

TALIS J. COLBERG
ATTORNEY GENERAL

CRAIG J. TILLERY
DEPUTY ATTORNEY GENERAL

ELISE M. HSIEH
Assistant Attorney General
State of Alaska
Department of Law
1031 West Fourth Avenue, Suite 200
Anchorage, Alaska 99501-1994
Telephone: (907) 269-5274
Facsimile: (907) 278-7022
Email: Elise.Hsieh@alaska.gov

Attorneys for the State of Alaska

UNITED STATES DISTRICT COURT
DISTRICT OF ALASKA

STATE OF ALASKA,)	
)	
Plaintiff,)	No. 3:91-CV-0083 (HRH)
)	
v.)	THIRTIETH JOINT
)	NOTICE OF
EXXON CORPORATION, and EXXON)	EXPENDITURES FROM
SHIPPING COMPANY,)	THE INVESTMENT
)	FUND
Defendants.)	
)	

The State of Alaska and the United States (the "Governments") jointly provide notice of the expenditure of \$539,545 from the Koniag Investment Sub-Account of the Investment Fund ("Investment Fund"). The Governments' natural resource trustee agencies will use these funds for purposes consistent with the Memorandum of Agreement and

Consent Decree entered by this Court in *United States v. State of Alaska*, No. A91-081 CIV (D. Alaska) on August 28, 1991 (“MOA”).

On September 25, 1991 the State of Alaska and the United States settled their claims against the Exxon Corporation, Exxon Shipping Company, Exxon Pipeline Company, and the T/V EXXON VALDEZ arising from the EXXON VALDEZ oil spill. All funds resulting from these settlements were subsequently ordered by this Court to be placed in an interest-bearing account in the Court Registry Investment System (“CRIS”) administered through the United States District Court for the Southern District of Texas.

On June 7, 2000 this Court entered its Third Amended Order for Deposit and Transfer of Settlement Proceeds (“Third Amended Order”). The Third Amended Order allows the Governments the option of investing the money in an account outside the United States Treasury. On September 29, 2000, upon application by the Governments, the Court entered an Order Re: Transfer of Funds from the Exxon Valdez Liquidity Account and the Reserve Fund to an Investment Fund Within the Alaska Department of Revenue, Division of Treasury, authorizing transfer of settlement proceeds to an account within the State. On October 5, 2000 all funds and securities were transferred from the CRIS to the Investment Fund. The Third Amended Order further allows the Governments to establish separate sub-accounts within the primary account as the Trustee Council determines appropriate. On October 1, 2002 three sub-accounts were created in the Investment Fund, to wit:

the Research Investment Sub-Account, the Habitat Investment Sub-Account, and the Koniag Investment Sub-Account. These sub-accounts were established to carry out the Trustee

Council's decision in its Resolution of March 1, 1999 to separately manage the remaining assets of the Joint Trust Funds for the specific purposes of funding a long term research and monitoring program, the acquisition of lands along the Karluk River and the establishment of a fund to purchase small parcels of land that may become available in the future.

Paragraph 27 of the Third Amended Order provides that "funds in an Investment Fund shall remain on deposit in that Fund until such time as the Exxon Valdez Oil Spill Trustee Council unanimously resolve to expend all or part of the funds." The funds may then be expended, for purposes consistent with the MOA, upon the joint notification of the Governments to the Investment Fund and the Court.¹ The notification is to inform the Court of the proposed uses of the funds in the same manner and to the same extent as was the Governments' practice when the funds were in the registry of the Court.

The Governments provide notice of this thirtieth expenditure from the Investment Fund for the sixth payment to Koniag, Inc. for a non-development easement on lands it owns, including lands along the Karluk River.² The entire amount of \$539,545 that is the subject of this Notice will be provided to the United States.

¹ A copy of the notice provided to the Investment Fund pursuant to paragraph 27 of the Third Amended Order for Deposit and Transfer of Settlement Proceeds is appended to this Notice as Attachment A, pp. 1 - 2.

² The resolution evidencing the Trustee Council's approval for the purchase of this easement appeared as part of the Sixth Joint Notice of Expenditures From Settlement Account Monies Previously Disbursed at Attachment A, pp. 32-42. A description of the non-development easement may be found in the Third Joint Notice of Expenditures From Investment Fund.

The Trustee Council has met once since the Governments' filing on July 18, 2008 of their Twenty-Ninth Joint Notice of Expenditures from Investment Fund. The Governments will submit the meeting notes for the August 28, 2008 meetings once it has been approved by the Trustee Council. The meeting notes for the Trustee Council's June 26, 2008 meeting is appended to this Notice as Attachment B.

RESPECTFULLY SUBMITTED this 29th day of August, 2008 at Anchorage, Alaska.

FOR THE STATE OF ALASKA

TALIS J. COLBERG
ATTORNEY GENERAL

By: s/Elise Hsieh
Assistant Attorney General
State of Alaska
Department of Law
1031 West Fourth Avenue, Suite 200
Anchorage, Alaska 99501-1994
Telephone: (907) 269-5274
Facsimile: (907) 278-7022
Email: Elise.Hsieh@alaska.gov
Alaska Bar #9511048

FOR THE UNITED STATES

s/Regina R. Belt (consent)
Environmental Enforcement Section
Environment & Natural Resources Division
U.S. Department of Justice
801 B Street, Suite 504
Anchorage, Alaska 99501-3657
Telephone: (907) 271-3456

Facsimile: (907) 271-5827
Email: Regina.Belt@usdoj.gov

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 29th day of August, 2008, a copy of the foregoing THIRTIETH JOINT NOTICE OF EXPENDITURES FROM THE INVESTMENT, together with attachments A, B and thereto were served by U.S. mail, first class, postage prepaid, on the following:

Regina R. Belt
U.S. Dept. of Justice
801 B Street, Suite 504
Anchorage, AK 99501-3657

Kathryn MacDonald
Environmental and Natural Resources Division
Environmental Enforcement Section
P.O. Box 7611
Washington, D.C. 20044-7611

James F. Neal
Neal & Harwell
2000 One Nashville Place
150 Forth Avenue North
Nashville TN 37219

Douglas J. Serdahely
Patton Boggs LLP
601 W. 5th Avenue, Suite 700
Anchorage, AK 99501

Patrick Lynch
O'Melveny & Meyers
400 South Hope Street
Los Angeles, CA 90071

John F. Clough III
Clough & Associates
PO Box 211187
Auke Bay, AK 99821-1187

s/Gail Byers

SARAH PALIN, GOVERNOR

DEPARTMENT OF LAW
OFFICE OF THE ATTORNEY GENERAL

Environmental
1031 WEST 4th AVENUE, SUITE 200
ANCHORAGE, ALASKA 99501-1994
PHONE: (907) 269-5274
FAX: (907) 278-7022

August 29, 2008

Mr. Gary Bader
Chief Investment Officer
Treasury Division, Dept. of Revenue
P.O. Box 110405
Juneau, AK 99811-0405

Re: Exxon Valdez Oil Spill Investment Fund

Dear Mr. Bader:

The Exxon Valdez Trustee Council has unanimously determined to expend \$539,545 in joint trust funds for restoration purposes consistent with the terms of the Memorandum of Agreement and Consent Decree entered by the federal district court in *United States v. State of Alaska*, No. A91-081 CIV (D. Alaska) on August 28, 1991. This entire amount will come from the Koniag Investment Sub-Account of the Investment Fund that is currently held by the State of Alaska in the Exxon Valdez Oil Spill Investment Fund and invested by the Treasury Division, Alaska Department of Revenue. Under the terms of the Reimbursable Services Agreement between the Alaska Department of Fish and Game and the Alaska Department of Revenue, please transfer the following amounts from cash held in the Exxon Valdez Oil Spill Investment Fund to the accounts described below:

United States

Amount: \$539,545 from the Koniag Sub-Account

Beneficiary

account: 14X5198
name: Natural Resource Damage Assessment and Restoration Fund
(NRDAR)

Beneficiary

account: 14010001
name: Department of the Interior
Financial Management Services National Business Center

Mr. Gary Bader
Treasury Division, Department of Revenue

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August 29, 2008

Beneficiary Bank

account: 021030004
name: Treasury, NYC

OBI Text

Natural Resource Damage Assessment Restoration Fund 14X5198
EVOS Exxon Valdez, Civil Settlement, FY08 Joint Funds

Beneficiary Reference

A91-082Civil

The transfer should take place when most financially advantageous, preferably on or before September 5, 2008, or as soon thereafter as possible. If you have any questions, please call Elise Hsieh at (907) 269-5274.

Sincerely,



Elise Hsieh
Assistant Attorney General
State of Alaska



Regina Belt
Environmental Enforcement Section
Environment & Natural Resources Division
U.S. Department of Justice
United States of America

cc: Kathryn MacDonald, U.S. Department of Justice
Matt vanSteenwyk, Alaska Department of Fish and Game *via email and U.S. Mail*
Christine O'Sullivan, Alaska Department of Fish and Game *via email and U.S. Mail*
Sue Bump, Alaska Department of Revenue *via email and U.S. Mail*
Bob Mitchell, Alaska Department of Revenue *via email and U.S. Mail*
James McKnight, Alaska Department of Revenue *via email and U.S. Mail*
Lynette Schroeder, Exxon Valdez Oil Spill Trustee Council Restoration Office

Exxon Valdez Oil Spill Trustee Council

441 W. 5th Ave., Suite 500 • Anchorage, AK 99501-2340 • 907 278 8012 • fax 907 276 7178



TRUSTEE COUNCIL MEETING NOTES

Anchorage, Alaska

June 26, 2008

Chaired by: Craig O'Connor
Trustee Council Member

Trustee Council Members Present:

Steve Zemke, USFS*
Hans Neidig, USDOI***
•Craig O'Connor, NOAA **

Craig Tillery, ADOL****
Tom Brookover, ADF&G *****
Dan Easton, ADEC *****

- Chair
- * Steve Zemke alternate for Joe Meade
- ** Craig O'Connor alternate for James Balsiger
- *** Hans Neidig alternate for Randall Luthi
- ****Craig Tillery alternate for Talis Colberg
- *****Tom Brookover for Denby Lloyd
- *****Dan Easton for Larry Hartig

The meeting convened at 1:00 p.m., June 26, 2008 in Anchorage at the EVOS Conference Room.

1. Approval of the Agenda

APPROVED MOTION:

Motion to approve the draft agenda dated June 16, 2008 as amended changing the order of the discussion items to: omit the Strategic Plan, moving to Lingering Oil Microcosm Study, Invitation, Barrow's Goldeneye and Communication and Outreach Plan

Attachment B
Page 1 of 3

Motion by Tillery, second by Brookover

2. Approval of May 27, 2008 meeting notes

APPROVED MOTION: Motion to approve the May 27, 2008 meeting notes dated May 29, 2008 as presented

Motion by Neidig, second by Tillery

Public Advisory Committee (PAC) comments were offered by: Pat Lavin

Public comment period began at 1:35 p.m.

Six public comments were received.

Public comment closed at 2:08 p.m.

3. Lingering Oil Proposal – Microcosm Study

APPROVED MOTION: Motion to approve the proposal titled: Microcosm Study on the Biodegradability of Lingering Oil in Prince William Sound 19 Years after the *Exxon Valdez* Oil Spill as presented in the amount of \$535,973 which includes the 9% G&A and management fees for NOAA as the managing agency

Motion by Tillery, second by Neidig

4. Barrow's Goldeneye

APPROVE MOTION: Motion to approve adding Barrow's Goldeneye to the Injured Resources and Services List, adopting the proposed entry submitted by USFWS, with the exception, we substitute in - are recovering or that we make the notation that they are in fact a recovering species

Motion by Tillery, second by Neidig

Off the record – 3:02 p.m.

On the record – 3:12 p.m.

5. Communications and Outreach Planning

APPROVED MOTION: Motion to approve \$15,000 in partnership with other organizations for transportation from Kansas to Alaska, review, revision and upgrade of the Darken Waters Exhibit

Motion by Tillery, second by Zemke

Meeting adjourned at 3:30 p.m. Motion to adjourn by Neidig, second by Brookover