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Thank you for the opportunity to comment on the use of Exxon Valdez Oil Spill Trustee Council funds. I have several general comments followed by specific points regarding the proposed focus areas. In general I believe the Council should further refine and emphasize application of funds towards those resources which have a clearly demonstrated impact by EVOS and in the affected geographic regions. Specifically, nearshore marine habitats are documented to be the most heavily impacted environment, yet the monitoring section for example, seems to focus on monitoring oceanographic conditions rather than the nearshore conditions. Second, I believe the Council should focus on activities which are of long-term benefit or impact, or are in perpetuity. I recognize that endowments or similar funding mechanisms to achieve this end present legal challenges and complexities given requirements associated with State and Federal funds, yet I believe such alternatives must be pursued.

The subject of research seems to be embedded in several areas throughout the Federal Register Notice. A clearer articulation of the merits and role of research in expenditure of EVOS funds is a glaring need in this Notice. For the sake of my comments, I have embedded the subject of research as a major component of focus area 4(c)-Response, Damage Assessment, and Restoration Implications; as well as assumed research to be a significant but sub-dominant learning component for all other focus areas.

Lastly, I suggest that marine (spatial) planning and marine protected areas as a focus area is under-represented and presents a strong 6th focus area where the Council can have a cost-effective and long-term positive impact in the affected EVOS area, while demonstrating leadership throughout Alaska and even nation-wide.

My specific comments on the focus areas include:

1) Herring - Trustee Council documents and sponsored research clearly enunciate that the causal link between EVOS and the crash of herring is weak at best. Herring is undeniably important in Prince William Sound and the Gulf of Alaska, yet its population status is not tied to EVOS events. The proposed funding level is excessive given this reality.

2) Lingering Oil - Trustee Council documents and sponsored research highlight lingering oil as one of the surprising and poorly understood outcomes of EVOS. While the reopener *may* ultimately provide for resources to help understand and respond to lingering oil, this is no guarantee, especially for areas outside Prince William Sound where the application of reopener provisions were insufficiently articulated and early results suggest viable findings only for inside the Sound. Obligation of the majority (i.e. more than 50%) of EVOS finances without resolution of reopener provisions and potential restitution is premature. A substantial financial allotment (30%-50% of Council funds) should be held in reserve until reopener and lingering oil response issues are finalized.

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3) Long-Term monitoring - the text focuses on ocean and oceanographic monitoring; which I believe is inappropriate given that nearshore and intertidal habitats bore the brunt of known impacts. Nearshore and intertidal habitats should be the overwhelming focus of long-term monitoring. Long-term monitoring also requires strong institutional support and commitment to maximize accountability, efficiency, and to leverage other funds. Existing agency and non-profit monitoring programs with a proven track record should be the focal recipient of funds. The proposed funding seems roughly appropriate given the scope of restoration efforts.

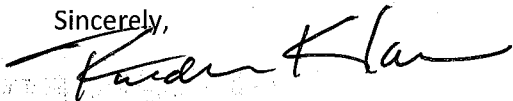
4) Harbor Protection and Marine Restoration - a) harbor and water projects - should include education and outreach; topic areas with great potential for positive impacts beyond any current or proposed developments. b) marine debris removal - this activity undeniably removes secondary stressors from the coastal environment. Focus activities should emphasize community involvement over contract projects with for- or non-profit cleanup efforts. Development of long-term strategies and partnerships is proven to be one of the most effective means of accomplishing such efforts. c) Response, Damage Assessment, & Restoration Implications - the text is unclear if research on the toxicological, behavioral, and other responses of fish and wildlife to EVOS and other oil spills might be included. Examples of such research include established efforts of the Alaska SeaLife Center and the University of Alaska Fairbanks School of Fisheries and Ocean Sciences. If such research is included as a major emphasis in this focal area, the proposed funding is woefully inadequate; and should be increased by orders of magnitude. Proposed funding for focus areas a) and b) seem roughly appropriate, and matching or leverage of community based funds presents one means of extending the reach within these foci.

5) Habitat acquisition and protection - the fact that this is a Federally mandated (legislated) program, yet this fact is omitted from the Federal Register notice, is alarming. Clear public communication regarding the mandated funding levels and the Council's proposed discretionary funding levels is required before meaningful public comment can be solicited. This information should be disseminated and public comment sought again.

6) Potential new focus area - marine (spatial) planning and marine protected areas. Research has unequivocally demonstrated that marine spatial planning and subsequent habitat management regimes such as marine protected areas are one of the single-most cost effective management strategies for maintenance of biodiversity, and promotion of sustainable and high-value commercial and sport fisheries (in adjacent and in aggregate for the areas where spatial planning is applied). While these resources are owned by the State of Alaska throughout the majority of the geographic region affected by EVOS, as a party to the Council the State has an unrivaled opportunity to test the application of such management strategies and have the funds available to implement such efforts based on sound science and socially equitable policies. Substantial funding should be devoted to such a focus area, especially if the State demonstrates a willingness to engage on the topic.

Once again, thank you for the opportunity to comment. I commend the Council for its foresight in anticipating the conclusion of EVOS funds and its efforts to engage the public in this process.

Sincerely,



Frederick L. Klasner