

**RESOLUTION 12-02 OF THE *EXXON VALDEZ* OIL SPILL TRUSTEE COUNCIL
REGARDING SMALL PARCEL KAP 3001**

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

1. On June 27, 2007, the Council resolved through Resolution 07-04 to provide funds for the State of Alaska to purchase all of the seller's rights and interests in the small parcel KAP 3001, consisting of 160 acres, subject to certain conditions. One of the conditions was that a purchase agreement had to be executed by July 15, 2008. The Sellers are the heirs of Philip Chokwak, represented by the Department of Interior, Bureau of Indian Affairs (BIA) ("Sellers"). As per the Council's direction in Resolution 07-04, funds in the amount of \$160,000 were transferred to the State of Alaska for the purchase of this parcel.

2. Although the Sellers have agreed to sell the land to the State for the price in Resolution 07-04 (\$160,000) and the State expected to be able to complete the acquisition, a purchase agreement was not executed prior to July 15, 2008 as required by the Resolution 07-04.

3. On May 29, 2009, the Council resolved through Resolution 09-08 to reauthorize the funding to purchase KAP 3001. One of the conditions was that a purchase agreement had to be executed by December 30, 2010.

4. Due to the death of one of the Sellers and subsequent probate, a purchase agreement was not executed prior to December 30, 2010.

5. For all of the reasons detailed in Resolution 07-04, the Council continues to find that the purchase of KAP 3001 is an appropriate means to restore a portion of the injured resources and services in the spill area.

THEREFORE, we resolve to reauthorize the expenditure of funds previously provided to the State of Alaska to purchase all of the seller's rights and interests in the small parcel KAP

3001 pursuant to the following conditions:

(a) the amount of funds (hereinafter referred to as the "Purchase Price") previously provided by the Trustee Council to the State of Alaska was one-hundred sixty thousand dollars (\$160,000) for small parcel KAP 3001;

(b) authorization for funding for any acquisition described in the foregoing paragraph shall terminate if a purchase agreement is not executed by February 1, 2013;

(c) a title search satisfactory to the State of Alaska and the United States is completed, and the Sellers are willing and able to convey fee simple title by warranty deed;

(d) no timber harvest, road development or any alteration of the land will be initiated on the land without the express written agreement of the State of Alaska and the United States prior to purchase of this parcel;

(e) a hazardous materials survey satisfactory to the State of Alaska and United States is completed;

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

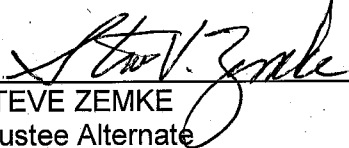
(g) a conservation easement on parcel KAP 3001, satisfactory in form and substance to the United States and the State of Alaska Department of Law, shall be conveyed to the United States.

It is the intent of the Trustee Council that the above-referenced conservation easement will provide that any facilities or other development on the foregoing small parcel shall be of limited impact and in keeping with the goals of restoration, that there shall be no commercial use except 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 services, 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 as approved by the Trustee Council.

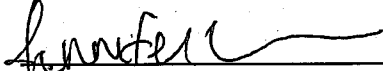
The Purchase Price authorized in this Resolution represents the only amount due under this Resolution to the Sellers by the State of Alaska to be funded from the joint settlement funds, and no additional amounts or interest are herein authorized to be paid to the Sellers from such joint funds.

Approved by the Council at its meeting of February 1, 2012 held in Anchorage, Alaska,

as affirmed by our signatures affixed below:



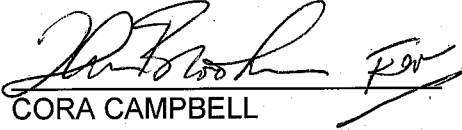
STEVE ZEMKE
Trustee Alternate
Chugach National Forest
U.S. Department of Agriculture

for 

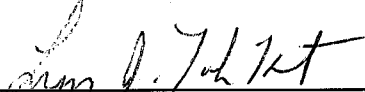
RICHARD SVOBODNY
Acting Attorney General
State of Alaska

KIM ELTON
Senior Advisor to the Secretary
for Alaska Affairs
U.S. Department of Interior

JAMES BALSIGER
Administrator, Alaska Region
National Marine Fisheries Service
U.S. Department of Commerce



CORR CAMPBELL
Commissioner
Alaska Department of Fish and Game

for 

LARRY HARTIG
Commissioner
Alaska Department of Environmental
Conservation

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Chugach National Forest
U.S. Department of Agriculture



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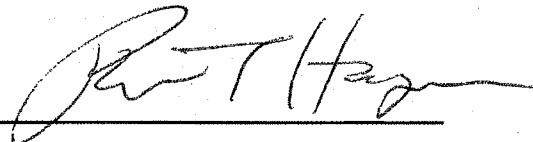
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