, if they had a sense of what the minimum commitment that is going to be given to these various categories. (Staff comment) I guess what I would say on this is my feelings fall in this neighborhood, of Alternative 3, between Alternative 2 & 3. And I guess I have to reiterate, that the public comment overwhelming supported something in terms of habitat protection in this area, not in Alternative 5. That's why I'm surprised this came out as the preferred alternative, and with the break down that it did. And I think that need to be, I don't think that reflect the public comment. (Staff comment) Which would be in this neighborhood. (Staff comment) Is this restoration reserve an endowment or is it going to be a sinking fund? (Staff comment) Could this be used for habitat protection? So this could encompass any of the above categories as it is looked at to the year 2001. I guess I don't have any problem with it if it's looked at from that sense, but if it's a set aside of funds to then draw interest at infinitum from, I would think that would be a poor way to lock up that amount of money. But I certainly think that some of these projects in research & monitoring may be justiciable to continue beyond the limit of the payments. (Staff comment) One thing I'd like to see in research funding to be based on a long term comprehensive research plan, like the SEA plan. Any research that is done should tie in with the SEA plan or some other comprehensive plan. (Staff comment) Where were these workshop conducted? (Staff comment) Are the Trustees in support of that process? (Staff comment) The final decision goes to the Trustees, on how the funds are spent? (Staff comment) I and many people appreciate the TC the purchasing of the timber rights from Eyak. It would have been devastating if it had

been clear-cut. (Staff comment) It was hot on it's way over here. How far have gotten on the further purchase of Eyak? (Staff comment) And how are those resolved? (Staff comment) As a commercial fisher I appreciate the research being done now for a better handle on this marine and terrestrial ecosystem, which is essential to any kind of restoration ideas down the road. What I don't want to happen is the agencies getting hooked onto this oil spill funding. The objectives mandated should be met thru legislative funding rather oil spill monies. (Staff comment) No hard and fast guidelines. (Staff comment) Another EIS for the whale jail, I just find that thing has been through more changes than a chameleon, and I think that is a terribly transparent attempt to siphon restoration monies into a potentially illegal project. (Staff comment) I think not only is it inappropriate use of restoration funds, the project was conceived as something totally unrelated to restoration, it was an amusement park, and it has been massaged to keep as many elements of that as possible but yet conform to restoration projects. I'm shocked that FW&S or NBS has undertaken the EIS on that. It's a promotional devise for something that should never be funded. One of the biggest problems I see with marine mammals is by creating research and rehab center that it will serve as a magnet for those types of activities. I'd hate to see people increasing their capture of other wise unendangered animals. (Staff comment)

**Public Meetings on Draft Environmental Impact Statement & Restoration Plan
July 7, 1994 - Cordova**

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**Public Meetings on Draft Environmental Impact Statement & Restoration Plan
July 7, 1994 - Cordova**

NAME	ADDRESS	AFFILIATION

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SUMMARY OF THE PUBLIC MEETING AT VALDEZ

Valdez July 19, 1994

Staff:

Rod Kuhn, USFS
Veronica Gilbert, ADNR
Cherri Womac, ADFG

Attendees:

Tim Bristol, ACE
Tabitha Gregory, ACE
Matt Kinney, Valdez resident
Doug Griffin, City of Valdez
Donna Fisher, City of Valdez, PAG member

[The meeting began with introductory presentations from Rod Kuhn and Veronica Gilbert. After the presentations a discussion regarding Habitat Protection and Acquisition began. The primary concerns from the public are included in this summary. The responses from EVOS staff are shown in the full record of the meeting.]

Matt Kinney: In the summary of data Table A-1, the parcels are listed according to what you assume are most important? According to your list the highest priority AJV03 is nearly 400 miles from ..., in Kodiak? It isn't even in PWS?

Mr Kinney was concerned that parcels on Afognak Island were given higher ranking in the Large Parcel evaluation than parcels in PWS - especially since the injuries to salmon were much less in Kodiak.

"Concerned that all the injured resources were in PWS yet the top land purchases are some 4 or 5 hundred miles away. With the scientific mind, what are we doing down on Kodiak Island, where a small percentage of resources have been damaged. The overwhelming majority of damage to resources was here in the sound."

Mr. Kinney would like to see the emphasis closer to "ground zero" - where the greatest injuries occurred. Prince William Sound and the Kenai area, because of the impacts to the murre and the wildlife off of the coast is well documented. But Kodiak he has never been able to understand expenditures in the Kodiak area.

Donna Fisher: Are you finding wildstock coming back in this run, or is it most hatchery fish?

Matt Kinney: Considerable amount of hatchery fish. Ten percent is wild stock.

Donna Fisher: What about what is coming out of PWSAC on the wild stock?

Matt Kinney: The return of the wild stocks are down, but hatchery stocks are way up. Valdez is not oil spill effected as far as pink salmon... As someone who is involved with these projects as a field tech, I am concerned.

Mr Kinney commented on the policy to promote the competitive bid process. He would like to see it elaborated to include a preference for Alaskan residents to do the work - whether for a government agency or a private consulting firm. He is frustrated to see so many non-Alaskans collecting and analyzing data when there are competent Alaskans that need the work. He also believes that the quality of work would be better if local hire were used because residents have more at stake, and more interest to understand what is occurring in the Sound.

Matt Kinney: *"This year where we have a tremendous pink salmon return, they are going to use a lot of that coded wire tag program that they have based on low returns over the past three to four years. All of a sudden you have a high return for coded wire tag program, we are using up the budget right now putting people for that, which in a month will leave no money for coded wire tag recovery for silver salmon fishery all the money will be spent. It would be horrible to hit the first of October and there not be a coded wire tag program, because we blew the budget on pinks."*

Veronica: Are you going to have openings for pinks?

Donna Fisher: There was a hatchery opening. They have to have 100 percent return, it makes it hard on the fishermen. The fishermen are limited.

Matt Kinney: (We are going to be dumping pinks in the sound again.)

Donna Fisher: Yes we are. The fishermen are quite concerned. The price isn't bad, but it we have gone back to prices that were in '84. The amount of fish compensates that. '87, '88 were unusual years, with high prices that had never been seen before. But there is so much fish out there and Fish & Game isn't allowing the fishermen to fish. If they do, they give them quotas.

There isn't enough capacity to process.

Veronica: In your estimation, are they surviving fine, has whatever crisis that may be attributable to the oil spill passed? The influence on pinks, eggs?

Matt Kinney: I just read the Exxon study, I was very disappointed, I did the study for them on the hatcheries. They missed some things. That was more wild and oiled streams. I don't think they

were up front about it. It is amazing what you can do with science. The hatcheries are completely unique compared to wild stocks. Irregardless of the oil spill, you have a real intensive monoculture and it is at its worse right now. Actually if you have a lot of fish coming back it is because of monoculture, you get this big return, it can work the other way too. I think we're setting ourselves up for

Donna Fisher: We're going to have another crash.

Matt Kinney: You'll either have big returns or no returns.

Rod: Nothing in the middle?

Matt Kinney: Nothing in the middle because there's no diversity. They keep on using the same gene pool, narrowing it down, narrowing it down. The hatchery over here only uses three females per male. You are supposed to use eight to one. You are never introducing a little wildstock genes into it, especially with pinks. I don't know, it is really strange, the return could be due to a number of factors. It is good to see, because the fishermen need the fish. Everyone is happy and there are lots of fish.

Matt Kinney: It is so mixed up, we get recovery tags from British Columbia here. We've had many bay reds caught. We even recovered an Atlantic salmon. I think the salmon come into PWS and roam all over. Naturally 90 percent of the pinks here are Valdez pinks, but there might be a few Ester pinks, we just don't know.

Donna Fisher: You get that occasionally, you get that every year anyway.

Matt Kinney: They pretty much head right to the hatchery. Our tag recovery rate right in front of the hatchery shows us that hatchery fish. Up Gold Creek it shows quite a bit of wildstock. That is the advantage of the coded wire tag program. We know right after we scan a load what is going on. I don't know if a thermal marking would give you that same and quick indication.

Donna Fisher: Are the fish coming back healthy?

Matt Kinney: They look great. A couple of weird lesions on some of them. Hopefully, that is a natural

Donna Fisher: But not many.

Matt Kinney: We are getting lesions, but I have counted the lesions and it is nothing. No more than a human population.

Tabitha Gregory: What is it you think the Trustees would do to diminish the reopener clause? Discovering new injuries?

Matt Kinney: *"What would reopen it? If we saw something catastrophic occur and that was well documented. What if we did*

find out that there was a catastrophic failing of the herring due to the oil spill. That would something that would have it reopened. The murrens might not ever recover.

The otter, I felt it is very interesting that assessed mortality of otters was on the assessed on the adult population that died, not the potential reproductive capabilities which would amassed it into another thousand animals. I don't know how many aborted fetuses I saw at the mammal pathology lab here during the spill. Literally hundreds of them. Only the dead female was counted as a mortality, not the ruptured fetus inside. Their reproductive populations didn't seem to be counted as damaged. That was in error. We lost 500,000 murrens, and many thousands more in reproductive losses."

Matt Kinney: They (murrens) will keep filling the void, until they fill the void back up that was wiped out and then it'll crash. Fish do the same thing, most animals do. Go to a fish stream, wipe the fish out in a stream, it may take ten years to fill it back in, but they will. Birds are different, they regulate how many eggs they have depending upon the habitat that is available.

Matt Kinney: Just make PWS into a marine sanctuary. A Marine Sanctuary is probably about the highest classification.

Tim Bristol: Back to the Barren Island. How do we know that the research going on right now isn't litigation driven?

Mr. Kinney is adamant against the money being spent on the hatcheries. They are causing more damage than they are a help. The hatcheries should not be bailed out of some of their debt. The need to be watched.

Veronica: What is your view on instream impacts?

Matt Kinney: First find if there is an impact? Enhancement, there are a lot of things we could do, put people in the field to clear bush in the stream. Just passive enhancement should be done anyway. There should always be people walking up stream to see if there is a tree down or across it or moving a rock.

In response to a comment about using EVOS money to repair streams damaged by the 1964 earthquake, Mr Kinney replied "I'm cautious of money being spent on something not affected by the oil spill. The best thing for wildstock right now is passive enhancement, until you find out what the problem is."

With egg hatchery studies, I have seen two different results, ADFG results and Exxon results. Exxon didn't mention a lot of stuff on the report and looked at the averages instead of the spikes on the mortality. It could be the spikes that become dominant over the long period of time, not the mean average. Plus hatcheries were set up to enhance the salmon stocks. They were in response to the earthquake. There is already a mechanism in place to enhance wildstock.

Matt Kinney: The hatcheries were set up here to bring a certain amount of salmon into PWS that equalled what the wildstock would produce at mean maximum. That way the wildstock would fluctuate on a graph and we would find that mean and the hatcheries would produce just enough pinks to try to maintain that high mean average. They are now producing way above the mean of the wildstock every year. We released billion pinks in PWS.

Now the hatcheries, are in there in desperation because they want money so they can continue this monoculture. They need wildstock fish to enhance their gene pool, but with all that has gone on since the spill they can't really jump in the streams and begin taking fish. I know they stray here in port. In our stream surveys, we find coded wire tags in all the streams. Ester was predicting an 11 million return, but that has been up to 25 million. All the processors in Southcentral could barely keep up with what Valdez produced at 11 million. Now there is going to be 25 million. We have the ecological question of what do we do with all these fish, it is embarrassing to dump them in the bay. There isn't enough processing capacity on the West coast.

Mr Kinney described way to help Valdez from effects of EVOS. During the spill, there was a tremendous influx of boats in this port. They dumped sewage, water. The sewage treatment plant just dumped tons of stuff into the bay. Boat cleaning stations were located here in the bay. There was a lot of stuff dumped into this port. The amount of activity was phenomenal. A way to compensate for that would be to come up with a system to handle rain runoff in the port of Valdez. When you look around, you see all the drains flow right into the port. We need some system here in Valdez, it is a major recreational port. The city needs a mechanism to control that runoff.

Matt Kinney: Is the port Valdez included in the ecosystem study?

Veronica: They are focused on pink salmon and herring and they are looking at

Matt Kinney: I would think with the ecosystem study you would look all species and everything. Is Valdez included in that study? Whatever gets dumped into the port also makes its way into the food chain Valdez is the major polluter of PWS. Probably the whole west coast.

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Public Meetings on Draft Environmental Impact Statement & Restoration Plan
July 19, 1994 - Valdez

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Tim Bristol	519 W 8 th Ave Anch, AK 99501	AK CENTER ENV. (ACE)
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Valdez July 19, 1994

Staff:

Rod Kuhn, USFS
Veronica Gilbert, ADNR
Cherri Womac, ADFG

Attendees:

Tim Bristol, ACE
Tabitha Gregory, ACE
Matt Kinney, Valdez resident
Doug Griffin, City of Valdez
Donna Fisher, City of Valdez, PAG member

Veronica: Offers brief historical account of the development of Restoration Plan.

Rod: Offers brief account of development and purpose of Draft Environmental Impact Statement. Habitat Protection discussion.

Matt: In the summary of data Table A-1, the parcels are listed according to what you assume are most important?

Rod: In the large parcel there is a table ranked in that order, that is the table I used to construct this table.

Matt: According to your list the highest priority AJV03 is nearly 400 miles from ..., in Kodiak? It isn't even in PWS?

Rod: Yes. In the Habitat Process, one of the things they looked at was not whether that site was oiled, it was whether it had value to resources injured by the spill. If you have a population that suffered injury because of the spill and another area where the habitat is good for them and they didn't suffer injury, the idea is that you don't want there habitat to be degraded in some fashion and further lost on a area population.

Matt: You have pink salmon, is there some resource here, as far as damaged resource such as pink salmon in PWS. Over there they are given a high priority yet that parcel is listed number one. Documentation shows we have a problem with wild stock pink salmon in the sound here and you have to go down the list a ways before you see ...

Rod: The high here means this parcel has high potential value for pink salmon, not that high is going to be of high benefit to pink salmon up here. Just that one piece has high, you may find something at the very bottom of the list that has high for pink salmon. You are only looking as one of many resources. What they did when they rated these, they went through and accumulated all the high, moderates and lows and a couple of other factors.

Veronica: Where it has a contiguous ecological, whether it constitutes an ecological impact.

Matt: I can see if it has impacts on otters or seals, but way over on Kodiak is a whole other area. That area wasn't hit by the spill, it might be an area where they need to reproduce.

Rod: You want to focus those comments to the Trustee Council whenever their agenda indicates.

Matt: Disagrees, this is a meeting by you all on the Draft EIS. You're to take our comments on this document and either make adjustments or not. You've done the scoping, it was done through that paper.

Rod: The appendix is the summary from the published document that is separate and apart from this. It is not something we drafted.

Matt: If I go through and find an error, I would let you know about it?

Rod: Right, I will pass it on to someone. I didn't want you to think I could effect a change in Habitat stuff.

Tabitha: Where would the comments be most effective?

Rod: I think his comment would be most effective in being addressed to the Trustee Council when they are dealing with Habitat Large Parcel application. Like the meeting that they had.

Veronica: We may have something in the Restoration Plan, we are here for both documents.

Rod: The Large Parcel Habitat stuff went on before he got involved. The nominations occurred and they ranked them. The negotiations are a piece at a time. In the annual work plan it would be effective to say that in your considerations for habitat acquisition, in order to benefit injured wild stocks in pink salmon you need to focus habitat protective measures on those local areas where they were injured. Each year there looking at what habitat to acquire. They have this big laundry list. They aren't necessarily starting at the top and going down.

Matt: Concerned that all the injured resources were in PWS yet the top land purchases are some 4 or 5 hundred miles away. With the scientific mind, what are we doing down on Kodiak Island, where a small percentage of resources have been damaged. The overwhelming majority of damage to resources was here in the sound.

Veronica: There is also a practical side of this is, there needs to be a willing seller. Which is a fundamental.... Both policies and practical factor is that you only deal with a willing seller. For a long time we have been meeting with, discussing with

Tatitlek, Chenega, Eyak Corporation, and more recently Chugach Corporation, which are large private landowners. Of course there are other small private owners. Each group has its reservations about what they want to consider. Tatitlek very recently decided to entertain some kind deal on certain, whereas on Kodiak

Rod: We are looking at alternatives and how to manage the program in the future. One of the elements within those alternatives is habitat protection and acquisition. If we, in how to manage the habitat protection program, under the umbrella of the Restoration Plan, it could be that habitat protection should be focused more in PWS. Instead of so far down stream, where some of these resources may have been lesser impacted than up closer to the source. It is more important to acquire habitat here where there are injuries to resources.

Matt: I'm kind of a ground zero person, go from ground zero and spread out.

Rod: That location of where the funds would be spent would be something that is pertinent to what we are here and talking about. We are receiving comments from people that is mostly to acquire inholding in the Kenai Fjords. And you are saying it is most important to acquire lands and parcels that are closer to the actual ground zero, as you say.

Matt: No, can sympathize with the Kenai area, because of the impact to the murre and the wildlife off the coast, that is well documented. Half a million birds or something. But Kodiak, from day one, never been able to understand. The first land bought was down there. It isn't necessarily buying the land that is, it is all the process, whether it is restoration or research or anything like that, not necessarily the land grabbing. The whole use of the money from the Trustee Council, such proportions being spent.

Donna: There are going to be some changes. The scientific studies that are going on

change tape from side A to B

Matt: AWOL, anadromously wild and lost fish.

Donna: Are you finding wildstock coming back in this run, or is it most hatchery fish?

Matt: Considerable amount of hatchery fish. Ten percent is wild stock.

Donna: What about what is coming out of PWSAC on the wild stock?

Matt: The return of the wild stocks are down, but hatchery stocks are way up. What we are seeing in the data is the return in the wild stocks is down, but hatchery stocks are way up. Valdez is not oil spill effected as far as pink salmon... As someone who is

involved with these projects as a field tech, I am concerned. I see you have competitive bid up there. As an Alaskan, always wanting to work especially in the natural resource area; I go to the employment office in the wintertime and see nothing, but I see a lot of projects being handed out to different agencies. I see a lot coming of the State, of course if the grant goes to the University, interns come up and do field work. You have a tremendous resource of people in Alaska, in this community with field techs, also in Cordova who would like to genuinely be involved in these projects. We offer something unique to those projects compared to an intern for a University in Pennsylvania. I will be looking at that pretty strongly. We had the same problem with that in the coded wire tag project. Before we could get the lid on it, we found out that most of the people who were doing the tag recovery happened to be from the East coast. They were here for a buck and couldn't care less about the data they were collecting. During the spill. Last year through legislative action it was curbed. Recently read an article in the paper about a professor who was here for 4 months only doing data. As a person who is generally unemployed in the winter, I am always looking for a job. These happen to be the jobs that are available now. I hope Alaskans and Alaska contractors get first bid on them.

Rod: One thing that was heard very clearly in brochure and the summary of public comments was that they wanted to see the money going just to fund federal and state bureaucracies either. Part of the idea was they wanted agencies to be funded only for work that would be extraordinary to their normal routine. If ADFG is doing extra things to manage populations because of the extra burdens of the oil spill that is separate from funding management activities. The Forest Service is the same.

Matt: This year where we have a tremendous pink salmon return, they are going to use a lot of that coded wire tag program that they have based on low returns over the past three to four years. All of a sudden you have a high return for coded wire tag program, we are using up the budget right now putting people for that, which in a month will leave no money for coded wire tag recovery for silver salmon fishery all the money will be spent. It would be horrible to hit the first of October and there not be a coded wire tag program, because we blew the budget on pinks.

Veronica: Are you going to have openings for pinks?

Matt: Hatchery pinks.

Donna: There was a hatchery opening. They have to have 100 percent return, it makes it hard on the fishermen. The fishermen are limited.

Matt: (We are going to be dumping pinks in the sound again.)

Donna: Yes we are. The fishermen are quite concerned. The price isn't bad, but it we have gone back to prices that were in '84.

The amount of fish compensates that. '87, '88 were unusual years, with high prices that had never been seen before. But there is so much fish out there and Fish & Game isn't allowing the fishermen to fish. If they do, they give them quotas.

There isn't enough capacity to process.

Matt: We would allow the fisheries to open more if there were the processing capabilities. We have to temper the openings with what Peter Pan can handle. We can open all day, but then we would have a million pounds of fish sitting along the dock waiting for four days.

Donna: You don't just have Peter Pan, there are others.

Matt: They are all plugged. Every processor from here to

Veronica: In your estimation, are they surviving fine, has whatever crisis that may be attributable to the oil spill passed? The influence on pinks, eggs?

Matt: I just read the Exxon study, I was very disappointed, I did the study for them on the hatcheries. They missed some things. That was more wild and oiled streams. I don't think they were up front about it. You have to remember the hatcheries are completely unique compared to

Matt: They presented it in Houston, when I finally got a copy of it I was very disturbed. They weren't up front about it. It is amazing what you can do with science. The hatcheries are completely unique compared to wild stocks. Irregardless of the oil spill, you have a real intensive monoculture and it is at its worse right now. Actually if you have a lot of fish coming back it is because of monoculture, you get this big return, it can work the other way too. I think we're setting ourselves up for

Donna: We're going to have another crash.

Matt: You'll either have big returns or no returns.

Rod: Nothing in the middle?

Matt: Nothing in the middle because there's no diversity. They keep on using the same gene pool, narrowing it down, narrowing it down. The hatchery over here only uses three females per male. You are supposed to use eight to one. You are never introducing a little wildstock genes into it, especially with pinks. I don't know, it is really strange, the return could be due to a number of factors. It is good to see, because the fishermen need the fish. Everyone is happy and there are lots of fish. But next year, this is also the even year. Until the data comes back and we can check

out the wildstock return and get some numbers, that will be a better indication of the oil spill. My personal opinion is I don't think the oil spill has had any effect on the hatchery stocks. They come out in such numbers and their survival rate between five and six percent is millions. Maybe the oil spill only affected a quarter million fish when they were in the nursery. The wildstocks are much more susceptible to ...

Rod: As we were going through the toolbox of things to do, we looked at things such as trying to relocate commercial runs and get greater separation from the commercial runs and wildstocks so they wouldn't get as much intercept fishery going on in the wildstocks. So they wouldn't get so caught up quite the same.

Matt: It is so mixed up, we get recovery tags from British Columbia here. We've had many bay reds caught. We even recovered an Atlantic salmon. I think the salmon come into PWS and roam all over. Naturally 90 percent of the pinks here are Valdez pinks, but there might be a few Ester pinks, we just don't know.

Donna: You get that occasionally, you get that every year anyway.

Matt: They pretty much head right to the hatchery. Our tag recovery rate right in front of the hatchery shows us that hatchery fish. Up Gold Creek it shows quite a bit of wildstock. That is the advantage of the coded wire tag program. We know right after we scan a load what is going on. I don't know if a thermal marking would give you that same and quick indication.

Donna: Are the fish coming back healthy?

Matt: They look great. A couple of weird lesions on some of them. Hopefully, that is a natural

Donna: But not many.

Matt: We are getting lesions, but I have counted the lesions and it is nothing. No more than a human population.

Veronica: One decision the Trustees have to make that is not explicitly addressed in the Restoration Plan and I don't think in the EIS, but it is one decision that they will have to confront each year in the Work Plans. Is the extent of financial support they are going to extend to fishermen. Either in stream enhancement, stocking lakes, remote release, or ... hatcheries.

Matt: My concern on these projects is not where the funding goes, whether it is to be funding to Fish and Game or Dames and Moore, but that we use Alaskans for these jobs. The ecosystem study will probably, hopefully include the hatcheries.

Rod: My impression is that people in PWS have a better, are starting to grasp how they can take charge and do the projects themselves instead of letting the agencies run things. The Sea

Plan, out of Cordova, that was met with lots of favor and it was interesting to be in other meetings further down stream and have people going. "Well, how come they get to do this?" Basically because they chose to do it. If you want to start looking as ecosystem in Kodiak, you have got to put forth a proposal.

Veronica: It would be useful to emphasize local participation as opposed to simply competitive procurement.

Matt: Maybe it is worth some points on a bid.

Veronica: Certainly if it is done by a state agency, there are state laws. The emphasis here had been and keeps coming up is to search for those projects that lend themselves to competitive bid. The SeaPlan may effect ...and where an PWS science ... may be able to complete the job better, cheaper, etc. You are looking for something over and above that and it is not addressed in a proposal.

Matt: Right.

Veronica: It is worth mentioning, an impetus for getting something in.

Rod: The economies were injured as a result of the spill. There isn't any way that they can take steps to restore the economies. These policies are not cast in stone. You can mix and match policies. You can expand on policies. Some of the things I think we are hearing is that some of these policies may need some more expansion. Take a species approach, that is kind of a bullet that may need to be broken down in a little bit finer detail. Those things that could be incorporated. This is just a draft restoration plan. We are going to work with the final restoration plan this fall. In the final restoration plan may say, take the ecosystem approach and then do some better definition of what that is. Down here we're talking about ... an evaluation of proposals could be encouraged enlight of the economic concerns in the oil spill area that communities in the oil spill area could be granted some sort of preference.

Veronica: Whether it is Fish & Game hiring or Dames and Moore, an agency or private, either group, an emphasis on use of local, skilled personel would be an official....

Rod: As we sit here, they are working on mussel bed cleanup. They are using people from Chenega. They have a vested interest in helping. You living here in the area have a vested interested how the work in monitoring the populations and managing the wildstocks. Where somebody else it is just a job.

Matt: It isn't just the cursory interest. It is making sure that the data is done and collected properly. We don't get people in here scamming in this money. I'm not going to compromise my principles for a buck. That is what I am afraid will happen,

people will come up here do small time projects, go down south and that is the last you ever see of ... It is going to happen with so much money floating around. How much information has already left. It is out of your hands and everyone else's hands that was funded during the spill itself? It left and we are not going to be able to see, because somebody got funded for it and they took off it and it is now sitting in someones file cabinet somewhere. We can't get at it because it is privileged documents.

Rod: Every meeting there has been some allusion to their local area and that ... maybe looking at some sort of priority there is the quality of the work and the results. It is too easy to see something in print and go "well that is there and not think that these all could be changed in some fashion." What finally turns out to be one from there, one from there, one from there and then even then a standard one.

Matt: One problem I have with these is the alternative system, I almost number two is part of the agreement was that if further damages are assessed, you can go back to Exxon. There is a reopener clause. Some restoration may prevent proper assessment of damages being made. I'm sure you will evaluate that too.

Rod: Alternative five has a structure of things, is establishing a restoration reserve. That is basically setting up a trust fund for the future for restoration work. Monitoring, research, any of the types of activities. The Trustees this last year tried to act as if they were underneath the restoration plan.

Tabitha: What is it you think the Trustees would do to diminish the reopener clause? Discovering new injuries?

Matt: What would reopen it? If we saw something catastrophic occur and that was well documented. What if we did find out that there was a catastrophic failing of the herring due to the oil spill. That would be something that would have it reopened. The murrelets might not ever recover. The otter, I felt is very interesting that assessed mortality of otters was on the assessed on the adult population that died, not the potential reproductive capabilities which would amass it into another thousand animals. I don't know how many aborted fetuses I saw at the mammal pathology lab here during the spill. Literally hundreds of them. Only the dead female was counted as a mortality, not the ruptured fetus inside. Their reproductive populations didn't seem to be counted as damaged. That was in error. We lost 500,000 murrelets, and many thousands more in reproductive losses.

Rod: In a couple of years after the spill, I know there were breeding failures.

Matt: That reproductive population, you don't know until something.

Veronica: The recent work in the Barren Islands is definitely

improving and actually starting to, but will take a long time to recover.

Matt: Since there is some much habitat left to reproduce on that all the others have gone. You'll see that increase in those birds on there because there is plenty of room on there. As soon as a bird colony reaches a certain population on a rookery it stabilizes and there is a drop in their reproductive effort.

Veronica: Does it then drop below what you consider normal.

Matt: They will keep filling the void, until they fill the void back up that was wiped out and then it'll crash. Fish do the same thing, most animals do. Go to a fish stream, wipe the fish out in a stream, it may take ten years to fill it back in, but they will. Birds are different, they regulate how many eggs they have depending upon the habitat that is available.

Rod: Caribou are like that. In evaluating the habitat, the marbled murrelet, of course in the sound you have more marbled murrelet habitat that high value. Down south in Kodiak, it is less. Buying land is a benefit to those .. logged off .. It's population is coming back, move their upland habitat to

Matt: Just make PWS into a marine sanctuary.

Rod: A word of advise on that, this is not for our process work here, but .. Chugach National Forest will be reduing its forest plan in these next few years and one of the things a person could push for is a national recreation area. It could be managed by the Forest Service but it would put a boundary on what types of uses that could be used.

Matt: A Marine Sanctuary is probably about the highest classification.

Rod: A national recreation area would really ... your upland.

Matt: The fishermen are really concerned about that.

Tabitha: Due you know when they are planning to do this?

Rod: When I was the plannning team lead on the Chugach, we were thinking about doing it right away. However, in their own wisdom, they keep putting it off.

Tim Bristol: Back up to the Barren Island. How do we know that the research going on right now isn't litigation driven?

Rod: We are not involved in providing science for that sort of thing. In the early days, everyone was preparing for the big court case.

Veronica: We're frequently cautious about releasing information

that would jeopardize the third party case, that could be taken out of context. It doesn't influence which studies to fund. The study of the murrelets on the Barren Islands, we know they were severely effected even if we know the numbers weren't accurate. In terms of decisions, many times you have decisions about the scope of the study. Do you just want to study the Barrens?

Rod: In the past FWS would do a study, ADFG would do a study, and they weren't necessarily quantitative in their approach or in how the results were interpreted. So you ended up with studies studying the same populations in the same areas that indicated opposite results.

Tim: You are starting to see more coordination between the agencies.

Rod: The workshops that were done this year are really making an effort to try to have scientists from the agencies and the public sectors to lay a good foundation from which future science will be done. The plan has been out longer than the EIS. There has been informal comment that is leading us to believe that some of these things do need to be more explicit to help provide that scientific basis. Some of the objectives on monitoring and research may need to be spelled out more explicitly.

Matt: Is adamant against the money being spent on the hatcheries. They are causing more damage than they are a help. The hatcheries should not be bailed out of some of their debt. The need to be watched, but no many money.

Rod: One of the alternatives really focused on the restoration of wildstocks, commercial fishery will have some beneficial things done for it. The real emphasis is the restoration of wildstocks. There is concern about what is wildstock. If you do egg boxes, are you messing with a wildstock? Is it still wildstock if you do an egg box? Is it still wildstock if you do an egg pen? When does it stop being a wildstock? There isn't a real good definition. What types of things can you do and still have it be a wildstock? If you take the eggs from a wildstock stream and rear them to the eyed egg stage, then put them back in the stream. Is it still wildstock.

Veronica: What is your view on instream impacts?

Matt: First find if there is an impact? Enhancement, there are a lot of things we could do, put people in the field to clear bush in the stream. Just passive enhancement should be done anyway. There should always be people walking up stream to see if there is a tree down or across it or moving a rock.

Rod: The earthquake damaged some hatchery capacity. That is not oil spill injury, but does wildstock that was reduced because of the earthquake? It has come under some criticism, whether you can do projects that would rehabilitate or enhance a wildstock stream

that was damaged during the earthquake with oil spill money.

Matt: I'm cautious of money being spent on something not affected by the oil spill. The best thing for wildstock right now is passive enhancement, until you find out what the problem is. With egg hatchery studies, I have seen two different results, ADFG results and Exxon results. Exxon didn't mention a lot of stuff on the report and looked at the averages instead of the spikes on the mortality. It could be the spikes that become dominant over the long period of time, not the mean average. Plus hatcheries were set up to enhance the salmon stocks. They were in response to the earthquake. There is already a mechanism in place to enhance wildstock.

Rod: One area in PWS that wasn't oiled, but that does have a lot of streams that were damaged by the earthquake is Montague Island. Forest Service proposed doing a project on the south end of Montague Island, San Juan Bay. The lagoon in San Juan Bay as a result of the earthquake. Because Chugach Alaska was doing its road thing down there, they proposed that it would be cheap to build some sort of outlet structure to reflood that estuary so fish could use it. They want to do it with oil spill money.

Matt: That was healthy stock, but they wanted to cut down all the timber around it.

Rod: Chugach Alaska was cutting down 150 million further up around the coast. When the road was going by this area, it was an opportunity to ...

Matt: The hatcheries have totally flow all the information because their tremendous input, the variation they throw into the equation is amazing. I've researched it, the hatcheries were set up here to bring a certain amount of salmon into PWS that equalled what the wildstock would produce at mean maximum. That way the wildstock would fluxuate on a graph and we would find that mean and the hatcheries would produce just enough pinks to try to maintain that high mean average. They are now producing way above the mean of the wildstock every year. We released billion pinks in PWS.

Rod: Maybe that is one of the areas where the ecosystem studies would be very valuable, because salmon are a predator and a prey, and how flooding the environment with hatchery fish.

Matt: This year we are going to find out what a disaster, when we startup with dumping fish again. The wildstock here used to produce a certain number of fish, everyone could fish all season. Now the hatcheries, are in there in desperation because they want money so they can continue this monoculture. They need wildstock fish to enhance their gene pool, but with all that has gone on since the spill they can't really jump in the streams and begin taking fish. I know they stray here in port. In our stream surveys, we find coded wire tags in all the streams. We have a stream over here that is man made, it comes from the sewer

treatment plant. There didn't used to be any fish in it, now there are approximately 7,000. Where did they come from? They came from the hatchery. Because so many fish came back to the hatchery, you will have that problem in Ester this year when 25 million. The fish will stage off the hatchery, their desire to reproduce will be so overwhelming they won't be able to get to the hatchery, so they will go to the first fresh water stream available. They will stray all over the Northern part of the Sound to spawn. That is what happened with they had 8.8 million, now they have 12 million in port now. Ester was predicting an 11 million return, but that has been up to 25 million. All the processors in in Southcentral could barely keep up with what Valdez produced at 11 million. Now there is going to be 25 million. We have the ecological question of what do we do with all these fish, it is embarassing to dump them in the bay. There isn't enough processing capacity on the West coast. We had to sit here last week as they were catching their fish, shut them down and gave them exactly what the processors gave them. Of course the fishermen want to continue fishing, he doesn't care what the capacity is. He just want to get the fish off his boat so he can continue fishing. They can set 60, 70 thousand pounds per net. One more question. Valdez wants funding. They have tried to dream up a wealth of projects they felt could be justified through the Trustee Council. I think they have used the wrong approach. During the spill, there was a tremendous influx of boats in this port. They dumped sewage, water. The sewage treatment plant just dumped tons of stuff into the bay. Boat cleaning stations were located here in the bay. There was a lot of stuff dumped into this port. The amount of activity was phenonimal. A way to compensate for that would be to come up with a system to handle rain runoff in the port of Valdez. When you look around, you see all the drains flow right into the port. We need some system here in Valdez, it is a major recreational port. The city needs a mechanism to control that runoff.

Veronica: ... a solid waste program

Matt: The solid waste program is taken care of by Exxon. Exxon put in a bailer facility. That has already been taken care. Exxon realized the City of Valdez had a mess, so they helped fund the bailer facility.

Veronica: They proposed a waste oil...

Matt: This water run off, it is a serious problem. As a part of the ecosystem wide study. I'm sure there are very simple processes involved.

Veronica: Last year the Trustee Council did approve the ADEC to work with local communities on waste oil facilities. I know they are talking about separation of ...

Matt: The runoff into the port area. You go down into the small boat harbor, it is so easily preventable with some creative

engineering. Also the ecosystem wide study, I had asked before, that's not proved yet.

Rod: There is the ecosystem study in Cordova.

Matt: Is the port Valdez included.

Veronica: They are focused on pink salmon and herring and they are looking at

Matt: I would think with the ecosystem study you would look all species and everything. Is Valdez included in that study?

Veronica: Ultimately, I think that is the plan but they are starting with pink salmon and herring to have some focus.

Matt: Whatever get dumped into the port also makes its way into the food chain Valdez is the major polluter of PWS. Probably the whole west coast. With an ecosystem wide study going on they are having an independent group maybe we could get a ...