SUE ELLEN WOOLDRIDGE Assistant Attorney General WILLIAM D. BRIGHTON Assistant Section Chief Environmental Enforcement Section Environment & Natural Resources Division United States Department of Justice Washington, D.C. 20530

REGINA R. BELT
Trial Attorney
Environmental Enforcement Section
Environment & Natural Resources Division
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ATTORNEYS FOR THE UNITED STATES

UNITED STATES DISTRICT COURT DISTRICT OF ALASKA

UNITED STATES OF AMERICA,	
Plaintiff,	No. 3:91–CV-0082 Civil (HRH)
v. EXXON CORPORATION, EXXON SHIPPING COMPANY, and EXXON PIPELINE COMPANY, et al., in personam, and the T/V EXXON VALDEZ, in rem,	TWENTIETH JOINT NOTICE OF EXPENDITURE FROM THE INVESTMENT FUND
Defendants.))

The United States and the State of Alaska ("the Governments") jointly provide notice of the expenditure of \$2,062,447.00 from the EXXON VALDEZ Oil Spill Investment Fund ("Investment Fund"), namely the Research Investment Sub-Account. 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.

TWENTIETH JOINT NOTICE OF EXPENDITURE FROM THE INVESTMENT FUND 3:91-CV-0082 (HRH)

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 twentieth expenditure from the Investment Fund for: necessary natural resource damage assessment and restoration activities during federal fiscal year 2007.²/ Of the \$2,062, 447.00 that is the subject of this notice, \$376,160.00 will be provided to the United States and \$1,686,287.00 will be provided to the State of Alaska.

A complete summary of the Trustee Council's activities since approval of the settlement was appended to our Second Application, filed January 19, 1993, as Attachment B, and interim updates of activities appeared as Attachments to each of the Governments' Third through Sixth, Eighth through Twelfth, Fifteenth, Nineteenth, Twenty-First, Twenty-Second, Twenty-Fourth through Twenty-Ninth, Thirty-First, and Thirty-Third through Forty-Fifth applications for disbursement; the Fifth through Seventh and Tenth through the Fourteenth Joint Notices of Expenditure From Settlement Account Monies Previously Disbursed; and the First, Second, Fourth, and Seventh through the Nineteenth Joint Notices of Expenditures from Investment Fund. The Trustee Council has met once since the Governments' filing on August 24, 2006 of their Nineteenth Joint Notice of Expenditures from Investment Fund. The meeting notes for that September 7, 2006 meeting will be provided with the next notice; those for the July 28, 2006 meeting appear in Attachment B.

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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 of the Trustee Council documenting its unanimous agreement, at its September 7, 2006 meeting, to provide \$2,062,447.00 to fund the Annual Program Development and Implementation Budget for FY 2007 (Resolution 06-13) is appended to this Notice at Attachment A, pp. 3-24.

RESPECTFULLY SUBMITTED this 18th day of September, 2006 at Anchorage, Alaska.

s/ REGINA R. BELT
REGINA R. BELT
Trial Attorney
Environmental Enforcement Section
Environment & Natural Resources Division
United States Department of Justice

United States Department of Justice 801 B Street, Suite 504
Anchorage, Alaska 99501-3657
Telephone: (907) 271-3456

Facsimile: (907) 271-3456 Facsimile: (907) 271-5827 Email: regina.belt@usdoj.gov

ATTORNEY FOR THE UNITED STATES

DAVID W. MÁRQUEZ Attorney General State of Alaska

By: s/ RITA H. LOVETT (consent)

RITA H. LOVETT

Assistant Attorney General

1031 West Fourth Avenue Ste. 200 Anchorage, Alaska 99501-1994 Telephone: (907) 269-5274 Facsimile: (907) 278-7022

Email: Rita Hoffmann@law.state.ak.us

Alaska Bar #9911065

ATTORNEYS FOR THE STATE OF ALASKA

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 18th day of September, 2006 a copy of the foregoing TWENTIETH JOINT NOTICE OF EXPENDITURE FROM THE INVESTMENT FUND, together with Attachments A and B thereto, was served by United States mail, first class, postage paid, to the following: Rita H. Lovett, James F. Neal, Esq., Douglas J. Serdahely, Esq., John F. Clough III, Esq., and Patrick Lynch, Esq.

s/ Regina R. Belt

TWENTIETH JOINT NOTICE OF EXPENDITURE FROM THE INVESTMENT FUND 3:91-CV-0082 (HRH)

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 July 28, 2006

Chaired by: Steve Zemke Trustee Council Member

Trustee Council Members Present:

 Steve Zemke, USFS ** Drue Pearce, DOI Craig O'Connor, NMFS * Heather Brandon, ADF&G *** Kurt Fredriksson, ADEC David Márquez, ADOL

- Chair
- Craig O'Connor alternate for James Balsiger
- Steve Zemke alternate for Joe Meade
- *** Heather Brandon alternate for McKie Campbell

The teleconferenced meeting convened at 8: 05 a.m., July 28, 2006 in Anchorage at the EVOS Conference Room.

1. Approval of the Agenda

APPROVED MOTION:

Amend the agenda to go into executive session

following the Executive Director's report

Motion by O'Connor, second by Fredriksson

APPROVED MOTION:

Amend the agenda to include timelines for the FY 07 Invitation, proposed completion date for the Update to Injured Resources and Services, and status of Integral's final report (Project 060783)

Motion by Fredriksson, second by Márquez

2. Approval of May 23, 2006 meeting notes

APPROVED MOTION:

Approval of the May 23, 2006 Trustee Council

meeting notes

Motion by O'Connor, second by Fredriksson

No Public Advisory Committee (PAC) comments were received.

Public comment period began at 8:15 a.m.

One public comment was received.

Public comment closed at 8:33 a.m.

3. Executive Session

APPROVED MOTION:

Motion to go into executive session to discuss implications of the ongoing litigation with regard to Trustee Council decisions on science studies and

their direction

Motion by Zemke, second by O'Connor

Off the record: 8:56 a.m. On the record: 9:30 a.m.

4. Building Lease Renewal

APPROVED MOTION:

Motion to approve option one as detailed in the June 26, 2006 memo to the Trustee Council: EVOS office to remain in the current space, renewing the lease at an annual cost of \$160,000

with a 120 day lease cancellation clause

Motion by Márquez, second by O'Connor

5. Report Writing Procedures

APPROVED MOTION:

Motion to defer until such time as the Executive

Director feels the procedures are ready to bring

back to the Trustee Council

Motion by Pearce, second by O'Connor

Meeting adjourned at 9:50 a.m.

Case 3:91-cv-00082-HRH

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Filed 09/18/2006

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STATE OF ALASKA

DEPARTMENT OF LAW

OFFICE OF THE ATTORNEY GENERAL

FRANK H. MURKOWSKI, GOVERNOR

Environmental

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

September 18, 2006

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 \$2,062,447.00 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. The entire amount will come from the Research Investment Sub-Account. The Research Investment Sub-Account 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:

State of Alaska

Amount:

\$1,686,287.00

State of Alaska

Exxon Valdez Settlement Account

GeFONSI 33070 Account 22177

United States

Amount:

\$376,160.00

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Mr. Gary Bader

Treasury Division, Department of Revenue

Page Two September 18, 2006

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

Beneficiary Bank

account:

021030004

name:

Treasury, NYC

OBI Text

Natural Resource Damage Assessment Restoration Fund 14X5198 EVOS Exxon Valdez, Civil Settlement, FY07 Joint Funds

Beneficiary Reference

A91-082Civil

The transfer should take place when most financially advantageous, but no later than October 1, 2006 or as soon thereafter as possible. If you have any questions, please call Rita Lovett at (907) 269-5274.

Sincerely

Rita H. Lovett

Assistant Attorney General

Vita Couett

State of Alaska

Regina R. Belt

Sine R. Bus

Environmental Enforcement Section

Environment & Natural Resources Division

U.S. Department of Justice United States of America

cc:

Divina Pelayo, Alaska Department of Fish and Game

Christine O'Sullivan, Alaska Department of Fish and Game

Sue Bump, Alaska Department of Revenue

Bob Mitchell, Alaska Department of Revenue

Barbara Hannah, Exxon Valdez Oil Spill Trustee Council Restoration Office

RESOLUTION 06-13 OF THE EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL REGARDING THE FY 2007 WORK PLAN -- PROJECT 070100 FY 2007 ANNUAL PROGRAM DEVELOPMENT AND IMPLEMENTATION BUDGET OCTOBER 1, 2006 -- SEPTEMBER 30, 2007

We, the undersigned, duly authorized members of the *Exxon Valdez* Oil Spill Trustee Council do hereby certify that, in accordance with the Memorandum of Agreement and Consent Decree entered as settlement of <u>United States of America v. State of Alaska</u>, No. A91-081 Civil, U.S. District Court for the District of Alaska, and after public meetings, unanimous agreement has been reached to expend funds received in settlement of <u>State of Alaska v. Exxon Corporation, et al.</u>, No. A91-083 CIV, and <u>United States of America v. Exxon Corporation, et al.</u>, No. A91-082 CIV, U.S. District Court for the District of Alaska, for necessary natural resource damage assessment and restoration activities for fiscal year 2007, as described in Attachment A. This portion of the Work Plan is funded at \$2,062,447. The monies are to be distributed according to the following schedule:

Alaska Department of Fish & Game	\$1,545,091
Alaska Department of Law	5,450
Alaska Department of Natural Resources	89,857
Alaska Department of Environmental Conservation	<u>45,889</u>
SUBTOTAL TO STATE OF ALASKA	\$1,686,287
U.S. Department of the Interior	\$277,732
U.S. Forest Service	51,285
National Oceanic & Atmospheric Administration	47,143
SUBTOTAL TO UNITED STATES OF AMER	ICA \$376,160

TOTAL APPROVED \$2,062,447

By unanimous consent, we hereby request the Alaska Department of Law and the Assistant Attorney General of the Environmental and Natural Resources Division of the

Resolution 06-13

ATTACHMEN A

Approved by the Council at its teleconference meeting of September 7, 2006 as affirmed by our signatures affixed below.

JOE L. MEADE Forest Supervisor

Forest Service Alaska Region U.S. Department of Agriculture DAVID W. MÁRQUEZ Attorney General State of Alaska

DRUE PEARCE Senior Advisor to the Secretary for Alaska Affairs U.S. Department of the Interior

CRAIG R. O'CONNOR Special Counsel National Oceanic & Atmospheric Administration U.S. Department of Commerce

McKIE CAMPBELL Commissioner Alaska Department of Fish and Game KURT FREDRIKSSON Commissioner Alaska Department of Environmental Conservation

Attachment A: FY 2007 Annual Program Development and Implementation Budget October 1, 2006 - September 30, 2007

Resolution 06-13

Approved by the Council at its teleconference meeting of September 7, 2006 as affirmed by our signatures affixed below.

JOE L. MEADE
Forest Supervisor
Forest Service Alaska Region
U.S. Department of Agriculture

DAVID W. MÁRQU Attorney General State of Alaska

DRUE PEARCE
Senior Advisor to the Secretary
for Alaska Affairs
U.S. Department of the Interior

CRAIG R. O'CONNOR Special Counsel National Oceanic & Atmospheric Administration U.S. Department of Commerce

McKIE CAMPBELL Commissioner Alaska Department of Fish and Game KURT FREDRIKSSON
Commissioner
Alaska Department of Environmental
Conservation

Approved by the Council at its teleconference meeting of September 7, 2006 as affirmed by our signatures affixed below.

JOE L. MEADE
Forest Supervisor
Forest Service Alaska Region
U.S. Department of Agriculture

DRUE PEARCE

Senior Advisor to the Secretary for Alaska Affairs

Learce

U.S. Department of the Interior

DAVID W. MÁRQUEZ Attorney General State of Alaska

CRAIG R. O'CONNOR

Special Counsel

National Oceanic & Atmospheric

Page 6 of 24

Administration

U.S. Department of Commerce

McKIE CAMPBELL Commissioner Alaska Department of Fish and Game KURT FREDRIKSSON
Commissioner
Alaska Department of Environmental
Conservation

Approved by the Council at its teleconference meeting of September 7, 2006 as affirmed by our signatures affixed below.

JOE L. MEADE

Forest Supervisor

Forest Service Alaska Region U.S. Department of Agriculture DAVID W. MÁRQUEZ

Attorney General State of Alaska

DRUE PEARCE

Senior Advisor to the Secretary

for Alaska Affairs

U.S. Department of the Interior

CRAIG R. O'CONNOR

Special Counsel

National Oceanic & Atmospheric

Administration

U.S. Department of Commerce

1 V. Brandon

Commissioner

Alaska Department of Fish and Game

KURT FREDRIKSSON

Commissioner

Alaska Department of Environmental

Conservation

Attachment A: FY 2007 Annual Program Development and Implementation Budget October 1, 2006 - September 30, 2007

Resolution 06-13

Approved by the Council at its teleconference meeting of September 7, 2006 as affirmed by our signatures affixed below.

JOE L. MEADE
Forest Supervisor
Forest Service Alaska Region
U.S. Department of Agriculture

DAVID W. MARQUEZ Attorney General State of Alaska

DRUE PEARCE
Senior Advisor to the Secretary
for Alaska Affairs
U.S. Department of the Interior

CRAIG R. O'CONNOR
Special Counsel
National Oceanic & Atmospheric
Administration
U.S. Department of Commerce

McKIE CAMPBELL Commissioner Alaska Department of Fish and Game

KURT FREDRIKSSON
Commissioner
Alaska Department of Environmental
Conservation

Attachment A: FY 2007 Annual Program Development and Implementation Budget October 1, 2006 – September 30, 2007

ATTACHMEN A

Exxon Valdez Oil Spill Trustee Council FY 2007 Annual Program Development and Implementation Budget October 1, 2006 – September 30, 2007

The Council adopted a new budget structure in FY 2006 in order to more clearly identify the allocation of funds supporting Trustee Council activities. The presentation of the initial Annual Program Development and Implementation Budget instituted in FY 2006 is being mirrored within the submittal of this funding request for FY 2007. The intent is to continue emphasizing the estimated costs associated with the current activities and directives of the Trustee Council.

This budget has been developed with the focus on completing the Trustee Council's planned activities detailed within the "Interim Guidance Document" implemented in August of 2005 and effective through December 2006, as well as initiating any restoration planning efforts resulting from the determinations regarding the fate and impact of lingering oil in the spill area and the status of injured resources and services identified in the updated list.

In addition, this budget expands upon activities started in FY 2006 toward developing a plan for herring recovery; and includes estimates of the direct and indirect costs of the Trustee Council's agencies and administrative office, in providing services for the Trustee Council's programs and approved projects of FY 07.

The "Program Development and Implementation Budget" includes the following components:

- Administration Management
- Data Management
- Science Management
- Community Involvement
- Public Advisory Committee (PAC)
- Small Parcel Program
- Trustee Council Member Direct Expenses
- Program Support/Project Management by Agencies
- Alaska Resource Library & Information Services

Various aspects of the italicized components are undertaken by Trustee Council agencies providing program development and administrative support.

Although funding for liaisons, project managers, and other support staff is included in the Program Support and Project Management component, the final budget for this component cannot be accurately determined until the Trustee Council takes action on the FY 07 Work Plan. This component is an initial funding request. Upon adoption of the FY 07 Work Plan, additional project management funds for each agency will be requested in proportion to the number and complexity of funded projects assigned to each agency for management. At that time the budget will be revised to reflect this additional expense.

The Trustee Council Office is administratively located within the Alaska Department of Fish and Game. Allocation of funds by agency is detailed within the Budget Summary.

ATTACHMENT A
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Program Support /Project Management	14
Alaska Resource Library & Information Services	

BUDGET SUMMARY INFORMATION

The Exxon Valdez Oil Spill Restoration Annual Program Development and Implementation Budget for 2007 will be funded by the Exxon Valdez Oil Spill Investment Fund managed by the Alaska Department of Revenue. A grant to the Alaska Department of Fish and Game by the National Ocean Service (NOS) of the US Department of Commerce, which in FY 06 funded portions of the Annual Program Development and Implementation Budget, is due to expire on September 30, 2006. Requests have been submitted to NOAA for a one year extension to this grant, along with an approval request for a modified scope. If the request is approved, the lapsed balance of approximately \$191K from FY 06 will be applied specifically to the FY 07 Science Management Component for the Herring Restoration Planning activities.

This budget document presents the total budget for FY 2007. The following summary tables show budget allocations by component, cost type, funding source and agency. The remainder of the document specifies the uses to which the monies for each component of the budget will be applied and the funding sources for each item.

Budget Summary by Component	EVOS Funds	NOS Grant	Total Budget
Administration Management	\$709,517	\$0	\$709,517
Data Management	\$202,555	\$0	\$202,555
Science Management	\$467,200	\$79,500	\$546,700
Community Involvement	\$36,515	\$0	\$36,515
Public Advisory Committee (PAC)	\$30,738	\$0	\$30,738
Small Parcel Program	\$98,100	\$0	\$98,100
Trustee Council Member Direct Expenses	\$27,250	\$0	\$27,250
Program Support by Agencies	\$259,382	\$0	\$259,382
Alaska Resource Library & Information Services	\$151,690	\$0	\$151,690
FY 07 TOTAL	\$1,831,257	\$79,500	\$2,062,447

Budget Summary by Cost Type	EVOS Funds	NOS Grant	Total Budget
Personnel	\$1,103,717	\$0	\$1,103,717
Travel	\$94,500	\$0	\$94,500
Contractual	\$597,000	\$75,000	\$672,000
Commodities	\$24,000	\$0	\$24,000
Equipment	\$0	\$0	\$0
Sub-Total	\$1,819,217	\$75,000	\$1,894,217
G&A – (EVOS 9%; NOS 6%)	\$163,730	\$4,500	\$168,230
FY 07 TOTAL	\$1,982,947	\$79,500	\$2,062,447

Budget Summary by Agency						Total		
Cost Type	ADF&G	ADEC	ADNR	ADOL	NOAA	USDOI	USFS	Budget
Personnel	\$904,079	\$37,100	\$37,438	\$0	\$38,250	\$62,300	\$24,550	\$1,103,717
Travel	\$74,500	\$5,000	\$0	\$5,000	\$5,000	\$5,000	\$0	\$94,500
Contractual	\$342,000	\$0	\$45,000	\$0	\$0	\$187,500	\$22,500	\$597,000
Commodities	\$24,000	\$0	\$0	\$0	\$0	\$0	\$0	\$24,000
Equipment	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Sub-Total	\$1,344,579	\$42,100	\$82,438	\$5,000	\$43,250	\$254,800	\$47,050	\$1,819,217
G&A – 9%	\$121,012	\$3,789	\$7,419	\$450	\$3,893	\$22,932	\$4,235	\$163,730
Total w/o NOS	\$1,465,591	\$45,889	\$89,857	\$5,450	\$47,143	\$277,732	\$51,285	\$1,982,947
NOS Grant	\$79,500	\$0	\$0	\$0	\$0	\$0	\$0	\$79,500
FY 07 TOTAL	\$1,545,091	\$45,889	\$89,857	\$5,450	\$47,143	\$277,732	\$51,285	\$2,062,447

ATTACHMENT A

ADMINISTRATION MANAGEMENT - \$709,517

Cost Category	Total Budget	NOS Grant	EVOS Funds
Personnel	\$367,533	\$0	\$367,533
Travel & Training	\$7,000	\$0	\$7,000
Contractual	\$261,400	\$0	\$261,400
Commodities	\$15,000	\$0	\$15,000
Equipment	\$0	\$0	\$0
Sub-Total	\$650,933	\$0	\$650,933
G&A - 9%	\$58,584	\$0	\$58,584
Component Total	\$709,517	\$0	\$709,517

PERSONNEL - \$367,533

Position	Range/Step	Months	Monthly Cost	Annual Cost
Executive Director	28A	12	\$11,029	\$132,348
Administrative Manager	19D	12	\$7,536	\$90,434
Administrative Officer	18F	12	\$7,484	\$89,813
Administrative Clerk	10E	12	\$4,578	\$54,938
	Personnel Total		\$30,628	\$367,533

TRAVEL - \$7,000

• In-state Meetings & Training

\$7,000

Reorganization within the EVOS office redistributed supervisory responsibilities and vacant positions are now filled with new staff. Travel is budgeted for quarterly trips to Juneau to meet with state and federal agency representatives on administrative, program and budget issues. A semi-annual trip is budgeted for annual audit coordination. Training funds are budgeted for professional development and will be utilized for in-state training opportunities. The Executive Director's travel expenses for EVOS are fully funded by EVOS.

CONTRACTUAL - \$261,400

• Trustee Council's Office Space

\$165,000

The lease for the Trustee Council's office space is administered by Government Services Administration through the U.S. Geological Survey of the Department of the Interior. The Trustee Council approved the 5-yr renewal option effective January 2007. (1st Qtr \$35,200; $2^{nd} - 4^{th}$ Qtrs = \$129,400); Homeland security fees may be adjusted slightly (\$178/mo)

• Annual Parking Fees for Trustee Office Staff

\$3,700

EVOS has nine (9) parking permits; 3 provided with the building lease and 6 paid directly to the Anchorage Parking Authority by EVOS (\$51/mo per space).

• Audit Contract

\$27,500

Funds to support a renewal option contract with Elgee, Rehfeld Mertz, LLC (accounting firm) to conduct financial audit of the FY06 records of the Trustee Office and all agencies receiving EVOS funds (SY 06 Actuals for 2 Yrs. Audits = \$55K).

AT ACHMEN A

Telephone Service

\$24,000

These funds are to cover telephone, teleconferencing meetings, long distance, and cell phone services

• Trustee Council Meetings

\$1,800

These funds are to cover expenses for six Trustee Council meetings, at an estimated cost of \$300.00 per meeting.

• Public Notices

\$10,000

These funds are to cover the cost of advertising public meetings and workshops in newspapers in the spill affected areas (Actuals FY 05, 19.2K; Actuals FY 06 – Qtrs 1-3, \$8.8K).

• Postage & Courier Services

\$2,500

These funds are to cover cost of US Postal Service mailings, express mailings and courier services.

• Equipment Maintenance and Agreements

\$5,900

These funds are to cover the cost of the maintenance agreement for the Savin Printer/copier (\$4.5K), postage meter annual rental (\$.4K), and any unforeseen maintenance expenses on other office equipment (\$1K).

• Transcription

\$6,000

These funds are to cover a contract with Computer Matrix for transcription services.

Interagency Contracted Services

\$15,000

These funds are to cover the Trustee Office's share of the Reimbursable Services Agreement Costs for the EPR Telecommunications, Computer Services, ADA, Central Mail and AKSAS & AKPAY Charge-backs paid by all ADF&G divisions. These costs are based on the number of full time positions divided by the total cost.

COMMODITIES - \$15,000

Office supplies

\$15,000

These funds are to cover the cost of miscellaneous office supplies, paper, toner, meeting materials etc.

EQUIPMENT - \$.0

AGENCY DISTRIBUTION:

Admin Mgmt	ADF&G	USDOI	Total
Personnel	\$367,533	\$0	\$367,533
Travel & Training	\$7,000	\$0	\$7,000
Contractual	\$96,400	\$165,000	\$261,400
Commodities	\$15,000	\$0	\$15,000
Equipment	\$0	\$0	\$0
Sub-Total	\$485,933	\$165,000	\$650,933
G&A - 9%	\$43,734	\$14,850	\$58,584
Component Total	\$529,667	\$179,850	\$709,517

ATTACHMENT A

DATA MANAGEMENT - \$202,555

Cost Category	Total Budget	EVOS Funds
Personnel	\$170,030	\$170,030
Travel	\$5,000	\$5,000
Contractual	\$1,800	\$1,800
Commodities	\$9,000	\$9,000
Equipment	\$0	\$0
Sub-total	\$185,830	\$185,830
G&A - 9%	\$16,725	\$16,725
Component Total	\$202,555	\$202,555

PERSONNEL - \$170,030

Position	Range/Step	Months	Monthly Cost	Annual Cost
Data Systems Manager	21A	12	\$7,692	\$92,298
Program Analyst III	18A	12	\$6,478	\$77,732
	Personnel Total	12	\$14,169	\$170,030

^{*}The NOS Grant no longer covers a portion of the salary for the Analyst Programmer.

TRAVEL - \$5,000

In-state Travel, Meetings & Training

\$5,000

Travel support and registration fees for Data Management staff to attend meetings and participate in data management training. Travel is primarily budgeted for data management's participation in the development of the Nearshore Monitoring System.

CONTRACTUAL -\$1,800

GIS Workshop

\$1,800

Data Management plans to host a one to two-day GIS Workshop in Anchorage. This workshop will focus on the capabilities of different GIS platforms and evaluate their visualization potential in relation to EVOS data. Costs include airfare, hotel, and per diem for one to two individuals to attend from outside the local area; as well, as any miscellaneous meeting expenses.

COMMODITIES - \$9,000

Computer Software, Hardware & Upgrades

\$9,000

These funds are to cover any computer hardware, software, and networking equipment purchases or upgrades for the Trustee Council Office; including the replacement of two computers, purchase of Microsoft Visual Studio software development tools, and any necessary equipment changes or upgrades required for compatibility with the State of Alaska enterprise active directory and e-mail system.

FY 07 Annual Program Development & Implementation Budget – 8/23/06

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Cost Category	ADF&G
Personnel	\$170,030
Travel	\$5,000
Contractual	\$1,800
Commodities	\$9,000
Equipment	\$0
Sub-total	\$185,830
G&A – 9%	\$16,725
Component Total	\$202,555

SCIENCE MANAGEMENT – \$546,700

Cost Category	Total	EVOS	NOS
Cost Category	Budget	Funds	Grant
Personnel	\$206,124	\$206,124	\$0
Travel	\$5,000	\$5,000	\$0
Contractual	\$292,500	\$217,500	\$75,000
Commodities	\$0	\$0	\$0
Equipment	\$0	\$0	\$0
Sub-total	\$503,624	\$428,624	\$75,000
G&A (EVOS 9%; NOS 6%)	\$43,076	\$38,576	\$4,500
Component Total	\$546,700	\$467,200	\$79,500

^{*} The NOS Grant is not funding any EVOS staff personnel or travel costs in FY 07

PERSONNEL - \$206,124

Position	Range/Step	Months	Monthly Cost	Annual Cost
Science Director	26A	12	\$10,129	\$121,548
Program Coordinator	18D	12	\$7,048	\$84,576
	Personnel Total	12	\$17,177	\$206,124

^{*} These positions are fully funded with EVOS Funds

TRAVEL - \$5,000

National Conferences, Meetings & Training

\$5,000

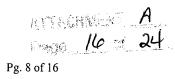
Travel support and registration fees for Science Management to attend national conferences, meetings and participate in scientific training.

CONTRACTUAL - \$292,500

Annual Marine Science Symposium

\$10,000

These funds are to assist with the support of the Annual Marine Science Symposium. This amount has been reduced by 60% from that of FY 06 and will be used to support an increase in presentation of EVOS science at the January 2007 Symposium.



• Herring Recovery Plan/Team Development

\$75,000

The Trustee Council approved this item in May. However, approval from NOAA is still pending on this revised scope item and the extension of the agreement request for the NOS Grant. EVOS funding will need to be made available if the NOS Grant requests are declined.

• International Herring Symposium

\$90,000

To facilitate Herring Recovery in Prince William Sound, it is necessary to understand restoration and enhancement techniques and methods that have been used in other countries and within the U.S. This funding would be used to host a 3-day International Symposium on Herring Restoration. The funding would be used for travel of International and National speakers, logistics for the meeting, and publication of the proceedings. This will be partially reimbursed with all remaining lapsed NOS Grant funds, if the revised scope item and extension of the agreement request for the NOS grant is approved. EVOS funding will initially fund this event.

Science Panel

The Science Panel meets to provide coordinated higher-level expertise specific to disciplines represented in injured resources and services and with historical knowledge of EVOS, its effects, and previous Trustee Council efforts; as well as experts in disciplines who may or may not have previous experience with EVOS effects and efforts. The objective of this panel, with a dynamic membership, is to provide objectivity and scientific credibility.

• Injured Resources and Services Update Publication

\$9,500

\$45,000

Editing, publication and printing costs associated with the Injured Resources and Services Update.

• Peer Review Contracts

\$63,000

Final reports are the required deliverable for most Trustee Council-funded scientific projects. To ensure the scientific integrity of the findings in these reports, the Council requires scientific peer review by nationally recognized experts in the appropriate disciplines. This contract line item provides compensation for the scientific and technical review of EVOS final reports. This review was previously contracted with Applied Marine Sciences and is now being coordinated in-house by the Project Coordinator and Science Director.

Cost Category	ADF&G
Personnel	\$206,124
Travel	\$5,000
Contractual	\$292,500
Commodities	\$0
Equipment	\$0
Sub-total	\$503,624
G&A – 9%	\$43,076
Component Total	\$546,700



COMMUNITY INVOLVEMENT - \$36,515

Cost Category	Total	EVOS
Cost Category	Budget	Funds
Personnel	\$0	\$0
Travel	\$31,500	\$31,500
Contractual	\$2,000	\$2,000
Commodities	\$0	\$0
Equipment	\$0	\$0
Sub-total	\$33,500	\$33,500
G&A – 9%	\$3,015	\$3,015
Component Total	\$36,515	\$36,515

TRAVEL - \$31,500

• Spill Area Community Meetings/Conferences/Workshops

\$31,500

Travel support for three staff persons to attend and/or participate in a minimum of three trips each to five locations for community sponsored events in the spill effected area at an estimated cost of \$700.00 per trip, to include airfare, ground transportation, *per diem* and lodging.

CONTRACTUAL - \$2,000

• Spill Area Community Meetings/Contract Costs

\$2,000

Meeting expenses.

Cost Category	ADF&G
Personnel	\$0
Travel	\$31,500
Contractual	\$2,000
Commodities	\$0
Equipment	\$0
Sub-total	\$33,500
G&A – 9%	\$3,015
Component Total	\$36,515

PUBLIC ADVISORY COMMITTEE (PAC) - \$30,738

Cost Category	Total Budget	EVOS Funds
Personnel	\$6,500	\$6,500
Travel	\$21,000	\$21,000
Contractual	\$700	\$700
Commodities	\$0	\$0
Equipment	\$0	\$0
Sub-total	\$28,200	\$28,200
G&A - 9%	\$2,538	\$2,538
Component Total	\$30,738	\$30,738

PERSONNEL - \$6,500

Funds are provided for the Designated Federal Officer assigned to the PAC as required by FACA. This individual coordinates the scheduling of meetings, development of the agenda and meeting minutes, and provides assistance to the Chair and the Restoration Office as needed.

TRAVEL - \$21,000

• PAC Meetings

\$21,000

Travel support for 15 out-of-town PAC members to attend approximately two meetings in Anchorage (one meeting to be held during the annual Marine Science Symposium) for an estimated average cost of \$700 per person per trip to include: airfare, ground transportation, *per diem* and lodging.

CONTRACTUAL - \$700

PAC Meetings

\$700

These funds will cover meeting expenses.

Cost Category	ADF&G	DOI	Total
Personnel	\$0	\$6,500	\$6,500
Travel	\$21,000	\$0	\$21,000
Contractual	\$700	\$0	\$700
Commodities	\$0	\$0	\$0
Equipment	\$0	\$0	\$0
Sub-total	\$21,700	\$6,500	\$28,200
G&A - 9%	\$1,953	\$585	\$2,538
Component Total	\$23,653	\$7,085	\$30,738



TRUSTEE COUNCIL MEMBER EXPENSES- \$27,250

Cost Category	Total Budget	EVOS Funds
Personnel	\$0	\$0
Travel	\$25,000	\$25,000
Contractual	\$0	\$0
Commodities	\$0	\$0
Equipment	\$0	. \$0
Sub-total	\$25,000	\$25,000
G&A - 9%	\$2,250	\$2,250
Component Total	\$27,250	\$27,250

TRAVEL - \$25,000

ADFG Trustee Council Member Travel

\$5,000

Travel support for the Trustee Council member or Alternate's travel expenses to participate in approximately five one-day meetings in Anchorage at a cost of approximately \$1000.00 per trip.

• DOI Trustee Council Member Travel

\$5,000

Travel support for the Trustee Council member or Alternate's travel expenses to participate in approximately five one-day meetings in Anchorage, at a cost of approximately \$1,000.00 per trip.

• NOAA Trustee Council Member Travel

\$5,000

Travel support for the Trustee Council member or Alternate's travel expenses to participate in approximately five one-day meetings in Anchorage, at a cost of approximately \$1,000.00 per trip.

ADEC Trustee Council Member Travel

\$5,000

Travel support for the Trustee Council member or Alternate's travel expenses to participate in approximately five one-day meetings in Anchorage, at a cost of approximately \$1000.00 per trip.

DOL Trustee Council Member Travel

\$5,000

Travel support for the Trustee Council member or Alternate's travel expenses to participate in approximately five one day meetings in Anchorage, at a cost of approximately \$1000.00 per trip

Cost Category	ADF&G	DOI	NOAA	ADEC	ADOL	Total
Personnel	\$0	\$0	\$0	\$0	\$0	\$0
Travel	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$25,000
Contractual	\$0	\$0	\$0	\$0	\$0	\$0
Commodities	\$0	\$0	\$0	\$0	\$0	\$0
Equipment	\$0	\$0	\$0	\$0	\$0	\$0
Sub-total	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$25,000
G&A - 9%	\$450	\$450	\$450	\$450	\$450	\$2,250
Component Total	\$5,450	\$5,450	\$5,450	\$5,450	\$5,450	\$27,250

SMALL PARCEL PROGRAM - \$98,100

Cost Category	Total Budget	EVOS Funds
Personnel	\$0	\$0
Travel	\$0	\$0
Contractual	\$90,000	\$90,000
Commodities	\$0	\$0
Equipment	\$0	\$0
Sub-total	\$90,000	\$90,000
G&A - 9%	\$8,100	\$8,100
Component Total	\$98,100	\$98,100

CONTRACTUAL - \$90,000

Funds are provided in support of agency efforts to bring viable small parcel proposals to the Council for consideration. Expenses such as title review, hazmat review and survey review and similar expenses are appropriate due diligence efforts which may be undertaken by sponsoring agencies under this program. Expenditures are listed under the Contractual line item but due diligence may be accomplished through the use of contractors or in-house staff as determined by the agency to be most efficient and/or cost effective. No capital obligations may be incurred without further Council approval.

Cost Category	ADNR	DOI	USFS	Total
Personnel	\$0	\$0	\$0	\$0
Travel	\$0	\$0	\$0	\$0
Contractual	\$45,000	\$22,500	\$22,500	\$90,000
Commodities	\$0	\$0	\$0	\$0
Equipment	\$0	\$0	\$0	\$0
Sub-total	\$45,000	\$22,500	\$22,500	\$90,000
G&A - 9%	\$4,050	\$2,025	\$2,025	\$8,100
Component Total	\$49,050	\$24,525	\$24,525	\$98,100

PROGRAM SUPPORT / PROJECT MANAGEMENT - \$259,382

Cost Category	Total Budget	EVOS Funds
Personnel	\$237,965	\$237,965
Travel	\$0	\$0
Contractual	\$0	\$0
Commodities	\$0	\$0
Equipment	\$0	\$0
Sub-total	\$237,965	\$237,965
G&A - 9%	\$21,417	\$21,417
Component Total	\$259,382	\$259,382

PERSONNEL - \$237,965

Project Management

Project Management funds provide agencies managing contracts or projects in support of the EVOS Trustee Council Restoration program with funds necessary to manage contracts, report on the status of projects, facilitate communication between the agencies, Principal Investigators, and the restoration office, assist with the annual financial audit, and perform other administrative functions necessary for implementation of projects authorized by the Trustee Council.

Funding for project management is provided to an agency in proportion to the number, size and administrative complexity of the projects funded. The final budget for this component cannot be accurately determined until the Trustee Council takes action on the FY07 Work Plan, anticipated November 2006. To maintain continuity, initial funding equal to 25% of the FY06 funding levels is included in this budget. Upon adoption of the FY07 Work Plan, additional project management funds for each agency will be requested in proportion to the number and complexity of projects assigned to each agency for management. At that time the budget will be revised to reflect this additional expense.

	FYU7 First quarter allocation
ADFG	\$8,000
DOI/USGS	\$11,550
NOAA	\$11,250
ADNR	\$6,250
TOTAL	\$47.050

TC Council Support

Funds provided for Trustee Council Support provide trustees with staff and support necessary to prepare for meetings, communicate trustee agency positions, represent trustee agency positions in interagency meetings, and coordinate with other trustee agencies, as determined necessary by the trustees. Anticipated tasks include preparation for 6 Trustee Council meetings, public meetings and workshops, participation in the Update of Injured Resources and Services, and development of the Annual Work Plan, FY 08 Invitation, and future program direction at an estimated 3 months of staff involvement per agency.

USDA/USFS (Liaison – Zemke (3 months)		\$24,550
ADEC (Liaison – Dietrick (3 months)		\$37,100
ADFG (Liaison – Brandon (3 months)		\$26,827
DOI/ USFWS (Liaison – Kohout (2.5 months)		\$24,000
USGS (Liaison – Bohn (0.5 months)		\$ 4,500
DOL/ADNR (Liaison – Fries (3 months)		\$31,188
NOAA (Liaison – Hagen (3 months)		\$27,000
	TOTAL:	\$175,165
Other: DOI - Federal Budget Officer (Nesslage)		\$15,750

ATTACHMENT A
Page 22 of 24

AGENCY DISTRIBUTION:

Cost Category	ADEC	ADF&G	ADNR	DOI	NOAA	USFS	Total
Personnel	\$37,100	\$44,827	\$37,438	\$55,800	\$38,250	\$24,550	\$237,965
Travel	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Contractual	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Commodities	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Equipment	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Sub-total	\$37,100	\$44,827	\$37,438	\$55,800	\$38,250	\$24,550	\$237,965
G&A – 9%	\$3,339	\$4,034	\$3,369	\$5,022	\$3,443	\$2,210	\$21,417
Component Total	\$40,439	\$48,861	\$40,807	\$60,822	\$41,693	\$26,760	\$259,382

CATTACHMENT A

ALASKA RESOURCES LIBRARY & INFORMATION SERVICES - \$151,690

Cost Cotogomy	Total	EVOS	
Cost Category	Budget	Funds	
Personnel	\$115,565	\$115,565	
Travel	\$0	\$0	
Contractual	\$23,600	\$23,600	
Commodities	\$0	\$0	
Equipment	\$0	\$0	
Sub-total	\$139,165	\$139,165	
G&A - 9%	\$12,525	\$12,525	
Component Total	\$151,690	\$151,690	

PERSONNEL – \$115,565

Position	Range/Step	Months	Monthly Cost	Annual Cost
Librarian III	19K	12	\$9,630	\$115,565
Personnel Total		12	\$9,630	\$115,565

Funding provides 1.0 FTE librarian to meet the ongoing information and research needs of the Trustee Council staff, Public Advisory Committee, researchers, and the general public, manage the EVOS collection at ARLIS, and represent the Trustee Council on the ARLIS Management Team.

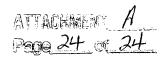
CONTRACTUAL - \$23,600

ARLIS Founding Agency Cash Contribution

\$23,600

This contractual cost is a cash contribution to the ARLIS operating budget, plus 18% university indirect. The resulting budget contribution is more consistent with the level of EVOS related use of ARLIS and brings the EVOS Trustee Council contribution to 7% of the total ARLIS budget.

Cost Category	ADF&G
Personnel	\$115,565
Travel	\$0
Contractual	\$23,600
Commodities	\$0
Equipment	\$0
Sub-total	\$139,165
G&A - 9%	\$12,525
Component	
Total	\$151,690



RESOLUTION 06-13 OF THE EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL REGARDING THE FY 2007 WORK PLAN – PROJECT 070100 FY 2007 ANNUAL PROGRAM DEVELOPMENT AND IMPLEMENTATION BUDGET OCTOBER 1, 2006 – SEPTEMBER 30, 2007

We, the undersigned, duly authorized members of the *Exxon Valdez* Oil Spill Trustee Council do hereby certify that, in accordance with the Memorandum of Agreement and Consent Decree entered as settlement of <u>United States of America v. State of Alaska</u>, No. A91-081 Civil, U.S. District Court for the District of Alaska, and after public meetings, unanimous agreement has been reached to expend funds received in settlement of <u>State of Alaska v. Exxon Corporation, et al.</u>, No. A91-083 CIV, and <u>United States of America v. Exxon Corporation, et al.</u>, No. A91-082 CIV, U.S. District Court for the District of Alaska, for necessary natural resource damage assessment and restoration activities for fiscal year 2007, as described in Attachment A. This portion of the Work Plan is funded at \$2,062,447. The monies are to be distributed according to the following schedule:

Alaska Department of Fish & Game	\$1,545,091
Alaska Department of Law	5,450
Alaska Department of Natural Resources	89,857
Alaska Department of Environmental Conservation	<u>45,889</u>
SUBTOTAL TO STATE OF ALASKA	\$1,686,287
U.S. Department of the Interior	\$277,732
U.S. Forest Service	51,285
National Oceanic & Atmospheric Administration	<u>47,143</u>
SUBTOTAL TO UNITED STATES OF AMERIC	A \$376,160
TOTAL APPROVED	\$2,062,447

By unanimous consent, we hereby request the Alaska Department of Law and the Assistant Attorney General of the Environmental and Natural Resources Division of the

Approved by the Council at its teleconference meeting of September 7, 2006 as affirmed by our signatures affixed below.

JOE L. MEADE

Forest Supervisor Forest Service Alaska Region U.S. Department of Agriculture DAVID W. MÁRQUEZ Attorney General State of Alaska

DRUE PEARCE Senior Advisor to the Secretary for Alaska Affairs U.S. Department of the Interior CRAIG R. O'CONNOR
Special Counsel
National Oceanic & Atmospheric
Administration
U.S. Department of Commerce

McKIE CAMPBELL Commissioner Alaska Department of Fish and Game KURT FREDRIKSSON
Commissioner
Alaska Department of Environmental
Conservation

Approved by the Council at its teleconference meeting of September 7, 2006 as affirmed by our signatures affixed below.

JOE L. MEADE
Forest Supervisor
Forest Service Alaska Region
U.S. Department of Agriculture

DRUE PEARCE
Senior Advisor to the Secretary
for Alaska Affairs
U.S. Department of the Interior

McKIE CAMPBELL
Commissioner
Alaska Department of Fish and Game

DAVID W. MÁRQUEZ Attorney General State of Alaska

CRAIG R. O'CONNOR Special Counsel National Oceanic & Atmospheric Administration U.S. Department of Commerce

KURT FREDRIKSSON
Commissioner
Alaska Department of Environmental
Conservation

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JOE L. MEADE Forest Supervisor Forest Service Alaska Region U.S. Department of Agriculture

DRUE PEARCE
Senior Advisor to the Secretary
for Alaska Affairs
U.S. Department of the Interior

True Licarce

McKIE CAMPBELL Commissioner Alaska Department of Fish and Game DAVID W. MÁRQUEZ Attorney General State of Alaska

CRAIG R. O'CONNOR
Special Counsel
National Oceanic & Atmospheric
Administration
U.S. Department of Commerce

KURT FREDRIKSSON
Commissioner
Alaska Department of Environmental
Conservation

09/18/\$006 09:21 FAX 9072767178

United States Department of Justice to take such steps as may be necessary to make available for the Fiscal Year 2007 Work Plan, the amount of \$2,062,447 from the appropriate accounts designated by the Executive Director.

Approved by the Council at its teleconference meeting of September 7, 2006 as affirmed by our signatures affixed below.

JOE L. MEADE

Forest Supervisor

Forest Service Alaska Region U.S. Department of Agriculture DAVID W. MÁRQUEZ Attorney General State of Alaska

DRUE PEARCE

Senior Advisor to the Secretary for Alaska Affairs

U.S. Department of the Interior

CRAIG R. O'CONNOR Special Counsel National Oceanic & Atmospheric

Administration U.S. Department of Commerce

ather V. Brando McKIE CAMPBEL

Commissioner

Alaska Department of Fish and Game

KURT FREDRIKSSON

Commissioner

Alaska Department of Environmental

Conservation

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JOE L. MEADE
Forest Supervisor
Forest Service Alaska Region
U.S. Department of Agriculture

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