



Exxon Valdez Oil Spill Trustee Council

645 G Street, Suite 401, Anchorage, AK 99501-3451 907/278-8012 fax:907/276-7178

MEMORANDUM

TO: Robert Baldauf

FROM: Molly McCammon *Submitted for*
Executive Director

DATE: September 10, 2001

RE: Disbursement of Funds for the FY 02 Work Plan and Eyak Land Payment & FY 01 Supplemental Funding

FY 02 Funds

Per the attached, the U.S. District Court was notified on August 31, 2001 of the upcoming disbursement of \$7,594,100 to the United States government for the FY 02 Work Plan and the Eyak land payment.

Please disburse \$6,000,000 to the U.S. Forest Service for the Eyak land payment.

Please disburse the remaining \$1,594,100 to the EVOS agencies according to your regular process as detailed on the attached work plan spreadsheet.

FY 01 Supplemental Funding

Please disburse \$11,800 to USGS for Project 01100.

If you have any questions, please call me.

1 BRUCE M. BOTELHO
2 ATTORNEY GENERAL

3 CRAIG J. TILLERY
4 Assistant Attorney General
5 State of Alaska
6 Department of Law
7 1031 West Fourth Avenue, Suite 200
8 Anchorage, Alaska 99501-1994
9 Telephone: (907) 269-5274
10 Facsimile: (907) 278-7022

11 Attorneys for the State of Alaska

12 UNITED STATES DISTRICT COURT
13 DISTRICT OF ALASKA

14 STATE OF ALASKA,

15 Plaintiff,

16 v.

17 EXXON CORPORATION, and EXXON
18 SHIPPING COMPANY,

19 Defendants.
20
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25
26

No. A91-083 CIV (HRH)

**FIRST JOINT NOTICE OF
EXPENDITURES FROM
INVESTMENT FUND**

The State of Alaska and the United States (the "Governments") jointly provide notice of the expenditure of \$15,785,700 from the EXXON VALDEZ Oil Spill 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

RECEIVED

SEP 07 2001

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

mining - Alaska 61,200
WP - 4,804,500
EXXON 6,000,000
Shayak 4,000,000
proj 154 (Arch) 920,000

15,785,700

DEPARTMENT OF LAW
OFFICE OF THE ATTORNEY GENERAL
ANCHORAGE BRANCH
1031 W. FOURTH AVENUE, SUITE 200
ANCHORAGE, ALASKA 99501
PHONE: (907) 269-5100

ACE 30397449

1 *United States v. State of Alaska*, No. A91-081 CIV (D. Alaska) on August 28,
2 1991 ("MOA").

3 On September 25, 1991 the State of Alaska and the United States
4 settled their claims against the Exxon Corporation, Exxon Shipping Company,
5 Exxon Pipeline Company, and the T/V EXXON VALDEZ arising from the
6 EXXON VALDEZ oil spill. All funds resulting from these settlements were
7 subsequently ordered by this Court to be placed in an interest-bearing account in
8 the Court Registry Investment System ("CRIS") administered through the United
9 States District Court for the Southern District of Texas.
10

11 On June 7, 2000 this Court entered its Third Amended Order for
12 Deposit and Transfer of Settlement Proceeds ("Third Amended Order"). The
13 Third Amended Order allows the Governments the option of investing the money
14 in an account outside the United States Treasury. On September 29, 2000, upon
15 application by the Governments, the Court entered an Order Re: Transfer of
16 Funds from the Exxon Valdez Liquidity Account and the Reserve Fund to an
17 Investment Fund Within the Alaska Department of Revenue, Division of
18 Treasury, authorizing transfer of settlement proceeds to an account within the
19 State. On October 5, 2000 all funds and securities were transferred from the
20 CRIS to the Investment Fund.
21

22 Paragraph 27 of the Third Amended Order provides that "funds in
23 an Investment Fund shall remain on deposit in that Fund until such time as the
24 Exxon Valdez Oil Spill Trustee Council unanimously resolve to expend all or
25

1 part of the funds." The funds may then be expended, for purposes consistent with
2 the MOA, upon the joint notification of the Governments to the Investment Fund
3 and the Court.¹ The notification is to inform the Court of the proposed uses of
4 the funds in the same manner and to the same extent as was the Governments'
5 practice when the funds were in the registry of the court.
6

7 The Governments provide notice of this first expenditure from the
8 Investment Fund to fund: (1) the third of four installment payments associated
9 with the acquisition of lands from the Eyak Corporation in accordance with the
10 resolutions of the Trustee Council dated July 2, 1997 and August 13, September
11 4, and November 30, 1998;² (2) the seventh of eight installment payments
12 associated with the acquisition of lands from the Kodiak Island Borough in
13 accordance with the resolution of the Trustee Council dated December 11, 1995;³
14 (3) necessary natural resource damage assessment and restoration activities
15 during federal fiscal year 2002;⁴ (4) moving costs for the restoration office during
16
17
18

19
20 ¹ A copy of the notice provided to the Investment Fund pursuant to paragraph 27 of the
21 Third Amended Order for Deposit and Transfer of Settlement Proceeds is appended to
22 this Notice as Attachment A, pp. 1 - 2.

22
23 ² These resolutions appeared as part of Attachment A of our Joint Application for
24 Thirty-Seventh Disbursement From Settlement Account. This \$6,000,000 payment is
25 due on October 1, 2001.

24
25 ³ This resolution was appended to the Joint Application For Twentieth Disbursement
26 From Settlement Account as Attachment A. This \$4,000,000 payment is due October 1,
2001.

26
⁴ The resolution of the Trustee Council documenting its unanimous agreement to
expend \$4,804,500 for implementation of the FY 2002 Work Plan and describing the
purpose of those expenditures is appended to this notice at Attachment A, pp. 3 - 7.

1 federal fiscal year 2002;⁵ and (5) grant costs for the Archaeological Repository
2 project.⁶

3
4 The Governments give notice that they will expend an additional
5 \$37,600 to pay for restoration office moving expenses in FY 2001.⁷ The amounts
6 of lapsed funds and accrued interest on monies held by the Governments exceed
7 the amount needed for this purpose and accordingly the Governments will not
8 expend these monies from the Investment Fund. The Governments further give
9 notice that \$18,400 will be transferred from the Alaska Department of Fish and
10 Game ("ADF&G") project 01455 to ADF&G project 01535 and that \$10,700 will
11 be transferred from ADF&G project 01455 to Alaska Department of Natural
12 Resources project 01630.⁸ Neither of these transfers will involve the expenditure
13 of monies other than those already disbursed.
14
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17

18 ⁵ The lease on the current Trustee Council office space expires this fall and the new
19 owners of the building have declined to renew the lease. The certification of the
20 Executive Director evidencing the unanimous agreement of the Trustee Council to
21 expend \$61,200 for the costs of moving the Restoration Office in FY 2002 is appended
22 to this notice at Attachment A, p. 8.

23 ⁶ The Resolution of the Trustee Council documenting its unanimous agreement to
24 expend \$920,000 for the archeology repository project is appended to this notice at
25 Attachment A, pp. 9 - 12. The certification of the Executive Director evidencing the
26 that the conditions in the Trustee Council resolution have been met is attached at
Attachment A, p. 13.

⁷ The certification of the Executive Director evidencing the unanimous agreement of
the Trustee Council to expend these funds is attached at Attachment A, p. 8.

⁸ The certifications of the Executive Director evidencing the unanimous agreement of
the Trustee Council to transfer these funds are attached at Attachment A, pp. 14 - 15.

1 A complete summary of the Council's activities since approval of
2 the settlement was appended to our Second Application, filed January 19, 1993,
3 as Attachment B, and interim updates of activities appeared as Attachments to
4 each of the Governments' Third, Fourth, Fifth, Sixth, Eighth, Ninth, Tenth,
5 Eleventh, Twelfth, Fifteenth, Nineteenth, Twenty-First, Twenty-Second, Twenty-
6 Fourth through Twenty-Ninth, Thirty-First, and Thirty-Third through Forty-Fifth
7 applications for disbursement and the Fifth through Seventh Joint Notices of
8 Expenditure From Settlement Account Monies Previously Disbursed. Since the
9 last summary provided to the Court, the Trustee Council has met on one
10 occasion. Appended to this application as Attachment B are the meeting notes
11 for this meeting.
12
13
14

15 RESPECTFULLY SUBMITTED this 31st day of August, 2001 at
16 Anchorage, Alaska.

17 FOR THE STATE OF ALASKA
18 BRUCE M. BOTELHO
19 ATTORNEY GENERAL

20 By:

Craig J. Tillery

21 CRAIG J. TILLERY
22 Assistant Attorney General
23 State of Alaska

24 Department of Law
25 1031 West Fourth Avenue, Suite 200
26 Anchorage, Alaska 99501-1994
Telephone: (907) 269-5274
Facsimile: (907) 278-7022

FOR THE UNITED STATES OF AMERICA
JOHN C. CRUDEN

Acting Assistant Attorney General
Environment & Natural Resources
Division

WILLIAM D. BRIGHTON, Asst. Chief
Environmental Enforcement Section
Environment & Natural Resources
Division

U.S. Department of Justice
Washington, D.C. 20530

By:



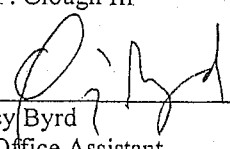
REGINA R. BELT
Environmental Enforcement Section
Environment & Natural Resources
Division

U.S. Department of Justice
801 B Street, Suite 504
Anchorage, Alaska 99501-3657
(907) 271-3456

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 31st day of
August, 2001, a copy of the foregoing
document, attachments, and proposed order
was served by U.S. mail, first class,
postage prepaid, to the following:

Regina R. Belt
James F. Neal
Douglas J. Serdahely
Patrick Lynch
John F. Clough III


Quincy Byrd
Law Office Assistant

8/31/01
Date

DEPARTMENT OF LAW
OFFICE OF THE ATTORNEY GENERAL
ANCHORAGE BRANCH
1031 W. FOURTH AVENUE, SUITE 200
ANCHORAGE, ALASKA 99501
PHONE: (907) 269-5100

STATE OF ALASKA

TONY KNOWLES, GOVERNOR

DEPARTMENT OF LAW

OFFICE OF THE ATTORNEY GENERAL

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

August 31, 2001

John Jenks
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. Jenks:

The Exxon Valdez Trustee Council has unanimously determined to expend \$15,785,700 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. These joint trust funds are 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: \$8,191,600
Account: State of Alaska
Exxon Valdez Settlement Account
GeFONSI 33070
Account 22177

United States

Amount: \$7,594,100

ACE 30397455

ATTACHMENT A

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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

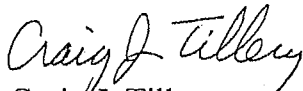
Natural Resource Damage Assessment Restoration Fund -
14X5198 EVOS Exxon Valdez, Civil Settlement, FY02 Joint
Funds

Beneficiary Reference

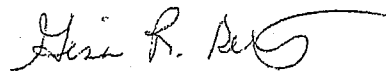
A91-082Civil

The transfer should take place on Wednesday, September 5, 2001 or as soon
thereafter as possible. If you have any questions, please call Craig Tillery at
(907) 269-5274.

Sincerely,



Craig J. Tillery
Assistant Attorney General
State of Alaska



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

**RESOLUTION OF THE
EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL
REGARDING THE FY 02 WORK PLAN**

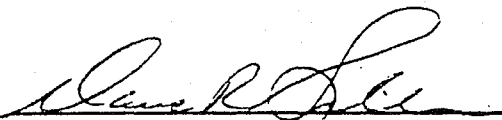
We, the undersigned, duly authorized members of the *Exxon Valdez* Oil Spill Trustee Council do hereby certify that, in accordance with the Memorandum of Agreement and Consent Decree entered as settlement of United States of America v. State of Alaska, No. A91-081 Civil, U.S. District Court for the District of Alaska, and after public meetings, unanimous agreement has been reached to expend funds received in settlement of State of Alaska v. Exxon Corporation. et al., No. A91-083 CIV, and United States of America v. Exxon Corporation. et al., No. A91-082 CIV, U.S. District Court for the District of Alaska, for necessary natural resource damage assessment and restoration activities. The Fiscal Year 2002 Work Plan is funded at \$4,804,500 as described in the attachment, and the monies are to be distributed according to the following schedule:

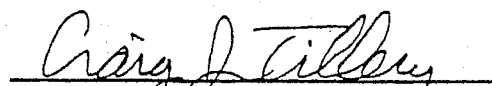
Alaska Department of Fish & Game	2,685,400
Alaska Department of Natural Resources	475,000
Alaska Department of Environmental Conservation	50,000
 SUBTOTAL TO STATE OF ALASKA	 \$3,210,400
 U.S. Department of Agriculture, Forest Service	 44,200
U.S. Department of the Interior	985,700
National Oceanic & Atmospheric Administration	564,200
 SUBTOTAL TO UNITED STATES OF AMERICA	 \$1,594,100
 TOTAL APPROVED	 \$4,804,500

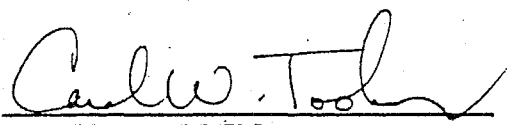
ATTACHMENT A
PAGE 3 OF 15

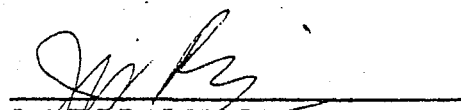
By unanimous consent, we hereby request the Attorney General of the State of Alaska and the Assistant Attorney General of the Environmental and Natural Resources Division of the United States Department of Justice to take such steps as may be necessary for withdrawal of the Fiscal Year 2002 Work Plan amount (\$4,804,500) from the appropriate account recommended by the Executive Director.

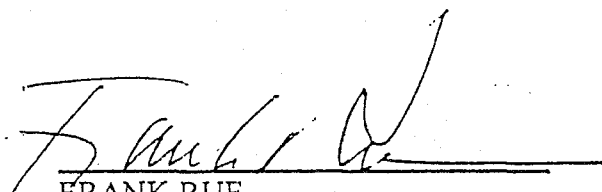
Approved by the Council at its meeting of August 6, 2001 held in Anchorage, Alaska, as affirmed by our signatures affixed below:

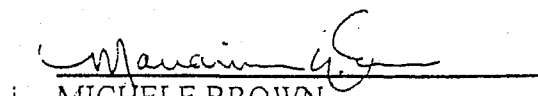

DAVE GIBBONS
Supervisor, Chugach National Forest
USDA Forest Service


CRAIG TILLERY
Assistant Attorney General
State of Alaska


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


JAMES BALSIGER
Director, Alaska Regional
National Marine Fisheries Service


FRANK RUE
Commissioner
Alaska Department of
Fish and Game


MICHELE BROWN
Commissioner
Alaska Department of
Environmental Conservation

ATTACHMENT A

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EXXON VALDEZ OIL TRUSTEE COUNCIL

2002 Federal Fiscal Year Project Budget

October 1, 2001 - September 30, 2002

Agency	Cooperating Agency(s)	Project Number	Project Title	First FY 02 Court Notification	Total
ADEC	All	02100	Public Information, Science Management and Administration	23.0	23.0
	All	02250	Project Management	10.3	10.3
		02667	Effectiveness of Citizens' Environmental Monitoring	16.7	16.7
			ADEC Total	50.0	50.0
ADF&G		02052	Community Involvement Planning for GEM	45.0	45.0
	All	02100	Public Information, Science Management and Administration	970.5	970.5
		02190	Construction of a Linkage Map for the Pink Salmon Genome	43.1	43.1
		02210	Youth Area Watch	106.1	106.1
		02245	Community-Based Harbor Seal Management and Biological Sampling	26.8	26.8
		02247	Kametlook River Coho Salmon Subsistence Project	30.8	30.8
	All	02250	Project Management	60.6	60.6
		02340	Toward Long-Term Oceanographic Monitoring of the Gulf of Alaska Ecosystem	77.8	77.8
		02395	Workshop on Nearshore/Intertidal Monitoring	63.6	63.6
		02407	Harlequin Duck Population Dynamics	68.7	68.7
	DOI-FWS/USGS	02423	Patterns and Processes of Population Change in Selected Nearshore Vertebrate Predators (Bench Fees Only)	128.7	128.7
		02441-CLO	Harbor Seal Recovery: Effects of Diet on Lipid Metabolism and Health	20.2	20.2
		02455	Gulf Ecosystem Monitoring and Research Program Data System	105.0	105.0
		02462-CLO	Effect of Disease on Pacific Herring Population Recovery in Prince William Sound	77.4	77.4
		02535	EVOS Trustee Council Restoration Program Final Report	52.4	52.4
	NOAA	02538	Evaluation of Two Methods to Discriminate Pacific Herring Stocks along the Northern Gulf of Alaska	22.7	22.7
		02550	Alaska Resources Library and Information Services	93.4	93.4
		02558	Harbor Seal Recovery: Application of New Technologies for Monitoring Health (including Bench Fees)	292.3	292.3
		02593	River Otter Synthesis	32.4	32.4
		02608	Archiving of Nearshore & Deep Benthic Specimens	61.6	61.6
		02610	Kodiak Archipelago Youth Area Watch	61.8	61.8
		02612	Marine-Terrestrial Linkages in Kenai River Watershed	44.6	44.6
		02614	Monitoring Program for Near-Surface Temperature, Salinity, and Fluorescence in the Northern Pacific Ocean	38.2	38.2
ADNR		02630	Planning for Long-Term Research and Monitoring Program	21.0	21.0
		02649	Reconstructing Sockeye Populations in the Gulf of Alaska over the Last Several Thousand Years	88.1	88.1
		02671-BAA	Coordinating Volunteer Vessels of Opportunity to Collect Oceanographic Data in Kachemak Bay and Lower Cook Inlet	34.8	34.8

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ATTACHMENT

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EXXON VALDEZ OIL TRUSTEE COUNCIL

2002 Federal Fiscal Year Project Budget

October 1, 2001 - September 30, 2002

Agency	Cooperating Agency(s)	Project Number	Project Title	First FY 02 Court Notification	Total
	NOAA	02674-BAA	Continuing Decline of Pigeon Guillemots in the Oiled Portion of Prince William Sound (Bench Fees Only)	17.8	17.8
			ADF&G Total	2,685.4	2,685.4
ADNR	All	02100	Public Information, Science Management and Administration	307.6	307.6
	USFWS	02126	Habitat Protection and Acquisition Support	86.9	86.9
		02154	Archaeological Repository & Local Display Facilities, and Exhibits for Prince William Sound and Lower Cook Inlet	29.1	29.1
	All	02250	Project Management	8.6	8.6
	ADFG	02630	Planning for Long-Term Research and Monitoring Program	42.8	42.8
			ADNR Total	475.0	475.0
USFS	All	02100	Public Information, Science Management and Administration	20.0	20.0
	All	02250	Project Management	8.7	8.7
		02256B	Sockeye Salmon Stocking at Solf Lake	15.5	15.5
			USFS Total	44.2	44.2
DOI-FWS	ADNR	02126	Habitat Protection and Acquisition Support	74.9	74.9
		02144	Common Murre Population Monitoring	14.8	14.8
	DOI-USGS/ADFG	02423	Patterns and Processes of Population Change in Selected Nearshore Vertebrate Predators	12.1	12.1
		02561	Evaluating the Feasibility of Developing a Community-Based Forage Fish Sampling Project for GEM	54.3	54.3
			DOI-FWS Subtotal	156.1	156.1
DOI-USGS		02100	Public Information, Science Management and Administration	112.5	112.5
		02163M	Alaska Predator Ecosystem Experiment in Prince William Sound and the Gulf of Alaska (APEX)	50.0	50.0
	All	02250	Project Management	36.2	36.2
		02404	Archival Tags for Tracking King Salmon at Sea: Migrations, Biology, and Oceanographic Preferences in Prince William Sound	104.6	104.6
	DOI-FWS/ADFG	02423	Patterns and Processes of Population Change in Selected Nearshore Vertebrate Predators	317.6	317.6
		02479	Effects of Food Stress on Survival and Reproductive Performance of Seabirds	55.0	55.0
	DOI-NPS	02656	Retrospective Analysis of Nearshore Marine Communities Based on Analysis of Archaeological Material and Isotopes	105.1	105.1
			DOI-USGS Subtotal	781.0	781.0

ACE 30397460

Dollar Amounts are shown in thousands of dollars

EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL

2002 Federal Fiscal Year Project Budget

October 1, 2001 - September 30, 2002

Agency	Cooperating Agency(s)	Project Number	Project Title	First FY 02 Court Notification	Total
DOI-NPS	USGS	02656	Retrospective Analysis of Nearshore Marine Communities Based on Analysis of Archaeological Material and Isotopes	4.8	4.8
			DOI-NPS Subtotal	4.8	4.8
DOI-O/S	All	02100	Public Information, Science Management and Administration	43.8	43.8
			DOI-O/S Subtotal	43.8	43.8
			DOI Total	985.7	985.7
NOAA		02012-BAA	Photographic and Acoustic Monitoring of Killer Whales in Prince William Sound and Kenai Fjords	35.2	35.2
	All	02100	Public Information, Science Management and Administration	22.6	22.6
		02195	Pristane Monitoring in Mussels	20.0	20.0
	All	02250	Project Management	57.3	57.3
		02290	Hydrocarbon Database and Interpretation Service	35.0	35.0
		02360-BAA	The Exxon Valdez Oil Spill: Guidance for Future Research Activities	90.1	90.1
		02396	Alaska Salmon Shark Assessment	28.8	28.8
		02401	Assessment of Spot Shrimp Abundance in Prince William Sound	25.5	25.5
		02476	Effects of Oiled Incubation Substrate on Pink Salmon Reproduction	39.8	39.8
		02492	Were Pink Salmon Embryo Studies in Prince William Sound Biased?	24.0	24.0
	ADFG	02538	Evaluation of Two Methods to Discriminate Pacific Herring Stocks along the Northern Gulf of Alaska	30.2	30.2
		02543	Evaluation of Oil Remaining in the Intertidal from the Exxon Valdez Oil Spill	113.1	113.1
	ADFG	02674	Continuing Decline of Pigeon Guillemots in the Oiled Portion of Prince William Sound	42.6	42.6
			NOAA Total	564.2	564.2
			Total	4,804.5	4,804.5

ACE 30397461

ATTACHMENT A
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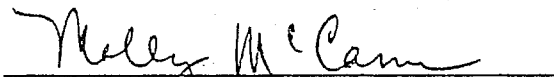
Exxon Valdez Oil Spill Trustee Council

645 G Street, Suite 401, Anchorage, AK 99501-3451 907/278-8012 fax:907/276-7178



August 8, 2001

I certify that on August 6, 2001 the Exxon Valdez Oil Spill Trustee Council Trustee Council approved funding for a total amount of \$98,800 to move the Restoration Office. Of the total amount of \$98,800, \$37,600 is for FY 01 and \$61,200 is for FY 02.


Molly McCammon
Executive Director

ACE 30397462

ATTACHMENT A
PAGE 8 OF 15

**RESOLUTION OF THE
EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL
REGARDING AN ARCHAEOLOGICAL REPOSITORY IN
PRINCE WILLIAM SOUND AND LOWER COOK INLET**

WHEREAS on December 18, 1997, the *Exxon Valdez* Oil Spill Trustee Council ("Council") adopted a resolution regarding funding for archaeological repositories in Prince William Sound and the lower Kenai Peninsula and directed the Executive Director of the Trustee Council ("Executive Director") to invite comprehensive proposals for a regional repository in one of the eight communities at a cost not to exceed \$1 million, local display facilities in the remaining seven communities at a total cost not to exceed \$1.6 million, and traveling exhibits at a cost not to exceed \$200,000; and

WHEREAS on May 1, 1998, the Alaska Department of Natural Resources, on behalf of the Council solicited competitive grant proposals for a regional repository, local display facilities and traveling exhibits in Prince William Sound and lower Cook Inlet; and

WHEREAS proposals were received from Chugachmiut, in partnership with Chugach Alaska Corporation and Qutekcak Native Tribe, ("Chugachmiut") and the Valdez Native Tribe, in partnership with the City of Valdez ("Valdez Native Tribe"); and

WHEREAS both proposals meet minimum requirements, including financial guarantees;
and

ACE 30397463

WHEREAS the proposal from Chugachmiut demonstrated far greater community support in the form of resolutions from village councils in the affected area than did the proposal from the Valdez Native Tribe;

THEREFORE we resolve to provide \$2.8 million (plus a reasonable amount of funding for project management and general administration to be approved by the Council) to the Alaska Department of Natural Resources to administer as a grant award to Chugachmiut ("Grantee") to restore archaeological resources in Prince William Sound and lower Cook Inlet. The funds are to be allocated as follows:

1. \$1 million for a regional repository in Seward to house and display spill-related artifacts;
2. \$1.6 million for the construction of new or renovated community facilities in Valdez, Cordova, Tatitlek, Chenega, Port Graham, Nanwalek and Seldovia; and
3. \$200,000 for the development of traveling exhibits of spill-related archaeological materials for display in community facilities in the spill area.

Furthermore, the Council attaches the following conditions to use of joint trust funds for this project:

1. Prior to authorization of the first phase of the project, the Executive Director must determine that the project manager designated by the Grantee has the necessary expertise, professional qualifications and time to ensure successful completion of this project.

2. Before the Executive Director may authorize the Grantee to proceed to the construction phase of the repository component, an independent review of operating costs and revenues, the financial guarantees to build and operate the facility and other aspects of the Grantee's business plan must be completed. The review should be conducted by AIDEA or a similar organization with appropriate expertise.

3. Either the Grantee or the Alaska Department of Natural Resources may terminate the project after consideration of the results of the independent review of operating costs and revenues.

4. Before the Executive Director may authorize the Grantee to proceed to the construction phase of the repository component, the Grantee must provide adequate guarantees to build and support the facility for 20 years.

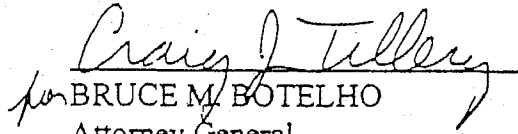
5. Before the Executive Director may authorize the Grantee to proceed to the construction phase of the local display facility component, the Grantee, in collaboration with the University of Alaska, must develop appropriate training programs for staff in the local display facilities. The Grantee must finance the training programs with funds other than joint trust funds.

Approved by the Council at its meeting of January 22, 1999, held in Anchorage, Alaska, as affirmed by our signatures affixed below:

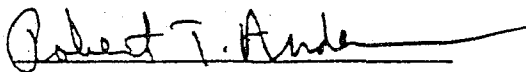
ACE 30397465



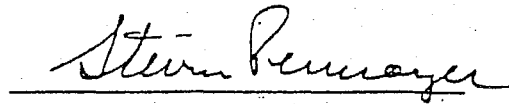
DAVE GIBBONS
Trustee Representative
Alaska Region
USDA Forest Service


for

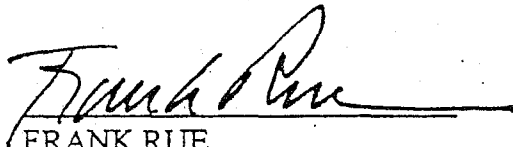
BRUCE M. BOTELHO
Attorney General
State of Alaska



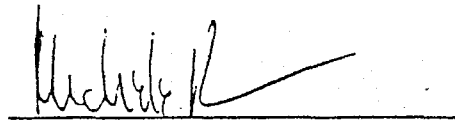
ROBERT T. ANDERSON
Acting Special Assistant to the
Secretary for Alaska
U.S. Department of the Interior



STEVEN PENNOYER
Director, Alaska Region
National Marine Fisheries Service



FRANK RUE
Commissioner
Alaska Department of
Fish and Game



MICHELE BROWN
Commissioner
Alaska Department of
Environmental Conservation

ACE 30397466

Exxon Valdez Oil Spill Trustee Council

645 G Street, Suite 401, Anchorage, AK 99501-3451 907/278-8012 fax:907/276-7178



August 8, 2001

I, Molly McCammon, certify as follows:

I am Executive Director of the *Exxon Valdez* Oil Spill Trustee Council. The conditions for phase 4 of the archaeology repository project approved by the Trustee Council in the attached resolution dated January 22, 1999 have been met. The cost for phase 4 is \$920,000.


Molly McCammon
Executive Director

ACE 30397467

ATTACHMENT A
PAGE 13 OF 15

Exxon Valdez Oil Spill Trustee Council

645 G Street, Suite 401, Anchorage, AK 99501-3451 907/278-8012 fax:907/276-7178



August 8, 2001

I certify that on August 6, 2001 the *Exxon Valdez* Oil Spill Trustee Council Trustee Council approved a transfer of funds in the amount of \$10,700 from Project 01455 (Gulf Ecosystem Monitoring and Research Program Data System) to Project 01630 (Planning for Long-Term Research & Monitoring Program).

A handwritten signature in dark ink, appearing to read 'Molly McCommon', written over a horizontal line.

Molly McCommon
Executive Director

ACE 30397468

ATTACHMENT A
PAGE 14 OF 15

Exxon Valdez Oil Spill Trustee Council

645 G Street, Suite 401, Anchorage, AK 99501-3451 907/278-8012 fax:907/276-7178



August 8, 2001

I certify that on August 6, 2001 the *Exxon Valdez* Oil Spill Trustee Council Trustee Council approved a transfer of funds in the amount of \$18,400 from Project 01455 (Gulf Ecosystem Monitoring and Research Program Data System) to Project 01535 (EVOS Trustee Council Final Report).

Molly McCammon
Executive Director

ACE 30397469

ATTACHMENT A

PAGE 15 OF 15

ATTACHMENT B

Since the last summary provided to the Court, the Trustee Council met one time and took action as described in the Trustee Council Meeting Notes appended to this attachment.

ACE 30397470

DRAFT

Exxon Valdez Oil Spill Trustee Council

645 G Street, Suite 401, Anchorage, AK 99501-3451 907/278-8012 fax:907/276-7178



TRUSTEE COUNCIL MEETING NOTES

Anchorage, Alaska

August 6, 2001

By Molly McCammon
Executive Director

Trustee Council Members Present:

Dave Gibbons, USFS
● Dave Allen, USFWS
James Balsiger, NMFS

● Frank Rue, ADF&G
● Michele Brown, ADEC
* Craig Tillery, ADOL

* Chair

In Anchorage: Gibbons, Toohey, Balsiger, Rue, See, and Tillery.
By teleconference in Juneau: Bosworth.

● Alternates:

Rob Bosworth served as an alternate for Frank Rue from 8:40 a.m. until 10:10 a.m.
Marianne See served as an alternate for Michele Brown for the entire meeting.
Cam Toohey served as an alternate for Dave Allen for the entire meeting.

Meeting convened at 8:40 a.m., August 6, 2001

1. Approval of the Agenda

APPROVED MOTION: Approved the August 6, 2001 agenda (Attachment A).

Motion by Gibbons, second by See.

2. Approval of the Meeting Notes

APPROVED MOTION: Approved May 3, 2001 meeting notes (Attachment B) with an amendment to section 6, first sentence, changing the wording from United States Fish and Wildlife Service to Alaska Department of Fish and Game.

Motion by Balsiger, second by See.

ACE 30397471

ATTACHMENT B
PAGE 2 OF 24

3. Project 01535

APPROVED MOTION: Approved the transfer of \$18,400.00 from the Data Management Project (01455) budget to the Final Report Project (01535).

Motion by See, second by Balsiger.

4. Office Move

APPROVED MOTION: Approved \$98,800 in additional funds to move the Restoration office, with \$37,600 for FY 01 and \$61,200 for FY 02.

Motion by Bosworth, second by See.

5. Status of Large and Small parcel programs

APPROVED MOTION: Approved combining the funds remaining in the two Kodiak 10-acre designations, with the intent the funds will be spent on either Larsen Bay Shareholder parcels or Kodiak Tax Parcels.

Motion by Balsiger, second by Gibbons.

6. UA Parcel - PWS 05

APPROVED MOTION: Adopted resolution 01-12 (Attachment C) to renew the authorization for funding the purchase agreement for small parcel PWS 05 until September 1, 2002.

Motion by Gibbons, second by Balsiger.

7. UA Parcel - PWS 06

APPROVED MOTION: Adopted resolution 01-13 (Attachment D) to renew the authorization for funding the purchase agreement for small parcel PWS 06 until September 1, 2002.

Motion by Gibbons, second by Balsiger.

8. GEM writing contract, Project 01630

ACE 30397472

APPROVED MOTION: Approved the transfer of \$10,700 from Project 01455 (GEM Data System) to Project 01630 (Planning for GEM) for the purpose of contracting for preparation of a human uses section for the GEM document. (\$10,000 for the contract and \$700 for ADNR general administration costs.)

Motion by Balsiger, second by See.

ATTACHMENT B
PAGE 3 OF 24

BREAK

Technical difficulties.

Off the record at (9:35 a.m.)

On the record at (9:53 a.m.)

Public comment period began at 10:08 a.m.

Public comments received telephonically from 2 individuals in Anchorage, and from 1 person in Anchorage.

Public comment period closed at 10:30 a.m.

9. GEM

APPROVED MOTION: Approved a motion to submit GEM draft to NRC Review Committee.

All signified by saying "aye".

BREAK

Off the record at (11:05 a.m.)

On the record at (11:10 a.m.)

BREAK INTO EXECUTIVE SESSION

10. Executive Session:

APPROVED MOTION: Adjourn into executive session to discuss legal issues and habitat.

Motion by Gibbons, second by See.

Off the record at (11:50 a.m.)

On the record at (1:10 p.m.)

ACE 30397473

ATTACHMENT B

PAGE 4 OF 24

11. FY 02 Work Plan

APPROVED MOTION: Adopted resolution 01-14 (Attachment E) to approve the FY 02 Work plan with the following amendments:

Project 02245 - Contingent on receipt of information from the Alaska Native Harbor Seal Commission on the availability of federal funds for the commission to undertake work related to harbor seals.

Project 02558 - Contingent on receipt of information from the proposer on the availability of federal funds for research on harbor seals at the Alaska SeaLife center.

Project 02395 - Provide for all project funds to go through ADF&G, but on the condition that the workshop and the development of resulting recommendations are to be a collaborative effort between the two proposers.

Motion by Balsiger, second by Rue.

12. NOAA's General Administration costs

APPROVED MOTION: Approved a motion to approve NOAA's expenditure of \$21,162 in General Administration (GA) costs, which resulted from NOAA recovering more than the allowable amount of GA based on actual direct project spending.

Motion by Balsiger, second by Rue.

Meeting adjourned 3:15 p.m.

Motion by Rue, second by Balsiger.

ACE 30397474

Exxon Valdez Oil Spill Trustee Council

645 G Street, Suite 401, Anchorage, AK 99501-3451 907/278-8012 fax:907/276-7178



AGENDA EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL MEETING

August 6, 2001 8:30 a.m.

645 G STREET, Suite 401, ANCHORAGE

DRAFT

Trustee Council Members:

CRAIG TILLERY
Assistant Attorney General
State of Alaska

MICHELE BROWN (Marianne See)
Commissioner
Alaska Department of Environmental
Conservation

DAVID ALLEN (Cam Toohey)
Director, Alaska Region
U.S. Fish and Wildlife Service

DAVE GIBBONS
U.S. Department of Agriculture
Forest Service

JAMES W. BALSIGER
Director, Alaska Region
National Marine Fisheries Service

FRANK RUE
Commissioner
Alaska Department of Fish & Game

Teleconferenced in Anchorage, Restoration Office, 645 G Street
State Chair

1. Call to Order - 8:30 a.m.
 - Approval of Agenda
 - Approval of Meeting notes
May 3, 2001
2. Executive Director's Report - Molly McCammon - 8:35 a.m.
 - Administrative Issues
 - Report to Congress
 - Draft MOA with other funding organizations
 - Investments
 - Final report (Project 01535)*
 - Office move*
 - Habitat
 - Status of large and small parcel programs*
 - Extend offer on UA parcels*
 - Habitat grant
 - Science/Work Plan
 - Oceans symposium
 - GEM writing contract*

ACE 30397475

ATTACHMENT B
PAGE 6 OF 24

Federal Trustees

U.S. Department of the Interior
U.S. Department of Agriculture
National Oceanic and Atmospheric Administration

State Trustees

Alaska Department of Fish and Game
Alaska Department of Environmental Conservation
Alaska Department of Law

3. Public Advisory Group Report - Chuck Meacham - 9:00 a.m.
4. Afognak Island habitat effort - Jerry Wells, Rocky Mountain Elk Foundation - 9:15 a.m.
5. Archaeology status report - Veronica Christman - 9:45 a.m.
6. Public comment period - 10:00 a.m.
7. Lingering oil status report - Jeff Short - 10:30 a.m.
8. GEM*
9. Executive Session (legal issues, possibly habitat) - Lunch provided
10. FY 02 Work Plan*

Adjourn 5:00 p.m.

* indicates tentative action items

ACE 30397476

Exxon Valdez Oil Spill Trustee Council

645 G Street, Suite 401, Anchorage, AK 99501-3451 907/278-8012 fax:907/276-7178

TRUSTEE COUNCIL MEETING ACTIONS



May 3, 2001

By Molly McCammon
Executive Director

Trustee Council Members Present:

• Dave Gibbons, USFS
• Dave Allen, USFWS
James Balsiger, NMFS

• Frank Rue, ADF&G
Michele Brown, ADEC
Craig Tillery, ADOL

* Chair

In Anchorage: Allen, and Slater.

By teleconference in Juneau: Balsiger, and Lisowski.

By teleconference in Anchorage: Brown, and Tillery.

• Alternates:

Claudia Slater served as an alternate for Frank Rue for the entire meeting.

Maria Lisowski served as an alternate for Dave Gibbons for the entire meeting.

Meeting convened at 10:08 a.m., May 3, 2001

1. Approval of the Agenda

APPROVED MOTION: Approved the Agenda.

Motion by Tillery, second by Lisowski.

2. Approval of the Meeting Notes

APPROVED MOTION: Approved April 3, 2001 Trustee Council meeting notes.

Motion by Tillery, second by Balsiger.

Public comment period began at 10:10 a.m.

Public comments received telephonically from 1 individual in Seward.

ACE 30397477

Public comment period closed at 10:15 a.m.

ATTACHMENT B
PAGE 8 OF 24

3. Project 01190

APPROVED MOTION: Approval of an additional \$4,300.00 for Project 01190, "Construction of a Linkage Map for the Pink Salmon Genome".

Motion by Balsiger, second by Lisowski.

4. Old Harbor Hydroelectric Project

APPROVED MOTION: Adopted resolution 01-11 (Attachment A). The Trustee Council supports an amendment to the conservation easement conveyed by Old Harbor Native Corporation to the State of Alaska solely to permit the construction, operation, and maintenance of the Project as licensed by FERC, so long as the hydroelectric project is constructed in accordance with the terms and conditions of the FERC license at the location on the attached map (Resolution 01-11- Attachment C), except that if a pond is necessary to equalize water temperatures, the location and size of the pond must be approved by the Alaska Department of Fish and Game.

Motion by Tillery, second by Balsiger.

5. Small parcel, KAP 2069

APPROVED MOTION: Adopted resolution 01-09 (Attachment B), providing \$12,000 for the United States Fish and Wildlife Service to offer to purchase and, if the offer is accepted, to purchase all of the seller's rights and interests in parcel KAP 2069; and to provide funds necessary for closing costs recommended by the Executive Director of the Trustee Council and approved by the Trustee Council and pursuant to the conditions as stated in the resolution.

Motion by Allen, second by Tillery.

6. Small parcel, KEN 294

APPROVED MOTION: Adopted resolution 01-10 (Attachment C), providing \$78,000 for the Alaska Department of Fish and Game to offer to purchase and, if the offer is accepted, to purchase all of the seller's rights and interests in parcel KEN 294; and to provide funds necessary for closing costs recommended by the Executive Director of the Trustee Council and approved by the Trustee Council and pursuant to the conditions as stated in the resolution.

Motion by Slater, second by Tillery.

ACE 30397478

7. Project 99514

APPROVED MOTION:

Approved a motion to designate the Chugach Regional Resources Commission to be the named recipient of a future grant for implementing the waste management plan for the lower Cook Inlet, because they will be the most efficient and effective entity to administer such grant. A detailed proposal of how the funds will be spent will be presented to the Trustee Council at a later date.

Motion by Balsiger, second by Lisowski.

Meeting adjourned 11:11a.m.

ACE 30397479

**RESOLUTION OF THE
EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL
REGARDING
VALDEZ DUCK FLATS SMALL PARCEL PWS 05**

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 United States to purchase all of the seller's rights and interests in the small parcel PWS 05, consisting of 32.66 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 title search satisfactory to the State of Alaska and the United States must be completed and that the seller is willing and able to convey fee simple title by general warranty deed to the property. The seller is the University of Alaska (University).

2. The Forest Service, on behalf of the United States, has conducted a title search of the property and determined that the University is unwilling to convey fee simple title to the property by general warranty deed. The University was granted the property from the State of Alaska (State), which received the property as part of the State's land entitlement for the University and pursuant to the Alaska Statehood Act. A provision of the Statehood Act, Section 6(i), generally provides that land grants made to the State shall include mineral deposits and that any reconveyance of these lands by the State is subject to a State reservation of all the minerals in the lands conveyed. If lands are conveyed contrary to this provision, the United States may seek appropriate proceedings to forfeit the lands to the United States. When the University received the lands contained in PWS 05 from the State, the mineral estate was included in the grant. The

University has stated that a conveyance of PWS 05 to the United States is subject to Section 6(i) and therefore it is unwilling to convey fee simple title by general warranty deed.

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 05 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 05 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 United States shall be one hundred and twenty five thousand dollars (\$125,000) for small parcel PWS 05;

(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 United States;

(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

ACE 30397481

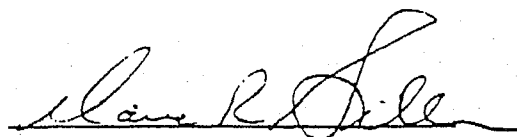
(G) a conservation easement on parcel PWS 05, satisfactory in form and substance to the United States and the State of Alaska Department of Law, shall be conveyed by the seller to the State of Alaska. It is the intent of the Council that, except as described below, any facilities or other development 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 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. The conservation easement will allow for the continued operation and maintenance of the Crooked Creek Visitor Center and fish viewing area by the Forest Service and may provide for the improvement of these facilities consistent with local zoning and the protection of the natural resources and services provided by this parcel.

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 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.

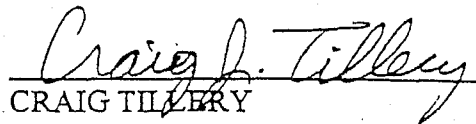
ACE 30397482

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.

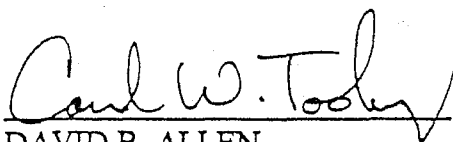
Approved by the Council at its meeting of August 6, 2001 held in Anchorage, Alaska, as affirmed
by our signatures affixed below:



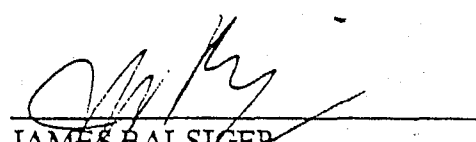
DAVE GIBBONS
Supervisor, Chugach National Forest
USDA Forest Service



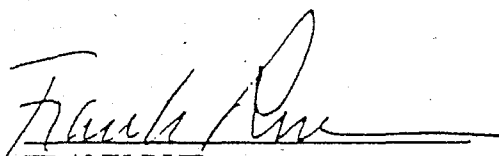
CRAIG TILLEY
Assistant Attorney General
State of Alaska



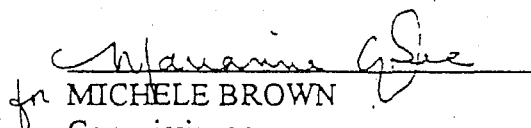
DAVID B. ALLEN
Alaska Regional Director,
U.S. Fish and Wildlife Service
U.S. Department of the Interior



JAMES BALSIGER
Director, Alaska Region
National Marine Fisheries Service



FRANK RUE
Commissioner
Alaska Department of
Fish and Game



MICHELE BROWN
Commissioner
Alaska Department of
Environmental Conservation

ACE 30397484

**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.

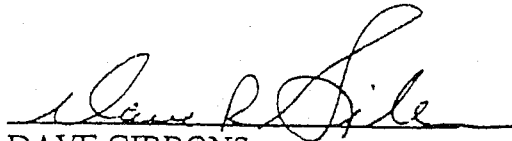
It is the intent of the Council that, except as described below, any facilities or other development on the foregoing small parcel shall be of limited impact and in keeping with the goals of restoration and that there shall be no commercial timber harvest nor any other commercial use of the small parcel 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.

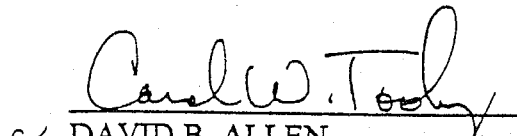
By unanimous consent, following execution of the purchase agreement between the seller and the State of Alaska and written notice from the Executive Director that the terms and conditions set forth herein and the purchase agreement have been satisfied, we request the Alaska Department of Law and the 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.

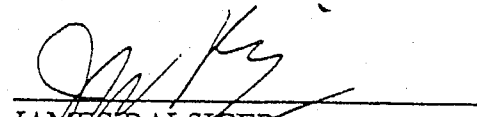
Such amount represents the only amount due under this resolution to the sellers by the State of Alaska to be funded from the joint trust funds, and no additional amounts or interest are herein authorized to be paid to the sellers from such joint funds.

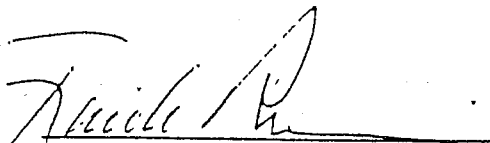
Approved by the Council at its meeting of August 6, 2001 held in Anchorage, Alaska, as affirmed
by our signatures affixed below:

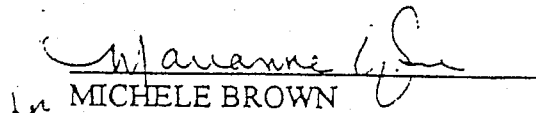

DAVE GIBBONS
Supervisor, Chugach National Forest
USDA Forest Service


CRAIG TILLERY
Assistant Attorney General
State of Alaska


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

**RESOLUTION OF THE
EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL
REGARDING THE FY 02 WORK PLAN**

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 United States of America v. State of Alaska, 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 State of Alaska v. Exxon Corporation. et al., No. A91-083 CIV, and United States of America v. Exxon Corporation. et al., No. A91-082 CIV, U.S. District Court for the District of Alaska, for necessary natural resource damage assessment and restoration activities. The Fiscal Year 2002 Work Plan is funded at \$4,804,500 as described in the attachment, and the monies are to be distributed according to the following schedule:

Alaska Department of Fish & Game	2,685,400
Alaska Department of Natural Resources	475,000
Alaska Department of Environmental Conservation	50,000
SUBTOTAL TO STATE OF ALASKA	\$3,210,400
U.S. Department of Agriculture, Forest Service	44,200
U.S. Department of the Interior	985,700
National Oceanic & Atmospheric Administration	564,200
SUBTOTAL TO UNITED STATES OF AMERICA	\$1,594,100
TOTAL APPROVED	\$4,804,500

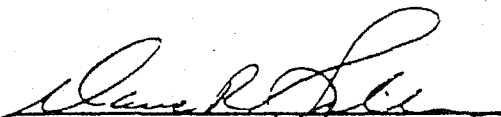
ATTACHMENT BPAGE 20 OF 24


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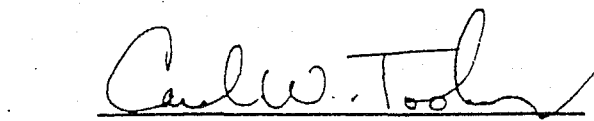
Resolution 01-14

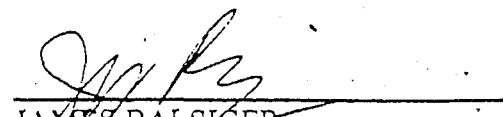
By unanimous consent, we hereby request the Attorney General of the State of Alaska and the Assistant Attorney General of the Environmental and Natural Resources Division of the United States Department of Justice to take such steps as may be necessary for withdrawal of the Fiscal Year 2002 Work Plan amount (\$4,804,500) from the appropriate account recommended by the Executive Director.

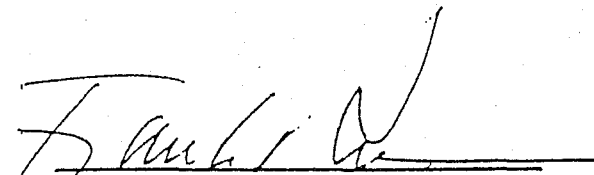
Approved by the Council at its meeting of August 6, 2001 held in Anchorage, Alaska, as affirmed by our signatures affixed below:

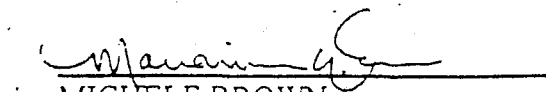

DAVE GIBBONS
Supervisor, Chugach National Forest
USDA Forest Service


CRAIG TILLEY
Assistant Attorney General
State of Alaska


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


JAMES BALSIGER
Director, Alaska Regional
National Marine Fisheries Service


FRANK RUE
Commissioner
Alaska Department of
Fish and Game


MICHELE BROWN
Commissioner
Alaska Department of
Environmental Conservation

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EXXON VALDEZ OIL TRUSTEE COUNCIL

2002 Federal Fiscal Year Project Budget

October 1, 2001 - September 30, 2002

Agency	Cooperating Agency(s)	Project Number	Project Title	First FY 02 Court Notification	Total
ADEC	All	02100	Public Information, Science Management and Administration	23.0	23.0
	All	02250	Project Management	10.3	10.3
		02667	Effectiveness of Citizens' Environmental Monitoring	16.7	16.7
			ADEC Total	50.0	50.0
ADF&G	All	02052	Community Involvement Planning for GEM	45.0	45.0
		02100	Public Information, Science Management and Administration	970.5	970.5
		02190	Construction of a Linkage Map for the Pink Salmon Genome	43.1	43.1
		02210	Youth Area Watch	106.1	106.1
		02245	Community-Based Harbor Seal Management and Biological Sampling	26.8	26.8
	All	02247	Kametolook River Coho Salmon Subsistence Project	30.8	30.8
		02250	Project Management	60.6	60.6
		02340	Toward Long-Term Oceanographic Monitoring of the Gulf of Alaska Ecosystem	77.8	77.8
		02395	Workshop on Nearshore/Intertidal Monitoring	63.6	63.6
		02407	Harlequin Duck Population Dynamics	68.7	68.7
	DOI-FWS/USGS	02423	Patterns and Processes of Population Change in Selected Nearshore Vertebrate Predators (Bench Fees Only)	128.7	128.7
		02441-CLO	Harbor Seal Recovery: Effects of Diet on Lipid Metabolism and Health	20.2	20.2
		02455	Gulf Ecosystem Monitoring and Research Program Data System	105.0	105.0
		02462-CLO	Effect of Disease on Pacific Herring Population Recovery in Prince William Sound	77.4	77.4
		02535	EVOS Trustee Council Restoration Program Final Report	52.4	52.4
	NOAA	02538	Evaluation of Two Methods to Discriminate Pacific Herring Stocks along the Northern Gulf of Alaska	22.7	22.7
		02550	Alaska Resources Library and Information Services	93.4	93.4
		02558	Harbor Seal Recovery: Application of New Technologies for Monitoring Health (including Bench Fees)	292.3	292.3
		02593	River Otter Synthesis	32.4	32.4
		02608	Archiving of Nearshore & Deep Benthic Specimens	61.6	61.6
	ADNR	02610	Kodiak Archipelago Youth Area Watch	61.8	61.8
		02612	Marine-Terrestrial Linkages in Kenai River Watershed	44.6	44.6
		02614	Monitoring Program for Near-Surface Temperature, Salinity, and Fluorescence in the Northern Pacific Ocean	38.2	38.2
		02630	Planning for Long-Term Research and Monitoring Program	21.0	21.0
		02649	Reconstructing Sockeye Populations in the Gulf of Alaska over the Last Several Thousand Years	88.1	88.1
		02671-BAA	Coordinating Volunteer Vessels of Opportunity to Collect Oceanographic Data in Kachemak Bay and Lower Cook Inlet	34.8	34.8

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Dollar Amounts are shown in thousands of dollars

EXXON VALDEZ OIL RUSTEE COUNCIL

2002 Federal Fiscal Year Project Budget

October 1, 2001 - September 30, 2002

Agency	Cooperating Agency(s)	Project Number	Project Title	First FY 02 Court Notification	Total
	NOAA	02674-BAA	Continuing Decline of Pigeon Guillemots in the Oiled Portion of Prince William Sound (Bench Fees Only)	17.8	17.8
			ADF&G Total	2,685.4	2,685.4
ADNR	All	02100	Public Information, Science Management and Administration	307.6	307.6
	USFWS	02126	Habitat Protection and Acquisition Support	86.9	86.9
		02154	Archaeological Repository & Local Display Facilities, and Exhibits for Prince William Sound and Lower Cook Inlet	29.1	29.1
	All	02250	Project Management	8.6	8.6
	ADFG	02630	Planning for Long-Term Research and Monitoring Program	42.8	42.8
			ADNR Total	475.0	475.0
USFS	All	02100	Public Information, Science Management and Administration	20.0	20.0
	All	02250	Project Management	8.7	8.7
		02256B	Sockeye Salmon Stocking at Solf Lake	15.5	15.5
			USFS Total	44.2	44.2
DOI-FWS	ADNR	02126	Habitat Protection and Acquisition Support	74.9	74.9
		02144	Common Murre Population Monitoring	14.8	14.8
	DOI-USGS/ADFG	02423	Patterns and Processes of Population Change in Selected Nearshore Vertebrate Predators	12.1	12.1
		02561	Evaluating the Feasibility of Developing a Community-Based Forage Fish Sampling Project for GEM	54.3	54.3
			DOI-FWS Subtotal	156.1	156.1
DOI-USGS		02100	Public Information, Science Management and Administration	112.5	112.5
		02163M	Alaska Predator Ecosystem Experiment in Prince William Sound and the Gulf of Alaska (APEX)	50.0	50.0
	All	02250	Project Management	36.2	36.2
		02404	Archival Tags for Tracking King Salmon at Sea: Migrations, Biology, and Oceanographic Preferences in Prince William Sound	104.6	104.6
	DOI-FWS/ADFG	02423	Patterns and Processes of Population Change in Selected Nearshore Vertebrate Predators	317.6	317.6
		02479	Effects of Food Stress on Survival and Reproductive Performance of Seabirds	55.0	55.0
	DOI-NPS	02656	Retrospective Analysis of Nearshore Marine Communities Based on Analysis of Archaeological Material and Isotopes	105.1	105.1
			DOI-USGS Subtotal	781.0	781.0

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Dollar Amounts are shown in thousands of dollars

EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL

2002 Federal Fiscal Year Project Budget

October 1, 2001 - September 30, 2002

Agency	Cooperating Agency(s)	Project Number	Project Title	First FY 02 Court Notification	Total	
DOI-NPS	USGS	02656	Retrospective Analysis of Nearshore Marine Communities Based on Analysis of Archaeological Material and Isotopes	4.8	4.8	
			DOI-NPS Subtotal	4.8	4.8	
DOI-O/S	All	02100	Public Information, Science Management and Administration	43.8	43.8	
			DOI-O/S Subtotal	43.8	43.8	
				DOI Total	985.7	
NOAA	All	02012-BAA	Photographic and Acoustic Monitoring of Killer Whales in Prince William Sound and Kenai Fjords	35.2	35.2	
		02100	Public Information, Science Management and Administration	22.6	22.6	
		02195	Pristane Monitoring in Mussels	20.0	20.0	
	All	02250	Project Management	57.3	57.3	
		02290	Hydrocarbon Database and Interpretation Service	35.0	35.0	
		02360-BAA	The Exxon Valdez Oil Spill: Guidance for Future Research Activities	90.1	90.1	
	ADFG	02396	Alaska Salmon Shark Assessment	28.8	28.8	
		02401	Assessment of Spot Shrimp Abundance in Prince William Sound	25.5	25.5	
		02476	Effects of Oiled Incubation Substrate on Pink Salmon Reproduction	39.8	39.8	
		02492	Were Pink Salmon Embryo Studies in Prince William Sound Biased?	24.0	24.0	
		02538	Evaluation of Two Methods to Discriminate Pacific Herring Stocks along the Northern Gulf of Alaska	30.2	30.2	
	ADFG	02543	Evaluation of Oil Remaining in the Intertidal from the Exxon Valdez Oil Spill	113.1	113.1	
		02674	Continuing Decline of Pigeon Guillemots in the Oiled Portion of Prince William Sound	42.6	42.6	
	NOAA Total				564.2	564.2
	Total				4,804.5	4,804.5

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Dollar Amounts are shown in thousands of dollars