

**RESOLUTION OF THE
EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL
REGARDING
VALDEZ DUCK FLATS SMALL PARCEL PWS 06**

We, the undersigned, duly authorized members of the *Exxon Valdez* Oil Spill (EVOS) Trustee Council (Council), after extensive review and after consideration of the views of the public, find as follows:

1. On December 4, 2000, the Council resolved to provide funds for the State of Alaska to purchase all of the seller's rights and interests in the small parcel PWS 06, consisting of 24.68 acres, and to provide funds necessary for closing costs recommended by the Executive Director of the Council (Executive Director) and approved by the Council, subject to certain conditions. One of the conditions was that a purchase agreement had to be executed by June 21, 2001. The seller is the University of Alaska (University).

2. Although the University has agreed to sell the land to the State for the price in the Council's resolution of December 4, 2000 (\$100,000) and the State expects to be able to complete the acquisition, a purchase agreement was not executed prior to June 21, 2001 as required by the Council's December 4, 2000 resolution.

3. For all of the reasons detailed in the Council's resolution of December 4, 2000, the Council continues to find that the purchase of PWS 06 is an appropriate means to restore a portion of the injured resources and services in the spill area.

THEREFORE, we resolve to provide funds for the United States to purchase all of the seller's rights and interests in the small parcel PWS 06 and to provide funds necessary for closing costs recommended by the Executive Director and approved by the Council, pursuant to the following

conditions:

(A) the amount of funds to be provided by the Trustee Council to the State of Alaska or the United States shall be one hundred thousand dollars (\$100,000) for small parcel PWS 06;

(B) authorization for funding for any acquisition described in the foregoing paragraph shall terminate if a purchase agreement is not executed by September 1, 2002;

(C) completion of a title search satisfactory to the State of Alaska and the United States and the seller is willing and able to convey fee simple title by a deed acceptable to the State of Alaska;

(D) no timber harvest, road development or alteration of the land will be initiated by the seller prior to the purchase without the express agreement of the State of Alaska and the United States;

(E) completion of a hazardous materials survey satisfactory to the State of Alaska and the United States;

(F) compliance with the National Environmental Policy Act; and

(G) a conservation easement on parcel PWS 06, satisfactory in form and substance to the United States and the State of Alaska Department of Law, shall be conveyed by the seller to the United States.

It is the intent of the Council that, except as described below, any facilities or other development on the foregoing small parcel shall be of limited impact and in keeping with the goals of restoration and that there shall be no commercial timber harvest nor any other commercial use of the small parcel except such limited commercial use as may be consistent with applicable state or federal law and the goals of restoration to pre-spill conditions of any natural resource injured,

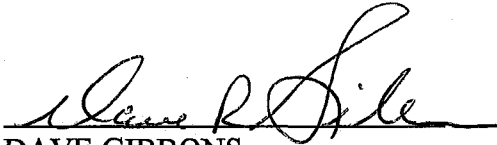
lost or destroyed as a result of the EVOS and the services provided by that resource or replacement or substitution for the injured, lost or destroyed resources and affected resources as described in the Memorandum of Agreement and Consent Decree between the United States and the State of Alaska entered August 28, 1991 and the Restoration Plan approved by the Council.

By unanimous consent, following execution of the purchase agreement between the seller and the State of Alaska and written notice from the Executive Director that the terms and conditions set forth herein and the purchase agreement have been satisfied, we request the Alaska Department of Law and the Assistant Attorney General of the Environment and Natural Resources Division of the United States Department of Justice to take such steps as may be necessary for withdrawal of the purchase price for the above-referenced parcel from the appropriate account designated by the Executive Director.

Such amount represents the only amount due under this resolution to the sellers by the State of Alaska to be funded from the joint trust funds, and no additional amounts or interest are herein authorized to be paid to the sellers from such joint funds.

Approved by the Council at its meeting of August 6, 2001 held in Anchorage, Alaska, as affirmed

by our signatures affixed below:



DAVE GIBBONS
Supervisor, Chugach National Forest
USDA Forest Service



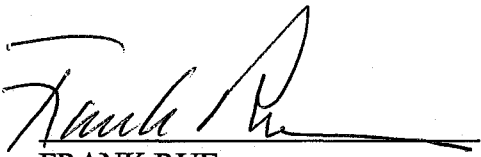
CRAIG TILLERY
Assistant Attorney General
State of Alaska



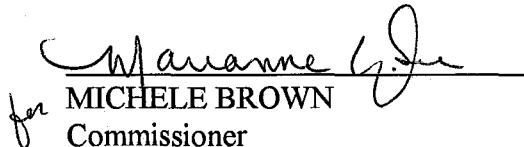
for DAVID B. ALLEN
Alaska Regional Director,
U.S. Fish and Wildlife Service
U.S. Department of the Interior



JAMES BALSIGER
Director, Alaska Region
National Marine Fisheries Service



FRANK RUE
Commissioner
Alaska Department of
Fish and Game



for MICHELE BROWN
Commissioner
Alaska Department of
Environmental Conservation