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DATE: 12 April 1991

TO: Senator Dick Eliason
Special Committee on the Exxon Valdez Oil Spill Claims Settlement

FROM: Thomas H. Suchanek, Ph.D. (Marine Ecologist)
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RE: THIS IS TESTIMONY FOR THE RECORD: TO BE READ ALOUD TO THE SPECIAL COMMITTEE
Topic: Public Comment on Exxon Valdez Oil Spill Claims Settlement

I am a marine ecologist presently employed by the University of California at Davis. I obtained my Ph.D. in Zoology from the University of Washington in 1978 and have been conducting marine ecological research in Alaska since 1976 (including areas from southeast Alaska's Glacier Bay National Monument to Kodiak Island and the Alaska Peninsula). My areas of specialty include marine biology, marine ecology and the effects of human influence on marine and aquatic ecosystems. I am providing this testimony as an individual marine scientist and therefore, this testimony does not necessarily represent the views of any organization for which I am currently employed or for whom I have been employed in the past.

I am providing this testimony for the record because I have significant concerns that the Exxon Valdez Oil Spill Claims Settlement is inadequate. My primary concern lies in the lack of availability of scientific data that has been generated from the numerous studies conducted by the State of Alaska, the various federal agencies involved in the Trustee Organization and Exxon, especially during the initial phase of research immediately following the spill in the 1989 field season. Because of the complex litigation process, those data are not currently available for review. If this condition is allowed to persist, it will be a tragedy for both science and the environment. This is not necessarily because there is overriding evidence that there was a monumental tragedy that resulted from the oil spill. The problem is that currently, we don't know one way or the other what the impact has been. Rather, it will be a tragedy because we will never know what the true impact was or how long those habitats and communities will take to recover from that initial impact. Only with free and open data from all studies will we benefit at all from the monumental effort expended during that initial summer.

Never before have we experienced an oil spill of this magnitude in U.S. waters and we now have a unique opportunity to benefit greatly from this unfortunate accidental spill. This kind of real-world data (as opposed to models or lab studies) is the most valuable information we could have in order to determine the effects of such a spill on the environment. We couldn't obtain this quality of information from 1000 laboratory or small scale field experiments.

NOTE: With scientific data from the first year, plus follow up studies, we will be in a much better place when future spills occur (and they WILL occur) to know what areas are most sensitive, which habitats and communities need the most protection and what kinds of oil spill clean-up attempts work and which don't work, or even which might have had a more detrimental effect on the environment than the oil itself. If we allow the legal process to take its apparent inevitable course, it appears that the valuable information we could learn from this spill may be locked up forever and no one will benefit from the tremendous scientific effort conducted on this spill.

I urge you to recommend rejection of the Exxon Valdez Oil Spill Claims Settlement in its present form. Rather I believe that a part of that settlement should include release of all scientific data collected by all parties, including most importantly: the State of Alaska, the Trustees Organization involving all of the various federal agencies, and Exxon.

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Thank you for your time in hearing my concerns. Should you have any questions regarding my testimony, please feel free to contact me directly at the following address or telephone numbers.

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Most sincerely,

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