

**RESOLUTION OF THE  
EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL  
REGARDING  
JACK BAY SMALL PARCEL PWS 1010**

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. The owners of the Jack Bay parcel, PWS 1010, have indicated an interest in selling PWS 1010, consisting of 942 acres, to the United States as part of the Council’s program for restoration of natural resources and services that were injured or reduced as a result of the EVOS.

2. An appraisal approved by the state and federal review appraisers estimates the fee simple fair market value of PWS 1010 is \$1,130,000.

3. As set forth in Attachment A (Restoration Benefits Report), the Jack Bay parcel has attributes that will restore, replace, enhance, and rehabilitate injured natural resources and the services provided by those natural resources, including important habitat for several species of fish and wildlife for which significant injury resulting from the spill has been documented.

4. Existing laws and regulations, including but not limited to the Alaska Forest Practices Act, the Alaska Anadromous Fish Protection Act, the Clean Water Act, the Alaska Coastal Management Act, the Bald Eagle Protection Act and the Marine Mammal Protection Act, are intended, under normal circumstances, to protect resources from serious adverse effects from activities on the lands. However, restoration, replacement and enhancement of resources injured by the EVOS present a unique situation. Without passing judgement on the adequacy or inadequacy of existing laws and regulations to protect resources, scientists and other resource specialists agree that, in their best professional judgement, protection of habitat in the spill area

to levels above and beyond that provided by existing laws and regulations will have a beneficial effect on the recovery of injured resources and lost or diminished services provided by these resources.

5. There is widespread public support for the acquisition of this parcel.

6. Purchase of this parcel is an appropriate means to restore a portion of the injured resources and services in the spill area. Acquisition of this parcel is consistent with the Restoration Plan and Final Environmental Impact Statement.

7. The purchase of small parcels 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 1010 and to provide funds necessary for closing costs recommended by the Executive Director of the Council ("Executive Director") and approved by the Trustee Council, pursuant to the following conditions:

(a) the amount of funds to be provided by the Trustee Council to the United States shall be one million one hundred and thirty thousand dollars (\$1,130,000) for small parcel PWS 1010;

(b) authorization for funding for any acquisition described in the foregoing paragraph shall terminate if a purchase agreement is not executed by June 21, 2001;

(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 general warranty deed;

(d) no timber harvest, road development or alteration of the land will be initiated by the owner 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;

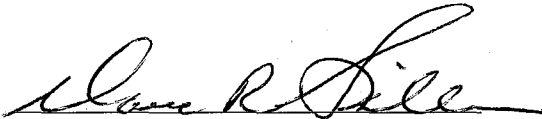
(f) compliance with the National Environmental Policy Act; and

(g) a conservation easement on parcel PWS 1010, 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 State of Alaska. 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 excepting such limited commercial use as may be consistent with applicable state or federal law and the goals of restoration to prespill 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 ("MOA") and the Restoration Plan as approved by the Trustee Council ("Restoration Plan").

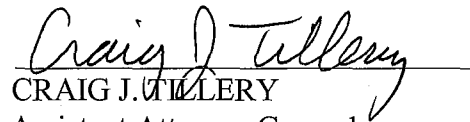
By unanimous consent, following execution of the purchase agreement between the seller and the United States and written notice from the Executive Director that the terms and conditions set forth herein and in the purchase agreement have been satisfied, we request the Alaska Department of Law and the 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 United States 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 December 4, 2000 held in Anchorage, Alaska, as affirmed by our signatures affixed below:



DAVE GIBBONS  
Forest Supervisor  
Chugach National Forest  
USDA Forest Service



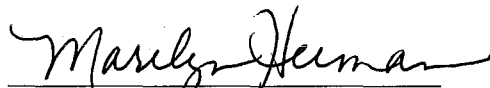
CRAIG J. TILLERY  
Assistant Attorney General  
State of Alaska



JAMES BALSIGER  
Director, Alaska Region  
National Marine Fisheries Service



FRANK RUE  
Commissioner  
Alaska Department of Fish and Game



MARILYN HEIMAN  
Special Assistant to the Secretary  
Department of Interior  
Alaska Region



MICHELE BROWN  
Commissioner  
Alaska Department of Environmental  
Conservation