

From: Richard Steiner
To: [Hsieh, Elise M \(EVOSTC\)](#); james.balsiger@noaa.gov; [Stephen Wackowski](#); [Schmid, David - FS](#); [Cotten, Sam R \(DFG\)](#); [Hartig, Lawrence L \(DEC\)](#); [Lindemuth, Jahna M \(LAW\)](#); [General, Attorney \(LAW sponsored\)](#)
Cc: [Kendall, Scott M \(GOV\)](#)
Subject: Proposal to transition EVOS Trustee Council to (PNP) EVOS Restoration Foundation
Date: Saturday, September 22, 2018 11:11:49 AM

Dear EVOS Trustee Council,

After almost 30 years of involvement with the EVOS Restoration process, and close observation and interaction with the Trustee Council over that time, I respectfully recommend that you now transition the current EVOS Trustee Council from government into a Private Not-Profit (PNP) **EVOS Restoration Foundation**.

To remove conflict of interest (government agencies funding themselves), it is necessary to move the Restoration process from sole government discretion, and refocus the process exclusively on the primary interest of restoring the injured environment. Unfortunately, agency interests have not always aligned with the interest of ecosystem recovery. While the process has resulted in many notable successes (e.g. the habitat protection program), it has also failed on countless Restoration opportunities. Agencies have tended to look at the EVOS process in terms of what they consider may be in their immediate self-interest, rather than how the process can be applied to best assist environmental recovery. These are not always the same goal, and it is time to correct this dynamic.

As envisioned, the EVOS Restoration Foundation would consist of a Board of Directors - **- appointed from outside of government by the U.S. District Court** (which approved the consent decrees and retains authority and discretion over the compliance with the decrees) -- independent scientific advisors, and staff. The Trustee agencies currently conducting the process would still be able to propose and conduct projects, as they do presently, but would not remain in the role of deciding themselves which projects are funded. We need to de-politicize the process, remove agency bias and conflict of interest, stop the "horse-trading" between the agencies, and **refocus the process strictly on ecosystem recovery**. The only way to do so is to remove the process from the exclusive control of government agencies, which operate in a political context, and authorize an apolitical Foundation, appointed by the Court, to carry the Restoration program forward.

Many of us from the region have long felt that this would have been a better model from day-one, but here we are, 30-years on, and it is time to make this necessary transition. To do so, you would need to petition the federal court to amend the 1991 Consent Decrees that authorize the current EVOS Trustee process, but I suspect the court would deem such a favorable transition and approve the request. As well, there would be need for continued involvement, in an advisory capacity only, of the USDOJ and ADOL, and an audit function, to ensure that the remaining funds are used in strict compliance with their original intent. I trust you can all set aside agency egos, consider this suggestion, and then move forward with the transition.

I look forward to working with you to achieve this transition **prior to the upcoming 30th anniversary of the spill, March 24, 2019**.

Respectfully,

Rick Steiner, Professor (University of Alaska, ret.)

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Cc: ldemer@rasmuson.org
Subject: Opposition to proposed "New Vision for EVOS" by "EVOS Think Tank of Citizens"
Date: Wednesday, October 17, 2018 5:26:34 PM

Dear Trustee Council,

I have just now been provided with a copy of the document "New Vision for EVOS" by the "EVOS Think Tank of Citizens", and wanted to relay my respectful, categorical opposition to this proposal.

The "New Vision" proposal does not focus on ecological restoration, but instead on buildings and research programs. It minimizes funds available for habitat protection, which is by far the most successful aspect of the EVOS Restoration program to date.

In contrast, what I am proposing is an EVOS Restoration Foundation or Trust, that focuses solely on ecological recovery of the region. Anything less would be a betrayal of the original intent of the consent decrees. The "New Vision" proposal does not even propose such, and is most certainly not in the interest of full recovery.

We can, and must, do better.

I look forward to working with you on a more effective transition of the EVOS Restoration program, one that is true to the intent of the original settlement, as I proposed to you all last month.

Regards,

Rick Steiner
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