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**EXXON VALDEZ OIL SPILL SETTLEMENT
TRUSTEE COUNCIL**

RESTORATION OFFICE
Simpson Building
645 G Street
Anchorage, Alaska

**Public Meeting on Draft Spill Restoration Plan &
Environmental Impact Statement**

July 20, 1994
7:00 p.m.

PRESENT:

In Anchorage:

- | | |
|----------------|---|
| ROD KUHN | EIS Project Manager, U.S. Forest Service |
| BOB LOEFFLER | Restoration Specialist, Alaska Department of Environmental Conservation |
| MS. L.J. EVANS | Public Information Officer, Trustee Council |

OTHERS IN ATTENDANCE in Anchorage/via teleconference

- MS. CARYL BOEHNERT
- MS. ARLISS STURGELEWSKI
- MR. AZUYAK (teleconference, Old Harbor)
- MS. TABATHA GREGORY, Alaska Center for the Environment
- MR. GREG PETRICH, Alaska Rain Forest
- MS. PAMELA BRODIE, Sierra Club
- MS. AIMEE BOULANGER, Sierra Club
- MR. TIM BRISTOL
- ERIC FRY, Seward Phoenix Log (teleconference, Seward)
- CORDOVA LEGISLATIVE INFORMATION OFFICE (LIO)
- SEWARD LEGISLATIVE INFORMATION OFFICE (LIO)
- OLD HARBOR LEGISLATIVE INFORMATION OFFICE (LIO)

P R O C E E D I N G S

(On Record 7:06 p.m.)

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3 Mr. KUHN: Okay, let's begin. We have, I believe,
4 people in Seward, Cordova and Old Harbor, plus the group here in
5 Anchorage. And, the Trustee Council and I -- I think -- would like
6 to express our thanks for those of you who have come out tonight,
7 and maybe yet to come out tonight to -- to comment and to help the
8 Trustees make the Restoration Plan the best that it can be. We
9 want to run this meeting in an informal town-meeting kind of style,
10 however that -- whatever that means to you. I want it to be rather
11 informal, but because it's a teleconference it can't be extremely
12 informal. We need to have some rules just to kind of lead things
13 off. First off, before I get into those rules, I probably ought to
14 introduce myself. I'm Rod Kuhn, and I'm the lead in the
15 preparation of the Environmental Impact Statement for the Draft
16 Restoration Plan, and with us tonight we have Bob Loeffler who was
17 also involved in -- who is involved in the preparation of the Draft
18 Restoration Plan, and he'll be speaking a little bit later. Okay,
19 for the rules we want to have everyone wait to be recognized, and
20 to step up to the microphone to speak, and have you speak up and
21 speak clearly, and we'd like you give your name and who you
22 represent. You might need -- it would help if you would spell your
23 name. I will try to allow for others in the various meeting
24 locations to reply or comment on the same topics as those being
25 discussed by other commenters. And, while I don't want to restrict
26 anyone's opportunity to comment freely, it is necessary to give

1 everyone a chance to be heard, and to keep the meeting orderly.
2 So, let's please try to respect everyone -- everyone's right to
3 express their views. In generally, we want to try to rotate
4 between the locations, to keep the meeting going, and to allow
5 people to leave who may have a need to do so. So, if each site can
6 develop its own order of speakers, I'd appreciate that. And, I'd
7 like to -- if we could have some kind of acknowledgement from the
8 other sites as to whether they can hear us okay.

9 CORDOVA LIO: Cordova can hear you.

10 MR. KUHN: Thank you.

11 SEWARD LIO: Seward can hear you.

12 MR. KUHN: Thank you. How about Old Harbor?

13 OLD HARBOR LIO: Yeah you're -- can hear you
14 fine.

15 MR. KUHN: Thank you. Okay, the meeting tonight is
16 being recorded and a verbatim transcript is being kept for the
17 record. To lead off in the presentation portion of this meeting,
18 I wanted to -- to have Bob Loeffler come, and he can introduce
19 himself further.

20 MR. LOEFFLER: Thank you, Rod. My name is Bob Loeffler,
21 and I was one of the chairman of the committee that wrote the
22 Restoration Plan. What I'd like to do is take about probably five
23 or six minutes and explain -- give a very general introduction to
24 it. Hopefully, you have it there. It should be a blue book which
25 says Draft Restoration Oil -- Draft Exxon Valdez Oil Spill
26 Restoration Plan, and should be accompanied by a green book, which

1 is Draft Environmental Impact Statement. And, I'd like to take
2 about five minutes to give some background, and then Rod will be
3 back to explain the two documents. But, first the background. The
4 problem, as all of you remember, was when Joe Hazelwood drove the
5 tanker into the rocks dumping eleven million gallons of crude,
6 resulting in a widespread damages and injury to the things that we
7 all rely on. The opportunity that we have in the Restoration Plan
8 was begun in a 1991 court settlement, to resolve the claims with
9 the U.S. and the State of Alaska had brought against Exxon for
10 their recovery of civil damages. So, as part of that, Exxon is
11 paying the U.S. and the State of Alaska nine hundred million
12 dollars over ten years, that is to say from 1991 through the year
13 2001, and this provides the opportunity to restore, as best we can,
14 some of the injuries that occurred to our beaches, plants and
15 animals. The settlement requires that the funds -- it was done
16 under the Clean Water Act -- and requires the settlement may be
17 used only for certain specified purposes. That is, for the
18 purposes of restoring or replacing, enhancing natural resources or
19 lost services, which is to say it must be used to help the plants
20 and animals that were injured by the spill, or the way in which
21 people rely on those plants and animals. It's administered by a
22 six-person group appointed by -- three by the governor and three by
23 the President. For the State of Alaska they are, Attorney General
24 Bruce Botelho, represented by Craig Tillery at Trustee Council
25 meetings; the Commissioner of Fish and Game, Carl Rosier; the
26 Commissioner of DEC, John Sandor. For the federal government, it

1 is the Secretary of Interior, Bruce Babbitt, frequently represented
2 by George Frampton; the Administrator of National Marine Fisheries
3 Service in Alaska, Steve Pennoyer; and the head of the Forest
4 Service in Alaska, Phil Janik. These six people, the Trustee
5 Council, administer our opportunity, which is to say the
6 restoration fund, and all decisions, such as spending the money,
7 must be unanimous. So, that's the problem and the opportunity.
8 The question then is, why did we do a Restoration Plan? There's a
9 couple of things that the Restoration Plan, this blue book is, and
10 there are a couple things it isn't. It is not a blue print that
11 you might use to build a house. It does not specify all of the
12 things we will do between now and the time the money runs out to
13 restore the plants and animals hurt by the spill. Rather, it does
14 something much less ambitious. It provides some long-term
15 guidance, it provides a -- a way to organize thoughts in a common
16 language for describing restoration. It describes the basic
17 components the Trustee Council has developed to provide a
18 comprehensive balanced approach, to monitor the research sources --
19 to do research when we -- to find out why things are not
20 recovering, to do general restoration, which is to say, to do -- to
21 do the active restoration to restore the plants and animals, and
22 habitat protection. That those four elements form the basis of the
23 -- of a comprehensive balanced restoration program. The plan has
24 some policies and objectives. It does not, however, have a
25 detailed budget allocation. It does not say we'll spend four
26 hundred million for this, three hundred for that. Rather, it

1 provides a -- a common language to use when making the annual
2 funding decisions. The Environmental Impact Statement is the next
3 thing on the agenda, and I will leave the explanation of that to
4 Rod Kuhn, who is head of the group that wrote that.

5 MR. KUHN: Okay, thanks, Bob. What we're here about
6 is -- has the two-fold purpose of the -- getting comments on the
7 Draft Environmental Impact Statement and the Draft Restoration
8 Plan, and what we'd like to do is to answer any questions or
9 comments -- receive any comments that you have on either of these,
10 and if we can any other aspects of the -- the Exxon Valdez Oil
11 Spill Restoration Program. The background on the EIS is, one of
12 the reasons we had to do an Environmental Impact Statement is the
13 spending of -- of the allocation of these funds is a major federal
14 action, and under the provisions of the National Environmental
15 Policy Act, it was necessary for the federal officials involved --
16 responsibility for them to do a -- Environmental Impact Statement.
17 And, as Bob mentioned the -- what we're looking at is an umbrella
18 under which various -- the program would function in the future and
19 what various emphases that might take. Specific actions that would
20 be taken in the future would still be subject to site-specific NEPA
21 documentation where it's appropriate. And, based on the responses
22 that were received to the brochure, which was circulated in April
23 of 1993, which -- to some people it may have appeared to be a small
24 newspaper -- that there was a modification in the array of
25 alternatives, that is to say the EIS analyzes the four -- the first
26 four alternatives are presented in that brochure at that time, plus

1 -- and it replaces alternative five with the Draft Restoration Plan
2 which was released in November of 1993. An inter-agency team,
3 which I headed up, analyzed the alternatives, and based on the
4 assumptions that are shown in an Environmental Impact Statement, we
5 were -- we analyzed the various types of actions that might take
6 place under any of those alternatives, that would be consistent
7 with policies. Now, each one of the sites should have -- I hope
8 each one of the sites has a set of handouts or sheets that are
9 marked sheet one, two, three, four, five and six, and some of them,
10 I don't know whether all of them have -- there was a map as well,
11 and I'm going to be referring to those -- those sheets as we go
12 through the alternatives a bit. (Aside comments) If anyone
13 doesn't have those, could you identify yourself now, and maybe we
14 could fax those to you right away.

15 SEWARD LIO: I don't think we have them in Seward.

16 MR. KUHN: They were received at the LIO. Are they
17 not at the meeting, because we can fax them if there is a -- a fax
18 where we can send them.

19 SEWARD LIO: We're looking for them, what do they look
20 like?

21 MR. KUHN: They are eight and a half by eleven sheets
22 of paper that say sheet one and sheet two at the top, and it should
23 have been in the package with the copies of the Environmental
24 Impact Statement and the Draft Restoration Plan.

25 SEWARD LIO: Okay, we found it, thank you.

26 MR. KUHN: Okay, how about the other sites?

1 CORDOVA LIO: I have them in Cordova.

2 MR. KUHN: Okay. Old Harbor, do you have access to
3 those?

4 OLD HARBOR LIO: Yes, we do, we do have them.

5 MR. KUHN: Very good, okay, so we all can at least --
6 when I say on sheet one, everyone will know what I mean then.
7 Those sheets represent the policies that were looked at in the
8 array of alternatives. Sheet one addresses a bunch of policies
9 that are common to all of the alternatives that were considered.
10 In there you'll see such things as the Restoration Plan will take
11 an ecosystem approach. You'll see in there that government
12 agencies will be funded only for restoration plan that they do not
13 normally conduct. The idea of competitive proposals for
14 restorations projects is being encouraged, and public
15 participation, and all those things are in -- on sheet one, and
16 those -- on sheet one are the policies that would be common to all
17 of the alternatives. Now, in the National Environmental Policy
18 Act, NEPA, you're required to have a no-action alternative, and a
19 no-action alternative was analyzed in this process. A no-action
20 alternative assumes that the current practices that are going on,
21 you know, such development activities such as logging or mining or
22 recreational developments, would continue to go on in the future,
23 and that comes into play when you look at the -- the value of
24 acquiring or protecting habitat. In alternative two, which is
25 shown -- the policies are shown are sheet two, one of -- the major
26 emphasis in alternative two is habitat protection. There are two

1 other components, one is administration and the other is monitoring
2 research, which are also a part of it, but the -- by far and away
3 the largest emphasis item there is habitat protection. In fact, an
4 alternative -- it was assumed that approximately ninety-one percent
5 of the remaining funds might be used in habitat protection and
6 acquisition activities. The policies there -- address such things
7 as restoration actions would address, all injured resources. The
8 idea that for recovered resources, restoration action will continue
9 even after a resource has recovered. But, it also limits
10 restoration actions to the spill area itself. In alternative three
11 we introduced another -- another component to restoration, and
12 that's the idea of general restoration. General restoration
13 intends to be those types of activities which are more directly
14 involved in taking some action to restore a resource, such as
15 cleaning an oiled mussel bed or something of that activity.
16 Something more direct. In alternative three, habitat protection is
17 still a major emphasis, but we do introduce general restoration as
18 an element in the program, and to continue along with monitoring
19 research and administration as being part of that as well. Some of
20 the things that happen in alternative three, shown on sheet three,
21 is that restoration action would address all resources except those
22 resources whose population did not measurably decline, and that
23 restoration actions for recovered resources will cease once the
24 resources are recovered. And, in alternative three again, the
25 restoration actions would be limited to the spill area. In
26 alternative four, which is shown on sheet four, we have some

1 differing policies, and we don't introduce any new components, but
2 we do change the emphasis. In alternative four, there would be
3 less emphasis placed on habitat protection and a greater emphasis
4 placed upon general restoration activities. In alternative four,
5 restoration actions would address all injured resources.
6 Restoration actions for recovering resources would cease once the
7 resource has recovered. One other distinction in alternative four
8 is that restoration actions could occur anywhere there is a link to
9 an injured resource. That could be outside of the state. So, if
10 we had a migratory injured species that we could take some action
11 in Southern California, say for example, that could help that
12 species under alternative four, and action could be taken down in
13 that part of the country as well. Alternative five is intended to
14 represent the Draft Restoration Plan. That's where all of these
15 policies are taken from, and in alternative five, which is shown on
16 sheets five and six, we show that restoration activities may be
17 considered for any injured resource. Restoration activities could
18 occur -- they would occur primarily in the spill area, but other
19 activities could take place outside the spill area, but within
20 Alaska under the conditions that you see on those -- on sheet five.
21 Restoration activities would emphasize resources that have not
22 recovered. The alternative five of the Draft Restoration Plan
23 introduces another concept as well, that's the concept of a
24 restoration reserve, which would be a -- amount of funds set aside
25 for future restoration activities. Because the cash coming from
26 the settlement ceases with the last payment in December of 2001,

1 the restoration reserve fund could be used after that time to
2 continue activities that were -- that will be needed beyond that
3 point. I realize that there is a reopener clause in the settlement
4 agreement, this isn't talking about that, this is actually using
5 the current settlement monies to continue the fund activities
6 beyond, basically the year 2002, in which -- it would be
7 immediately following the receipt of the last -- last funds from
8 Exxon. Okay. I have a couple of other things I should mention
9 before I just really open things up here, and that is that the time
10 line for preparation of the Environmental Impact Statement given to
11 my by the Trustee Council when they funded the project in January
12 of this year, was that we needed to try to reach a decision by this
13 fall, that's one reason why we had the public comment period
14 running now. The public comment period will end on August 1st, and
15 then that will be followed by the release of a final Environmental
16 Impact Statement the end of September. The record of decision
17 would be coming from the Trustee Council the end of October, as
18 would the final Restoration Plan itself. What I'd like to do is
19 check with the various sites to find out if -- how many people wish
20 to comment. I'd really -- like I say, don't want anybody to be
21 afraid of the microphone, I want you just to be rather free. So,
22 if we can find out how many people want to speak at each site, we
23 can kind of decide whether or not we have a hundred people that
24 would want to speak and we need to limit time, or whether we can be
25 very open with this. So, if each site could identify how many
26 people want to speak.

1 CORDOVA LIO: No one at Cordova.

2 MR. KUHN: Thank you, Cordova.

3 SEWARD LIO: No one in Seward.

4 MR. KUHN: Thank you, Seward. Old Harbor are you
5 brave?

6 MR. AZUYAK: Yeah, you're breaking up quite a bit on my
7 monitor. I couldn't hear too good, but listening to you on your
8 alternatives, your five of them, the only question I had really was
9 -- I'll just -- spill have any effect on the red tide. We're
10 getting it in Old Harbor so often there, and it did have -- we did
11 suffer for having so much of it around. Can you answer that?

12 MR. KUHN: Well, I'm not an expert on the red tide
13 situation, and I don't believe we have anybody at the meeting here
14 tonight who is. The Draft Restoration Plan and the Environmental
15 Impact Statement would not have an direct effect on that, however,
16 projects proposed to deal with that situation, to analyze those
17 types of effects, and specifically the ecosystem in general, are
18 things that could be approved by the Trustee Council under -- yeah,
19 as long as -- as long as we have some sort of link, or some sort
20 linkage to the injured resources, those types of things could be
21 looked at by the Trustees. One thing I would like is -- I don't --
22 I mentioned it, but it got away from me there, and that is when you
23 speak, we would like to have your name, and if you could spell your
24 name that would help our recorder to capture who's speaking for the
25 record. So, in Old Harbor could you identify yourself for us? Old
26 Harbor?

1 BRIDGE OPERATOR: This is the bridge operator, Old
2 Harbor has disconnected and they're having troubles reconnecting.

3 MR. KUHN: I see. If they come back on -- thank you
4 -- let us know, please.

5 BRIDGE OPERATOR: Will do, thanks.

6 MR. KUHN: Since we have no one in Seward or Cordova
7 right now who wants to testify, I want to find out if we have
8 anybody in Anchorage who'd like to. Yes, step to the microphone
9 and identify yourself for the record.

10 MS. BOEHNERT: I'm Carol Boehnert, B-O-E-H-N-E-R-T, and
11 although I'm a staff for Alaska Center for the Environment, I'm
12 speaking here tonight as an individual citizen. And, I think it
13 was interesting that Rod coined the phrase "both a problem and an
14 opportunity" because I kind of view the process up 'til now as
15 that. I think I'll start out with the problems, but first I'd like
16 to say that your staff has been uniformly professional and seems to
17 very much know what they're doing, and person-to-person has been
18 very easy to work with, and we really appreciate this meeting being
19 scheduled so we could come here and talk to you.

20 MR. KUHN: Thank you.

21 MS. BOEHNERT: I wanted to come and talk partially
22 because I'm really concerned about some of the ways the whole
23 Trustee process now is being viewed in many communities, and given
24 that we're looking at over five years since the spill, there's some
25 concern that what's happening about the money is a war of
26 attrition, that if you stretch out the process long enough, and

1 have enough comment periods and hearings, that people will end up
2 getting so sick and tired of it that they will go away leaving the
3 decision-makers to do what they wanted from the first with the
4 money anyway. And, this is being raised now as a concern about
5 your process because it's been so long. So, I wanted to emphasize
6 that it's gone on a long time; now there does appear to be a
7 process in place, and we really need action and proof that things
8 are happening. The GAO audit has raised real concerns that a lot
9 of the money has gotten frittered away, and -- you know, there's
10 been some worry that more money is going to get frittered away. I
11 also had a concern -- in terms of the process, I was at the Kodiak
12 meeting, that when the alternatives were presented, and then it was
13 raised that this blue book really is alternative five, it sounded
14 a lot like -- actually, we the public don't choose alternatives.
15 You've chosen alternative five for us, and it's kind of like, well,
16 maybe the public -- hopefully, the public will support this. My
17 sense is: (a) why offer us alternatives, unless we have the power
18 to change your mind, and (b) I want to be on record that I don't
19 like alternative five. I think it's a bad alternative, I think it
20 shafts habitat acquisition. If you look at the money, and I know
21 these are just amounts thrown out there to analyze, well, they were
22 the only amounts given us. Alternative five has the least amount
23 for habitat acquisition. Another big thing I don't like about
24 alternative five is the reserve fund. It constitutes, in my
25 opinion, a honey pot for future generations of bureaucrats to feed
26 off of, and it really is very disturbing that we're dumping so much

1 money into it. I guess my comments can be summed up that wildlife
2 took a very bad hit, commercial fishing took a hit, and the land
3 took a hit, so why don't we give money where it is most going to
4 help that? Why don't we give most of the money to habitat
5 acquisition and the rest of the money to science? But, frankly, no
6 more money to bureaucrats and no more money to a lot of
7 administrative detail. Finally, I have a real worry that some of
8 the staff have been saying, well, why don't we take all the highest
9 priority habitat parcels. If you take all of those together, that
10 will be a very nice package. Well, that happens to ignore basic
11 conservation biology. If you look at actually the details of where
12 all the highest priority parcels are, they do not form large
13 continuous blocks. They form like a chocolate chip cookie. If you
14 look at what the Forest Service now is saying, with viable
15 population studies and the Kiester & Eckhardt report down in
16 Southeast, you will see that what habitat really need are very
17 large blocks of space, and what you're proposing when you're
18 talking about only picking the highest priority, is going against
19 the latest scientific evidence. So, I strongly urge that that kind
20 of hinting by Trustee Council staff needs to stop because I don't
21 think it's fair to -- to what your own science has detected in the
22 viable population study. We do have the opportunity here to do
23 something very good. This is not a totally negative comment. It's
24 very rare that we have a solution in front of us that can make so
25 many people in so much better of a place. If we acquire habitat,
26 if we do the scientific studies, we really have a chance at making

1 changes in the Sound. Let's not blow it and let's not fritter away
2 the rest of the money. Thank you.

3 MR. LOEFFLER: Do you have any questions, or do you
4 just want to make a statement, because if you had any questions,
5 you can ask them too.

6 MS. BOEHNERT: No, I didn't really have any questions for
7 staff. I mainly wanted my testimony on record.

8 MR. KUHN: Okay, thanks. I'd like to provide an
9 opportunity -- as I said, if there's any -- you know, if the
10 comments in one of the locations should entice someone else to want
11 to get involved in the discussion, we really would welcome that.
12 So, I do want to throw the opportunity open again to those in
13 Seward and Cordova, at this time. And, I'd like to know is Old
14 Harbor back on?

15 MR. AZUYAK: Yes, we are, we're back on.

16 MR. KUHN: One other thing, while we have Old Harbor
17 up with us again, could we have you spell your name in Old Harbor,
18 and let us know who spoke there.

19 MR. AZUYAK: Okay, my last name is spelled A-Z-U-Y-A-K.
20 We have Wilma Burns, Lawrence Prestikoff (ph) and Tillie
21 Christianson.

22 MR. KUHN: Thank you. Did anybody in Seward or
23 Cordova decide that they would like to step up to the microphone?

24 CORDOVA LIO: No, this is Cordova.

25 SEWARD LIO: No, we're with the newspaper here.

26 MR. KUHN: Okay, all right. Well, I suppose -- you

1 know, newspaper men can also speak, I suppose. Right. In Old
2 Harbor, is there someone there who would like to testify? I
3 shouldn't say testify, I'd like to think of it more as just -- just
4 speak to the group.

5 MR. AZUYAK: Testify on what? Hello?

6 MR. KUHN: Hello. Is anyone in Old Harbor who'd like
7 to speak now?

8 MR. AZUYAK: No, not right now.

9 MR. KUHN: In Old Harbor, did you hear us when we
10 were trying to respond to your question about the red tide?

11 MR. AZUYAK: Yes -- just -- I asked you that question
12 -- I didn't hear the answer -- reply.

13 MR. KUHN: Okay, what I said was that the Trustee
14 Council could look at activities or research associated with that.
15 If there is link to injured resources with the oil spill ...

16 MR. AZUYAK: Yeah, that's what I was concerned about.
17 I'd like -- check and see, or maybe the scientist can figure out --
18 make our shellfish immune system weaker or see if it affects them,
19 because we did lose a person here last month from shellfish
20 poisoning.

21 MR. KUHN: I see. Well, we don't have a team of
22 scientists here tonight to -- who look into those sorts of things.
23 That's something you might want to raise again when the Trustee
24 Council is having public testimony in looking at their work plans,
25 for example, this fall. I want to encourage you to get involved at
26 that too.

1 MR. AZUYAK: They going to have another one -- meeting
2 here in the fall, in Port Graham? You're breaking up quite a bit,
3 I can't understand you very well.

4 MR. KUHN: Okay, this fall the Trustee Council will
5 be looking at the '95 work plan, and at that time they'll be
6 receiving testimony as well.

7 MR. AZUYAK: Oh, okay. Okay. Will they get a hold of
8 Old Harbor or ...

9 MR. KUHN: If you're on our mailing list, you'll
10 receive announcements of that. If not, if you can give us your
11 phone number, we can get contact to you.

12 MR. AZUYAK: I'm sure we're on there, but my phone
13 number is 286-2215.

14 MR. KUHN: Thank you, our information officer will
15 contact you tomorrow.

16 MR. AZUYAK: That sounds good, thank you.

17 MR. KUHN: Thank you. Anyone else in Old Harbor
18 who'd like to speak to us tonight?

19 MR. AZUYAK: That's fine.

20 MR. KUHN: Okay, someone else in Anchorage who'd like
21 to speak? Please, if you'd step to the microphone and identify
22 yourself for the record.

23 MS. STURGELEWSKI: I compliment you on your cookies.

24 MR. KUHN: Thank you.

25 (Aside comments)

26 MR. KUHN: The cookies sustain us while we're on the

1 road.

2 MS. STURGELEWSKI: Well, I haven't seen that courtesy
3 before this, it's great. I'm Arliss Sturgelewski, and I'm here
4 tonight as an individual. I must admit with a bit of a sense of
5 déjà vu, because over the last three years I've appeared a number
6 of times. I will submit to you a letter for the record.
7 Basically, in support in the final Restoration Plan of the proposed
8 action modified alternative five, comprehensive restoration
9 proposal five. I do appreciate an opportunity -- to have an
10 opportunity to speak to you. I've been a long-time proponent of
11 the establishing of a reserve -- wanted to call it a foundation,
12 but we seem to talk in terms of reserve these days, that would
13 provide for long-term research and monitoring activities, and I
14 really was delighted to see the action that started to establish a
15 reserve by putting aside the twelve million dollars in fiscal year
16 '94. It was interesting to me that during the earlier rounds when
17 -- previous to the final Draft Restoration Plan, that a great deal
18 of public testimony had been given in favor of various kinds of
19 setting aside pools of dollars, foundations, reserves, many
20 different ones, but looking to kind of the longer term -- needs --
21 and I felt that the Restoration Plan when it came out was a very --
22 was a disappointment. And, I think that -- that's a bit of an
23 understatement. I suspect that part of it was a lack of the
24 Trustees having really come together to decide how they wanted to
25 go, and also the fact that there seemed to be a great deal of
26 hinging on the -- what the Department of Justice would say, and it

1 seems to me that -- found a way to address that. I'm going to be
2 giving you a copy of a letter from Trustee Frampton that had been
3 in response to correspondence I'd had with Secretary of Interior
4 Babbitt way back in August of last year, and that letter had called
5 -- kind of gave the history of -- of the interest of -- of a number
6 of people in establishing the -- some kind of a foundation that
7 would go beyond the year 2001. Anyhow, this letter was very
8 positive and I think certainly shows support for -- for the
9 reserve. I'm -- I'm pleased that the -- the science that's being
10 done, seems to be moving in the direction of an ecosystem approach.
11 I think what we saw at the beginning was very scattered, I remember
12 being very shocked here one day to hear that a hundred thousand
13 dollars had been put aside for a particular study and later in the
14 meeting it was said, oh, by the way, we'll need to do that over a
15 ten year period, so we're really talking about a million dollars.
16 I think that -- there's a couple of areas that do concern me, and
17 one is that even though we're looking at the ecosystem approach,
18 there really has not been a spelling out of any comprehensive
19 research plan, and I think that's needed, and maybe it's there and
20 I've -- I've lost it. Where we're really looking at -- what we're
21 going to accomplish and how the bits and pieces all fit together,
22 over the longer term. Senator Mitchell's legislation that led to
23 SEA Grant, for example, doing a research plan for the whole coast
24 of Alaska, doesn't appear to be funded for the future. I think
25 that's very sad, but it seems to me that taking some of those
26 things into account and developing of a long-term research plan for

1 the spill area might be one way to start to move toward this more
2 coordinated approach. There has been a lot of testimony, certainly
3 from myself and Dr. Komisar of the university, from Ron Dearborn of
4 SEA Grant, from the PAG itself, in support of a reserve or
5 foundation. I would hope that we would see it spelled out more in
6 terms of this comprehensive approach, but also a peer review system
7 being built in, so that we see that we get good science. And,
8 that's it, as I say, I'll give information for the -- for the
9 record. I really hope we will see something in the final Plan that
10 speaks to this issue. Thank you.

11 MR. KUHN: Okay, great.

12 MS. STURGELEWSKI: Be happy to respond to any questions.

13 MR. LOEFFLER: Actually, I was going to just respond a
14 little bit. In terms of your call for a more comprehensive
15 approach to research, we've certainly heard that a lot, you're not
16 alone, and I think we've taken the first beginnings of that ...

17 MS. STURGELEWSKI: I'm delighted to see that what is
18 being done.

19 MR. LOEFFLER: ... and I think that we -- in the spring
20 we had a series of work shops, got most of the people, including
21 public -- PAG members familiar with the work, to try to forecast in
22 the long-term. So, this -- the monitoring program, for example,
23 we've established a draft monitoring schedule, so people can
24 understand what will be done in the long-term, that every three
25 years, we're going to have to look at these kinds of things. In
26 addition, we published in -- when we called for projects for this

1 year, we published some of the ecosystem priorities, which I think
2 will become long -- which may become long-term, sort of emphasis
3 for the Restoration Program, updated every year. And so, I think
4 that we're beginning to go in the direction that you're asking for.

5 MR. STURGELEWSKI: I -- I really saw that in the fiscal
6 year '94, so -- no, that's great. I think it was an excellent
7 beginning, and -- and for some of us really to understand all of
8 the parts of it, it's not anything that's really been done before,
9 so you can't pick something off a shelf and -- you know, say that's
10 -- what's being done. You're really, I think, leading edge stuff,
11 and I just hope that -- that there can be a method of keeping that
12 science so it's easily accessible and can be built on in other
13 areas. I serve as an advisory member to the University of Alaska
14 School of Fisheries and Ocean Sciences, and -- and what I find is
15 our researchers, in terms of NS funding and some of the other
16 funding, are driven by the dollars that are available, not
17 necessarily what we need to know, and here is the one chance, I
18 think, we really have to do some really cutting edge kind of stuff
19 about understanding the ocean and the inter-reaction, but in light
20 of what the requirements are of the -- of the EVOS settlement.
21 Fine, thank you.

22 MR. KUHN: I wanted to find out if there's anyone in
23 Cordova, or Seward, or Old Harbor who would like to participate in
24 this particular thing, this particular portion of the discussion?
25 We throw the door open to anyone in any of those places. Is there
26 anyone in Old Harbor who'd like to testify again? Old Harbor?

1 MR. AZUYAK: Not right now.

2 MR. KUHN: Okay, then we'll see if there's someone
3 else here in Anchorage who'd like to. Would you step to the
4 microphone and identify yourself. Thank you so much for your
5 testimony.

6 MS. GREGORY: I'd like to make comments -- formal
7 comments for the record tonight.

8 MR. KUHN: Excuse me, could I have you identify
9 yourself for the record?

10 MS. GREGORY: I will. My name is Tabatha Gregory, and
11 tonight I am speaking on the behalf of the Alaska Center for the
12 Environment. That's a local organization with members from
13 Anchorage, the Kenai Peninsula, Kodiak Island and Prince William
14 Sound. Since the Trustee Council was formed, we have participated
15 in the Council's decision-making processes, and I'd like to thank
16 you both, and for the -- to the Council for this opportunity
17 tonight to comment on the Draft EIS for the Restoration Plan.
18 First, I'd like to compliment the Trustee Council for its
19 dedication to purchasing private holdings within Kachemak Bay State
20 Park and the land that is now Afognak State Park. These purchases
21 are the first steps towards allowing the damaged wildlife
22 populations and human activities that rely on them to fully recover
23 and assure them a safe future. We do have a few concerns. First,
24 the Trustee Council should emphasize the purchase of valuable fish
25 and wildlife habitat. Thousands of acres across Prince William
26 Sound on the Kenai Peninsula and on Afognak, Chugach and Kodiak

1 islands are endangered of being logged. For some areas, the threat
2 is immediate. For some, the threat is further away, but no less
3 inevitable. As timber supplies dwindle in Southeast Alaska and in
4 the Pacific Northwest, the pressure increases to log forests up
5 here that have historically not been commercially valuable. Last
6 winter several bills were introduced in the legislature to weaken
7 the Forest Practices Act in order to attract larger and additional
8 timber companies to begin operations in northern and south central
9 Alaska. Already, forest practices for private lands are loosely
10 interpreted across the states, and timber companies get most of the
11 trees they ask for, but for variance requests. The harvest method
12 of choice is almost always clear-cutting, a practice that
13 devastates fish and wildlife populations by devastating their
14 habitat. When we purchase habitat, we retain land that would be
15 clear-cut or otherwise harmed. Fish, bird and wildlife populations
16 all benefit from the stability of the forests. The industries and
17 lifestyles that rely on those species would also recover, and the
18 future health of these species and activities would be assured.
19 Habitat is a sure bet, but so far only approximately fifty million
20 dollars have gone to buying habitats. Out of the original one
21 point one billion dollars, only six hundred million is left.
22 According to a Trustee Council representative at Homer in the
23 public meeting, if alternative five is followed as outlined in the
24 DEIS, we may run out of money before the highly ranked parcels are
25 purchased. We ask that at least five hundred million dollars be
26 put towards acquiring habitat. Second, we support large parcel

1 acquisition. A growing library of evidence in conservation biology
2 shows that populations of wildlife require large, connected blocks,
3 a variety of habitat types, in order to remain high. The vital
4 population studies conducted by biologists in Southeast Alaska, and
5 reviewed by biologists nationwide is one such study. The Council
6 should assure that connected parcels include winter habitat, hiding
7 cover, adequate forage for all seasons, and denning, nesting or
8 calving grounds. So far, the Council has purchased two parcels,
9 but it is imperative that in order to trying restore the damaged
10 species, the habitat remain intact. A cookie cutter approach will
11 not work. In summary, we applaud the Council's acquisition of the
12 Seal Bay area on Afognak Island, and land at Kachemak Bay. We
13 recommend at least five hundred million of the remaining money go
14 to habitat acquisition, the longest lasting, most assured solution
15 for restoring wild populations, and that the Council use a
16 comprehensive approach in evaluating and purchasing parcels. Thank
17 you for this opportunity, again for (indiscernible).

18 MR. KUHN: Okay, thank you. Once again, I'd like to
19 check with Cordova, Seward or Old Harbor. You -- I hope you feel
20 a part of the discussion here and not just a -- spectators. I'd
21 like you to feel free to enter into the discussion. So, if anyone
22 would like to -- provide you -- I'd like to provide that
23 opportunity right now. (Pause) Not hearing anybody in any of those
24 locations say they'd like to jump into the conversation right now,
25 I'd like to move on and see if someone else would like to -- to
26 address the group tonight. Again, if there's anyone in Old Harbor,

1 or Seward, or Cordova who'd like to say something, let us know
2 right now. Not hearing anything, we will see if there's anyone
3 else in Anchorage who'd like to speak. Please, and again, please
4 identify yourself for -- for our records here.

5 MR. PETRICH: Okay. My name is Greg Petrich, and I'm a
6 representative of the Alaska Rain Forest Campaign, which is a
7 coalition of conservation groups that are dedicated toward
8 preserving the forest lands in Alaska, and basically the groups
9 coop was reformed and cooperated on this particular issue, because
10 we see that, what's happening in Southeast Alaska, as far as Native
11 corporation holdings being liquidated, and a tremendous lack of
12 habitat -- or tremendous loss of habitat which occurred on those
13 holdings down there is being repeated in Southcentral, and we also
14 work on public land issues too, of a similar nature. Our
15 organization has basically endorsed spending five hundred plus
16 million on habitat acquisition, and we feel that this is the most
17 effective method of restoring injured resources and species, and
18 the most lasting benefit to the public. We're concerned that some
19 of the lands that have been identified in this process, earlier on,
20 have subsequently been lost because of the amount of time that it's
21 taken to pursue these deals. As examples, I'll cite, in the spring
22 of '93 there was a publication put out by the Trustee Council
23 called imminently threatened lands, and this was a review of -- of
24 areas which permits were requested for development of certain
25 nature, and there is -- in the spill-affected area. Of -- on that
26 -- in that particular study -- just came on the mike here -- Two

1 Moon Bay was reviewed, Fish Bay was reviewed and many parcels on
2 Afognak Island. Since that time, Two Moon Bay has been heavily
3 logged, Fish Bay has been heavily logged, an important parcel as
4 identified on Afognak Island, Dolphin Point has been heavily
5 logged. The list keeps growing longer and longer every year. And,
6 this is an example I'll cite, Two Moon Bay, Alaska Department of
7 Fish and Game and the U.S. Fish & Wildlife did rather extensive
8 marine surveys to comment on the log transfer facilities which were
9 planned in Two Moon Bay, prior to the logging. Today, there are --
10 after a heavy rain period, there's a very visible cloud siltation
11 that bleeds out into the ocean. Forest Practices Act has failed in
12 this particular instance to protect those resources. You know, who
13 knows what the impacts are from a situation of that nature.
14 Obviously, there is -- there's been a tremendous impact to these
15 lands, and ...

16 MR. AZUYAK: Hello, can I break in, this is Old Harbor
17 again.

18 MR. KUHN: If you could just hold one second and let
19 him finishing speaking.

20 MR. AZUYAK: Okay.

21 MR. PETRICH: I'll let -- I'll be glad to let the
22 gentleman speak, after I make one more point. So, in this
23 particular instance in Two Moon Bay, you've got a very graphic
24 reaction to the loss of habitat. In the head waters of Port
25 Fidalgo, in the same area, there is some key drainages that I hope
26 are on the table as far as acquisitions go, Whalen Bay and another

1 area which has been selected but not conveyed to Tatitlek Native
2 Corporation, is a key portion to a large drainage, which is public
3 land, U.S. Forest Service managed, and, that area and the Gravina
4 drainage on the other side are interconnected. They're key
5 corridor for big game species, and it's a key link in that whole
6 area. When we look at imminently threatened lands, there's been
7 some comment tonight about -- you said cookie cutter approach, and
8 breaking areas into separate habitats, and I want -- I want to
9 emphasize that these key areas should be priorities, and in this
10 process I'd like to see some weight given to game species which
11 were not necessarily directly injured by the spill, such as Sitka
12 black-tailed deer, bear, goat, species that use these areas and
13 migrate between them. In the pre-spill conditions, these areas
14 were intact and they're important recreational hunting areas, and
15 we'd like to see them remain that way. We'd like to see them kept
16 in a pre-spill condition. Whether or not they would have been
17 logged, you know, no matter what, we don't necessary buy that
18 argument. We want to see them preserved. I'll let the gentleman
19 speak from Old Harbor.

20 MR. KUHN: Old Harbor, he'd like to pause and let you
21 speak, you had indicated you'd like to.

22 MR. AZUYAK: Yeah, can you hear me? I -- I can't even
23 make up -- oh, more than half of what everybody's saying. I'll
24 just go ahead and hang up and get out of everybody's way, I guess.

25 MR. KUHN: We can hear you, we can hear you clearly.

26 MR. AZUYAK: I can hear half of everything everybody is

1 saying.

2 MR. KUHN: We can hear you real clear. If there's
3 anything you'd like to -- to say, we sure want to give you that
4 opportunity.

5 MR. AZUYAK: Yeah, okay. I'm mostly concerned about
6 that red tide and I got that one in.

7 MR. KUHN: Okay. Was there anyone else in Old Harbor
8 who wants to speak?

9 MR. AZUYAK: No -- not at this time.

10 MR. KUHN: Okay, thank you very much.

11 MR. AZUYAK: Okay, thank you.

12 (Old Harbor LIO disconnects from teleconference)

13 MR. KUHN: Greg, would you want to continue?

14 MR. PETRICK: Well, I'll close out here. I've been very
15 complimentary of the Trustee's actions in the past as far as their
16 work on Kachemak Bay and Seal Bay, in particular the Restoration
17 Team and the people who were involved in that issue did some good
18 work, they did it fast and they got the job done. What seems to be
19 happening now is that there are appraisers in the field collecting
20 information and there are negotiations going on which the public is
21 really shut out of. Whenever there's discussion on the Council,
22 it's always -- they go into executive session, and then they deal
23 with the issues, so that the -- the lands -- and it's just a
24 guessing game for the public as to what's going on. Maybe some of
25 that is necessary because of the proprietary nature of information
26 that is being transferred, and I can see the value in that, but

1 when it comes to, you know, final negotiations, I think that we're
2 going to have to insist that a lot of that is done in the public
3 view because we want people who are accountable to be, you know,
4 judged on their efforts in this area. I think that the -- the Eyak
5 land issue and the negotiations last year are an example of where
6 things went behind closed doors. I think the negotiations fell
7 apart, and after people emerged there's just a lot of finger-
8 pointing, as to who was to blame for the situation, and I just
9 think that this -- this time around we have to insist on a little
10 more accountability. In closing, I'd just like to say, we've had
11 some new landowners come into the situation, one of them is
12 Tatitlek Native Corporation. They do have some very significant
13 lands, which would be of benefit to the public to acquire those.
14 I have one opinion from the Department of Fish & Game which says
15 that, they have logging operations have -- this ballpark
16 guesstimate in other sixteen, eighteen months, and they're done.
17 So, we're not looking at long-term renewable industry here, we're
18 looking at something that's being closed out, and we're looking at
19 an opportunity for the public being closed out, too. So, I'd just
20 like to have the Trustees give, you know, all due consideration to
21 these points, and hope that they act accordingly. Thank you.

22 MR. KUHN: Thank you, Greg. Do we have any brave
23 souls in Cordova, where I think they are the only people who are
24 still listening to us -- of the audience-type who'd like to jump in
25 here?

26 CORDOVA LIO: No, thank you.

1 MR. KUHN: Okay.

2 SEWARD LIO: And Seward is still on line listening.

3 MR. KUHN: Seward still is on line, listening. Thank
4 you. Anybody else in Anchorage? Just come to the microphone and
5 please identify yourself for the record.

6 MS. BRODIE: I'm Pamela Brodie with the Sierra Club.
7 I am going to submit my comments in writing, so this is not
8 intended to be the Sierra Club's comments, but I -- because you
9 asked if people had any questions, I thought I would use that
10 opportunity ...

11 MR. LOEFFLER: Please, this discussion is -- invited.

12 MR. KUHN: Yes, please -- encouraged.

13 MS. BRODIE: I was hoping that the Draft Environmental
14 Impact Statement would discuss impacts of the various kinds of
15 general restoration that we might -- that the Trustees might do.
16 There are some lists of possible things that might be included as
17 general restoration, but I look at this list and I see things which
18 could cause environmental harm as well as environmental benefits,
19 and yet it seems to me that there is an assumption in the -- in the
20 charts that say what effects the different alternatives will have,
21 there is an assumption that somehow more general restoration is
22 better for a lot of things. That the impacts of general
23 restoration will only be good, and not bad. And, the corollary to
24 that is there does not seem to be any investigation of what happens
25 when one -- if, for example, the Trustees don't buy some wildlife
26 habitat, and then that wildlife habitat is logged, that has an

1 impact too. It's not an impact of the way the money is being spent
2 directly, but it is part of the whole of what happens to the
3 environment. So, the fact that those -- put those two things
4 together, and you see general restoration is presumed to be all
5 good, not buying habitat is presumed to have no effect, and some of
6 the results are very peculiar in -- when you look at the effects
7 that supposedly these different alternatives will have. So, for
8 example, wilderness, the effects on wilderness, the preferred
9 alternative is considered to have the most beneficial effects on
10 wilderness, but the preferred alternative means more logging than
11 habitat protection, and it means also a lot more of these
12 interference projects which, you know, some people will think
13 they're good, some not, but things like net pens and hatcheries and
14 mariculture, we will be seeing in -- with general restoration,
15 certainly these things are contrary to wilderness. So, my question
16 -- this very long preamble -- is how you have these assumptions
17 that general restoration is good necessarily for the environment.

18 MR. KUHN: Okay, I -- I can address that in several
19 parts. First off, maybe -- I suppose the easiest one to address is
20 the concern about habitat and logging, or consumptive use of the
21 habitat, logging being one. It's an assumed in alternative one,
22 the no-action alternative that consumptive uses or some sort of use
23 will be put to all of the lands that are being considered, that
24 would degrade the habitat in some way. So, in a no-action
25 alternative, it is assumed that -- that over time all the commercial
26 -- all the commercially valuable timber will be harvested, all the

1 recreation opportunities would be developed, all the minerals and
2 things would be developed, all -- all types of activities that
3 could -- in some way degrade -- those would be gone under the no-
4 action alternative. So, what you then have is the impact -- is,
5 what are we doing, so the impact is, if we are going out, there is
6 some action and buying some habitat, then that results in some
7 measure of protection or benefit to those resources. So, it's kind
8 of looking at the glass whether it's half full or half empty in a
9 -- a sense, and it kind of becomes almost a semantics, and I hate
10 to use the word game, because it's not really a game, but in the
11 context of our use of NEPA, it is that the proposals, the actions
12 that you're proposing produce the impact over no-action. So, what
13 you have is, the change is the impact.

14 MS. BRODIE: That clarifies to some degree, certainly
15 with the no-action alternative, but then, for example, with
16 alternative two, you'd have twice as much money going into habitat
17 protection as the preferred alternative in alternative five. Are
18 you then figuring there would be twice the logging under -- or
19 twice the development, including logging under alternative two than
20 alternative five?

21 MR. KUHN: No, what -- what you do is you are
22 assuming that under all alternatives, if you did nothing, you would
23 have -- logging go on, let's say, let's just use logging, it's
24 easier -- it's done -- to keep going through the laundry list of
25 other things that could happen. Under alternative two, you get the
26 greatest benefit from habitat protection because you are protecting

1 the largest amount. Alternative five, you have a lesser benefit
2 than alternative two for habitat protection. Instead of a greater
3 negative benefit, it's a lesser positive benefit.

4 MS. BRODIE: Then, how do you get wilderness with a
5 higher benefit under alternative five, than alternative two?

6 MR. KUHN: Yeah, I'll have to look at that a little
7 bit more myself. I was just looking at the table when you
8 mentioned that.

9 MR. LOEFFLER: Is it designated wilderness?

10 MR. KUHN: It could be designated wilderness.

11 MR. LOEFFLER: What's the answer with respect to general
12 restoration?

13 MR. BRODIE: Regarding the designated wilderness, that
14 -- that's an interesting little item because originally the -- the
15 brochure, for example, talked about wilderness -- small "w"
16 wilderness. The -- at the -- the blue book, Restoration Plan,
17 suddenly switched that to capital "W" Wilderness, designated
18 wilderness, and then the Draft EIS talks about both small "w" and
19 capital "W" wildernesses. In the chart, it seems to be considering
20 mainly the capital "W" designated wilderness, but even for that I
21 question how, when you got, for example, you might have logging in
22 Chenega Corporation lands, which would be in the middle of a
23 proposed wilderness, along the study area.

24 MR. LOEFFLER: This turns out to be a -- this turns out
25 to be a semantic game. I don't know the answer with respect to the
26 general restoration. With respect to big versus small "w"

1 wilderness, the Restoration Plan speaks to the wild values of
2 recreation, which is another way of saying small "w" wilderness.
3 So, I think those are there, and it talks about preserving,
4 enhancing, basically the -- the things about recreation that people
5 find appealing about the spill area. So, I thinks it's there, but
6 it isn't -- doesn't occur in that language that you stated. With
7 respect to -- with respect to how can a -- the help that habitat
8 protection gives for designated wilderness, the Chenega lands are
9 not within a designated wilderness. They are ...

10 MS. BRODIE: It's a wilderness study area.

11 MR. LOEFFLER: Its -- no they're not within a wilderness
12 study area. Private lands are excluded, they are adjacent.

13 MS. BRODIE: Yes, they are adjacent to -- surrounded by
14 (indiscernible - simultaneous talking)

15 MR. LOEFFLER: ... And so that -- the effects are on --
16 the effects on designated wilderness are on the area designated,
17 which is to say the federal and state lands. That has not answered
18 your question about general restoration, but I -- and, I sort of
19 consider that a semantic difference.

20 MR. KUHN: Let me jump in here on the wilderness
21 issue. I -- I agree that there seems to be a problem with the --
22 with the impact analysis on the wilderness, and our person who did
23 that analysis is not here tonight, so I cannot directly address
24 that, but that is something we will definitely take up and clarify
25 in the final Environmental Impact Statement. And, you had another
26 question of -- oh, about general restoration activities. What we

1 -- you'll see those general restoration activities assessing
2 impacts on various resources. Now, I realize that if we take those
3 -- take a site-specific situation where we were to go in, for
4 example say, and build a fish pass of some sort -- we're actually
5 did a structure. I realize that in doing that there would be a
6 whole raft of things that would be looked at, for example, you
7 could have negative impacts upon cultural resources that -- that
8 could be undiscovered at the site. You could have -- during
9 construction, you could have siltation problems, you could have
10 other things that could on at the time, not to mention just the --
11 you know, activity of having people in the area and all the things
12 that are associated with that. Now, those sorts of things would be
13 analyzed in the site specific analysis. None of the activities
14 that we're talking about would be, shall we say, cleared with this
15 document. This is only looking at it as a general tool box of
16 things that could be done. Is there a benefit to fish by doing egg
17 boxes, or is there greater benefit to fish by doing something else.
18 And so, it's looking at all of this tool box of things to see if
19 they have any effect in this in -- in uses for restoration type
20 work. But, they would be very much subject to further and very
21 site-specific NEPA documentation, and as well, I think we try to
22 cover -- I mean, it may not be immediately obvious to everyone, but
23 in Appendix C we talk about the fish planning process and things
24 that goes off, because fish projects are very much involved, and
25 even more lengthy planning process than some of the other things
26 that happen in the state because of all the other committees that

1 address that sort of activity.

2 MS. BRODIE: I appreciate that, and I understand that
3 if -- I don't know if all, but certainly many of these general
4 restoration items would require NEPA processes. But, what I was
5 addressing is that, it seems to me that there's an assumption in
6 this document that they are completely good and not bad, and not
7 only that they're complete good and not bad, but that they are
8 better than other ways of spending the money.

9 MR. KUHN: I acknowledge your comment. I don't know
10 the -- whether or not we think that they are better or worse than
11 other ways of spending the money, it's just a way of spending the
12 money that could be used under any of the alternatives that have
13 general restoration in it, which would be alternatives three, four
14 and five. Alternative two, of course, has no general restoration
15 as part of the program. The -- at some point when ...

16 MS. BRODIE: Well, for example, it's not just
17 wilderness, but as you just go through these charts, birds for
18 example, I'm just picking ...

19 MR. KUHN: Okay, sure, go for it.

20 MS. BRODIE: ... I haven't done in-depth analysis, but
21 I just look at birds and see that -- with -- I'm looking at the
22 wrong chart here, sorry -- so, I have to go more by memory that ...

23 MR. KUHN: The chart in front of you has something
24 for birds in it.

25 MS. BRODIE: Okay, thank you.

26 MR. LOEFFLER: Do you have it memorized? Do you have the

1 pages (indiscernible).

2 MR. KUHN: No, I -- I can identify the page by --
3 from sight from this far away. And those -- the summation there is
4 taken on the whole, everything as a whole would result in that as
5 a bottom line impact for the -- for the species.

6 MS. BRODIE: Yeah, in this chart there actually doesn't
7 appear to be a lot of difference between the different
8 alternatives. So, some of them -- some of them -- there's --
9 alternative five is seen as being better, archaeologically and
10 cultural resources for example, and I would say, maybe, maybe not,
11 depending on how the money is spent it could cause, as you said
12 yourself, it could cause -- some of these could cause harm to
13 archeological resources.

14 MR. KUHN: It would depend on what was done, you
15 know, for example, if a person were to build, like I mentioned a
16 fish pass and there was a cultural resource identified at the site,
17 there are ways to either mitigate that or to catalog it or do
18 something. Right now we have situation where we have, of course,
19 discovered sites and damaged sites is that -- are begging action at
20 this point, and, you know, that's part of what that -- that's
21 looking as, trying to solve the problem from the damage of the oil
22 spill.

23 MS. BRODIE: Okay, thank you.

24 MR. KUHN: Okay. I just -- our bird person is here.
25 I can -- you can talk to our bird person and our fish person. The
26 others are not here tonight.

1 MS. BRODIE: Yeah, the birds and fish -- well, pink
2 salmon, it says, would be better off, which I -- was probably
3 because there are more hatcheries. I'm not even going into
4 hatcheries.

5 MR. KUHN: I would encourage you -- you know, it
6 probably would be best if you could spend some time -- I really
7 would like you -- you know, if you'd talk to Bill Hauser, who did
8 our fisheries work is sitting back here in the room, and Jerry
9 Sanger is our bird person.

10 MS. BRODIE: Because even -- even, pink salmon, for
11 example, the difference between wild stock and hatchery stocks is
12 not -- the distinction is not looked at here.

13 MR. KUHN: It's not clearly.

14 MS. BRODIE: Right. One -- general restoration might
15 be better for hatchery pinks and the -- the alternative two better
16 for the wild stocks, I would guess, but that distinction is not
17 made here.

18 MR. KUHN: And, if you have any clarification on
19 exactly what -- when people use the term wild stock, it's important
20 to clarify what they mean by wild stock. If -- if wild stock is --
21 still wild stock if you use, for example, an egg box or something
22 like that, that's -- that's -- some of these things would help
23 clarify when you -- when you make comments. If any manipulative
24 activity destroys it from being a wild stock, or, you know, if you
25 take the eggs away from the stream is it still wild stock? I don't
26 know. These are the things that would help.

1 MS. BRODIE: Okay, thank you.

2 MR. KUHN: Thank you. Okay, is there anyone else
3 here in Anchorage, or has Cordova decided to speak up? Or Seward?
4 Anyone else here in Anchorage? I have a feeling we may be about
5 ready to close up shop here. If there's no one else who'd like to
6 speak, once more let's go around to the sites. I think Old Harbor
7 left us, so we have Cordova?

8 CORDOVA LIO: No, thank you.

9 MR. KUHN: Okay, and Seward?

10 SEWARD LIO: No, thanks.

11 MR. KUHN: And, once more to Anchorage, if there's
12 anyone here? Not seeing anyone rush up to the microphone, I want
13 to thank everyone for their involvement and for their time this
14 evening, for their gracious comments. Please don't hesitate to
15 write to us and/or call us. Those who are in contact with
16 fishermen, we are accepting collect calls to the marine operator.
17 We'd like to encourage you to avail yourself of that opportunity,
18 so please call our office, the eight hundred number is on the
19 literature. And, we -- again, the close of comments is August 1st,
20 so with that, thank you for all -- for coming. Thank you, Seward;
21 thank you, Cordova; thank you here in Anchorage.

22 (Off Record 8:22 p.m.)

23 END OF PROCEEDINGS

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26 ///

CERTIFICATE

STATE OF ALASKA)
) ss.
THIRD JUDICIAL DISTRICT)

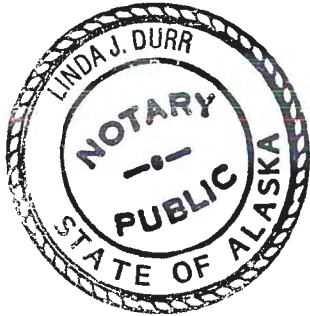
I, Linda J. Durr, a notary public in and for the State of Alaska and a Certified Professional Legal Secretary, do hereby certify:

That the foregoing pages numbered 2 through 40 contain a full, true, and correct transcript of the Public Meeting on the Exxon Valdez Oil Spill Settlement Trustees Council Draft Spill Restoration Plan and Environmental Impact Statement taken electronically by me on the 20th day of July, 1994, commencing at the hour of 7:00 p.m. at the Restoration Office, 645 G Street, Anchorage, Alaska;

That the transcript is a true and correct transcript requested to be transcribed and thereafter transcribed by me to the best of my knowledge and ability from that electronic recording.

That I am not an employee, attorney or party interested in any way in the proceedings.

DATED at Anchorage, Alaska, this 26th day of July, 1994.



Linda J. Durr

Linda J. Durr, Certified PLS
Notary Public for Alaska
My commission expires: 10/19/97