

February 26, 2014

via email: Sen.Berta.Gardner@akleg.gov

Honorable Senator Berta Gardner
Senate District H
State Capitol Bldg. Rm. 417
Juneau, AK 99801

RE: endorsement of SJR25

Dear Senator Gardner,

I want to thank you for introducing SJR 25, urging the state and federal administrations to initiate court action to collect the long-overdue "Reopener for Unknown Injury" claim submitted to Exxon in 2006 for unanticipated *Exxon Valdez* oil spill damages.

As you may know, I have been involved with the Exxon Valdez oil spill for the past 25 years, as I served as the University of Alaska's marine advisor for the Prince William Sound region, based in Cordova, from 1983 - 1996. More recently, I have followed the "Reopener for Unknown Injury" claim submitted by the governments. This was a critical provision in the 1991 settlement, securing public and court approval. It was, and remains, a legal obligation between the parties, including the State of Alaska.

The unanticipated injuries documented by the governments are abundantly clear, and they have presented a restoration plan to remediate lingering oil in beach sediments of the region.

At the urging of the 2006 Alaska Legislature, the Murkowski administration presented Exxon with a demand for payment of \$92 million in 2006. Astonishingly, Exxon simply refused to pay it.

It is truly disappointing to many Alaskans that Exxon has refused to honor its 1991 commitment, but it is even more disappointing that the state and federal government have not initiated court action to collect the long-overdue payment from Exxon, nor have they initiated the lingering oil restoration plan as promised in 2006.

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Every day that goes by without remediating lingering, toxic *Exxon Valdez* oil, unnecessarily exposes the Alaska coastal ecosystem to additional injury.

In all honesty, many Alaskans are bewildered by the lack of action of the parties to this agreement—Exxon, the State of Alaska, and the U.S. government. This is a disgrace and embarrassment to all involved.

If Alaska wishes to be seen as a place where oil development is done *responsibly*, then such *responsibility* must include an obligation to follow through on legal agreements to remedy spill damage, such as the *Exxon Valdez* Reopener.

Yet today, none of the parties have lived up to their obligations on this. To many, this calls into serious question the sincerity of the state's assertions regarding its commitment to "responsible oil development." I don't need to tell you what such doubt may mean nationally to Alaska's oil development agenda.

As you know, the 25th anniversary of the *Exxon Valdez* spill is approaching, and there will be considerable media attention again to the spill, to the oil industry, and to Alaska. What the Alaska Legislature does, or does not do, regarding SJR25 will without doubt, be important and newsworthy.

I strongly support SJR25, and urge the full Legislature to approve it as soon as possible.

Sincerely, (via electronic signature)

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