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Web posted Friday, April 10, 2009

## Fishermen still dealing with the aftermath of the Exxon spill

By Margaret Bauman  
Alaska Journal of Commerce

Cordova fisherman R.J. Kopchak was standing in a marine shop in Seattle when he first heard about the grounding of the Exxon Valdez in Prince William Sound.

"The guy at the counter said, 'Did you hear about the oil spill in Alaska?'" Kopchak said. "I left without concluding my purchases."

It was Good Friday, March 24, 1989.

Two days later, Kopchak, then vice mayor of Cordova, was in Juneau, meeting with staff of then-Gov. Steve Cowper, telling them how important it was going to be for them to set up a response office in Cordova.

Two decades after the Exxon Valdez spill caused an environmental disaster in Prince William Sound, fishermen like Kopchak say they are still trying to deal with the aftermath of the spill.

"Recovery?" said Kopchak, now the development director for the Prince William Sound Science Center in Cordova.

"There is no recovery from that kind of a massive oil spill, at least the way I imagine recovery would be. It fundamentally erases the way a biosphere would work. You've wiped out all kinds of things that are interdependent. As the system attains a new biosphere balance, it will not look the way it did prior to the spill."

Kopchak recently sold his drift gillnet operation, but retains two herring permits. Problem is, there is no commercial herring there to catch.

Jerry McCune, who harvested herring and salmon before the spill, is now the president of Cordova District Fishermen United. He said the fishing season used to begin with herring in April, and all the tenders would stop to fuel up and buy groceries in Cordova.

Now the first thing going is Copper River on May 15, he said, speaking of the Copper River sockeye and king run.

The birds haven't recovered, nor have some of the sea mammals. Some of the shores are still oiled, he said.

And what of the lasting emotional affect on the community?

"You talk to my wife about it, and she still breaks into tears," he said.

Frank Mullen of Homer also recalls how the spill changed his life and that of his family. A drift gillnetter, he was preparing for fishing Cook Inlet when the spill occurred.

The summer of 1989 was to be his teen-aged daughter's first year as a paid deck hand.



Cordova fisherman John Boreen, holds a sign questioning the viability of information given during a press conference in this 1989 photo. AP Photo/Rob Stapleton

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Mike Webber, a 47-year-old Alaska Native artist and fisherman stands by the "shame pole" he carved in memory of the 1989 Exxon Valdez oil spill, following a news conference at the National Press Club in Washington, Feb. 26, 2008, one day before a class-action lawsuit, *Exxon v. Baker*, is argued in the U.S. Supreme Court. At right is Alaska Gov. Sarah Palin. AP Photo/J. Scott Applewhite

too," he said. "She had waited a long time to be my official deck hand. She was terribly disappointed.

"I was forced to retool myself," he said. "I am now a financial planner."

The first of some 250 lawsuits brought against the Exxon Valdez was filed on March 30, 1989, said Anchorage attorney David Oesting, one of a group of attorneys who represent plaintiffs in the oil spill litigation.

The case went to the U.S. Supreme Court. Plaintiffs' attorneys have collected \$507.5 million in compensatory damages for their clients. They were also awarded \$507.5 million in punitive awards, but ExxonMobil to date has only paid \$383 million, Oesting said. The oil company wants upward of \$70 million incurred in legal costs, plus other monies earmarked to Seattle fish processors for punitive damages, extracted from the total punitive awards, he said.

ExxonMobil reached a \$63 million cash settlement with major Seattle processors in 1991, in an agreement that said any punitive damages awarded later on to the processors would be awarded back to ExxonMobil, he said.

The plaintiffs' attorneys felt the fishermen were not made whole by the settlement, said Oesting.

"The general feeling of the fishermen was not necessarily outright defeat, but certainly they did not prevail, they did not win, justice was not done," he said. "It's resignation. They have got to have closure, but from a compensatory standpoint, it doesn't come close to that."

In the interim, plaintiffs' attorneys estimate some 3,500 of the original 40,000 plaintiffs have passed away.

ExxonMobil contends that the spill has been cleaned up and its responsibilities have been paid up.

Kevin O'Toole, who bought his fishing permit just prior to the spill, shares Oesting's view of the case.

"Everyone lost," said O'Toole, who still holds a purse seine fishing permit, but has also gone into the real estate business with his wife, Linden, in Cordova. But he wasn't surprised, he said. "I didn't sit around for 20 years predicating my life on getting a settlement. I didn't expect us to prevail."

O'Toole expects to be fishing again this year, with his daughter Malani, now 24, as crew. His son, Makena, 23, also a gillnetter, will be out there in his own boat, but the prices O'Toole dreamed of getting for pink salmon back in the late 1980s, when pinks garnered a high of \$1.05 a pound, are no longer there.

Over the years since the oil spill, a paradigm shift has occurred in world markets, Kopchak noted. The oil spill was a major trigger, but a massive increase in fish farming worldwide had already begun before the oil spill occurred.

While the oil spill cost fishermen a season or two of bad production prices, "it also diverted the best minds of the commercial fishing industry from watching our salmon and the way it worked in the world economy, to deal with impacts of the oil spill. Instead of thinking about how we could better maintain our position as a commodity, we were trying to figure out how to stay alive as fishermen and communities," he said. "It (the spill) took our eyes and attention away from world markets."

O'Toole said he believes there is lingering oil in the area of the spill. But he's looking beyond the spill: to learn from the event and working to keep a spill from ever happening in the future.

O'Toole said he does not dislike the oil and gas industry. "We need the oil and gas and they produce it."

The problem, he said, "is we want it all now, whether it is a mine or an oil well. We try to figure out how fast we can get everything exploited, when in essence the smart way is to figure out how to do things over the long term, to mitigate environmental problems."



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