

MICHAEL C. GERAGHTY
ATTORNEY GENERAL

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State of Alaska
Department of Law
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Attorneys for the State of Alaska

**UNITED STATES DISTRICT COURT
DISTRICT OF ALASKA**

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

The United States and the State of Alaska (“the Governments”) jointly provide this notice of their expenditure of \$20,720 from the Research Sub-Account of the Exxon Valdez Oil Spill Investment Fund (“Investment Fund”) and \$7,085 from the Habitat Sub-Account of the Investment Fund. The Governments’ natural resource trustee agencies will use these funds for purposes consistent with the Memorandum of Agreement and Consent Decree entered by this Court in *United States v. State of Alaska*, No. A91-081 CIV (D. Alaska) on August 28, 1991 (“MOA”).

On September 25, 1991, the United States and the State of Alaska 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 (“EVOS”). 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: 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 manage separately 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 EVOS Trustees 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. 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.¹

The Governments provide notice of this forty-eighth expenditure of \$20,720 from the Research Sub-Account to authorize \$12,000 in additional funds for Project 12120100 EVOSTC Administrative Budget, for expenses associated with relocation of the Trustee Council's Restoration Office;² and to authorize \$14,715 to hire Callan Associates to participate as an independent investment advisor to the Trustee Council's Investment Working Group.³ The Governments also provide notice of the expenditure of \$7,085 from the Habitat Sub-Account for due diligence activities related to the Port Graham PTG 01 project.⁴

The Trustee Council has met once since the Governments' filing on February 13, 2012 of their Forty-Seventh Joint Notice of Expenditures.⁵ The Governments will submit the meeting notes for the March 27, 2012 meeting once they have been approved by the Trustee Council. The meeting notes for the Trustee Council's February 1, 2012 meeting are appended to this Notice at Attachment B.

¹ A copy of the notice provided to the Investment Fund pursuant to paragraph 27 of the of the Third Amended Order for Deposit and Transfer of Settlement Proceeds is appended to this Notice as Attachment A, pp. 1-3.

² The Trustee Council unanimously authorized these funds at its March 27, 2012 meeting as reflected in Resolution 12-04 appended to this Notice at Attachment A, pp. 4-15.

³ The Trustee Council unanimously authorized these funds at its March 27, 2012 meeting as reflected in Resolution 12-05 appended to this Notice at Attachment A, pp. 16-20.

⁴ The Trustee Council unanimously authorized these funds at its March 27, 2012 meeting as reflected in Resolution 12-03 appended to this Notice at Attachment A, pp. 21-39.

RESPECTFULLY SUBMITTED this 16th day of April, 2012 at Anchorage,
Alaska.

FOR THE STATE OF ALASKA

MICHAEL C. GERAGHTY
ATTORNEY GENERAL

By: s/JENNIFER L. SCHORR
Assistant Attorney General
State of Alaska
Department of Law
1031 West Fourth Avenue, Suite 200
Anchorage, Alaska 99501-1994
Telephone: (907) 269-5274
Facsimile: (907) 278-7022
Email: Jennifer.Schorr@alaska.gov
Alaska Bar #0811082

FOR THE UNITED STATES

s/ERIKA M. ZIMMERMAN (consent)
Trial Attorney
Environmental Enforcement Section
Environment & Natural Resources Division
United States Department of Justice
c/o NOAA/Damage Assessment
7600 Sand Point Way, NE
Seattle, Washington 98115
Telephone: (206) 526-6608
Facsimile: (907) 526-6665
Email: Erika.Zimmerman@usdoj.gov

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 16th day of April, 2012, a copy of the foregoing FORTY-EIGHTH JOINT NOTICE OF EXPENDITURES FROM THE INVESTMENT FUND, together with attachments A and B thereto, was served by U.S. mail, first class, postage paid, on the following:

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

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

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

Christine O'Sullivan
AK Dept. of Fish &
Game
PO Box 115526
Juneau, AK 99811-5526

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

Cherri Womac
AK Dept. of Fish & Game
Exxon Valdez Oil Spill
Trustee Council Office
441 W. 5th Ave., Suite 500
Anchorage, AK 99501

Erika M. Zimmerman
U.S. Department of Justice
c/o NOAA/Damage
Assessment
7600 Sand Point Way NE
Seattle, WA 98115

s/Samantha Christenson

STATE OF ALASKA

DEPARTMENT OF LAW

OFFICE OF THE ATTORNEY GENERAL

SEAN PARNELL, GOVERNOR

Environmental
1031 WEST 4th AVENUE,
SUITE 200
ANCHORAGE, ALASKA

April 13, 2012

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 \$27,805 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). This expenditure consists of \$20,720 from the Research Sub-Account and \$7,085 from the Habitat Sub-Account. 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: \$20,720 from the Research Sub-Account
Beneficiary: State of Alaska
Account: GeFONSI 33070, Account 22177
Name: Exxon Valdez Settlement Account

United States

Amount: \$7,085 from the Habitat Sub-Account

Beneficiary

account: 14X5198

Mr. Gary Bader
Treasury Division, Department of Revenue

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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

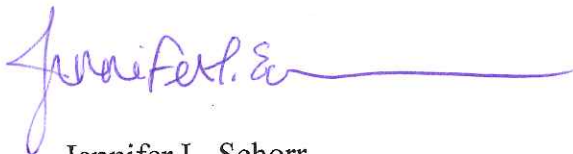
Natural Resource Damage Assessment Restoration Fund 14X5198
EVOS Exxon Valdez, Civil Settlement, FY06 Joint Funds

Beneficiary Reference

A91-082Civil

This transfer should take place when most financially advantageous, preferably on or before April 27, 2012. If you have any questions, please call Elise Hsieh at (907) 265-9330.

Sincerely,



Jennifer L. Schorr
Assistant Attorney General
State of Alaska



Erika M. Zimmerman
Environmental Enforcement Section
Environment & Natural Resources Division
U.S. Department of Justice
United States of America

cc: Regina Belt, U.S. Department of Justice, *via email*
Jeff Hoover, Alaska Department of Fish and Game, *via email*
Christine O'Sullivan, Alaska Department of Fish and Game, *via email*
Barbara Mason, Alaska Department of Fish and Game, *via email*
Bronze Ickes, Alaska Department of Revenue, *via email*
Bob Mitchell, Alaska Department of Revenue, *via email*
Bruce Nesslage, Department of the Interior, *via email*

Mr. Gary Bader
Treasury Division, Department of Revenue

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April 13, 2012

Cherri Womac, *Exxon Valdez* Oil Spill Trustee Council Restoration Office, *via*
email

Linda Kilbourne, *Exxon Valdez* Oil Spill Trustee Council Restoration Office, *via*
email

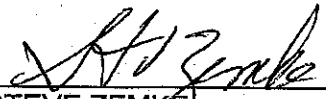
**RESOLUTION 12-04 OF THE EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL
REGARDING AUTHORIZATION FOR ADDITIONAL FUNDS FOR PROJECT 12120100
EVOSTC ADMINISTRATIVE BUDGET- RELOCATION EXPENSES**

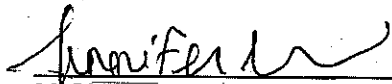
We, the undersigned, duly authorized members of the *Exxon Valdez* Oil Spill Trustee Council do hereby certify that, in accordance with the Memorandum of Agreement and Consent Decree entered as settlement of *United States of America v. State of Alaska* No. A91-081 Civil, U.S. District Court for the 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 for federal fiscal year 2012 in the amount of \$12,000, for expenses associated with relocation of the Council's Restoration Office. This amount includes applicable General Administration (GA). There are no project management fees. The monies are to be distributed according to the following schedule:

Alaska Department of Fish and Game (includes 9% GA)	\$12,000
TOTAL TO State of Alaska	\$12,000
TOTAL APPROVED	\$12,000


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 United States Department of Justice to take such steps as may be necessary to make available additional funds for relocating the Exxon Valdez Oil Spill Trustee Council's Restoration Office from the appropriate account designated by the Executive Director.

Approved by the Council at its meeting of March 27, 2012 held in Anchorage, Alaska as affirmed by our signatures affixed below.


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


for MICHAEL C. GERAGHTY
Attorney General
Alaska Department of Law

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


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

CORA CAMPBELL
Commissioner
Alaska Department of Fish and Game

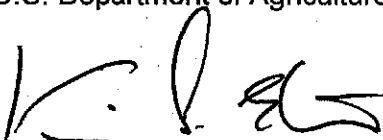
LARRY HARTIG
Commissioner
Alaska Department of Environmental
Conservation

Attachments:

- Proposal for the Collocation of EVOSTC Staff on the USGS Consolidated Campus
- USGS MOA between Alaska Science Center and EVOSTC

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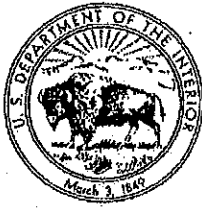
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United States Department of the Interior

U.S. GEOLOGICAL SURVEY
OFFICE OF THE REGIONAL EXECUTIVE – ALASKA AREA
4210 University Drive
Anchorage, AK 99508
<http://alaska.usgs.gov>

March 13, 2012

To: Elise Hsieh
Executive Director
Exxon Valdez Oil Spill Trustee Council

From: Leslie Holland-Bartels
USGS Regional Executive – Alaska Area

Re: Transmittal of Proposal for the Collocation of *Exxon Valdez* Oil Spill Trustee Council
Staff on the USGS Consolidated Campus

The U.S. Geological Survey (USGS) has prepared a proposal for consideration by the *Exxon Valdez* Oil Spill Trustee Council regarding the collocation of their staff on the USGS Consolidated Campus. As you know, USGS administers the Council's existing GSA lease, which expires 30 September 2013. Actions must be taken in the near future to either renegotiate this GSA lease or make alternate arrangements. We have concluded that one such arrangement, the collocation of the Council staff on the USGS Consolidated Campus, will result in reductions in space and cost that benefit both organizations.

I understand that the information needs to be transmitted to members of the Council before your upcoming meeting and I would appreciate your assistance in seeing that the Council receives this proposal for their review and approval. We are available to discuss the proposal and answer any questions at your convenience.

PROPOSAL FOR THE COLLOCATION OF *EXXON VALDEZ* OIL SPILL TRUSTEE COUNCIL STAFF
ON THE USGS CONSOLIDATED CAMPUS

March 13, 2012

SUMMARY

The U.S. Geological Survey (USGS) is required to renegotiate the lease it administers for the *Exxon Valdez* Oil Spill Trustee Council, as the existing GSA lease for this space terminates 30 September 2013. The timing of this renegotiation, in support of a strategic partner, with whom USGS Alaska Area Regional Executive Leslie Holland-Bartels acts as a representative on behalf of the Secretary of the Interior, has resulted in a positive opportunity to collocate with USGS staff, while realizing actual reductions in space and cost. These savings will benefit the Council, as well as enable USGS to meet DOI and OMB real property cost savings and space management directives.

BACKGROUND

In August 2011, USGS Associate Director Karen Baker issued a bureau-wide memo entitled, "OMB Facilities/Space Cost Savings/Avoidance and Space Management Policy." This memo communicated recent DOI and OMB requirements related to real property cost cutting strategies. As a result, all space actions are to be closely scrutinized, including occupancy agreement renewals, for cost savings measures, such as collocations with other government offices or reducing overall space requirements by improving utilization. In addition, cost and square footage reductions were identified government-wide.

As part of the required 20-month lead time for GSA lease renewals, in February 2012, USGS re-examined the Council's current occupancy agreement, and in light of the new space management policies, identified an opportunity to reduce square footage and costs by collocating Council staff on the USGS Consolidated Campus (specifically Grace Hall), on the campus of Alaska Pacific University.

In terms of square footage, the Council currently occupies 3,859 square feet in the GSA-leased Chamber of Commerce Building (representing 3% of the total USGS footprint). Based on initial discussions with Council staff about their estimates of future space needs, USGS is prepared to provide a block of 2,275 square feet to the Council for its offices

The cost savings that would be realized through this space reduction are significant. Currently, the Council is slated to pay \$120,133 and \$125,984 for FY2012 and FY2013, respectively, for 3,859 square feet in the Chamber of Commerce building. By occupying 2,275 square feet in Grace Hall, the cost would be \$82,389 and \$82,659 annually, for FY2012 and FY2013. The amount actually due for FY2012 will be determined by the agreed upon move-in date; pro-rated amounts for both locations will be due at that time (see Action Item 2 below for current estimate). Furthermore, Council out-year costs following FY2013 for occupancy of the Chamber of Commerce building are currently unknown. However, one could estimate an initial increase in FY2013 based on the current Anchorage market values, followed by increases that "will continue to escalate at about 2% per year." (OMB Guidance). For Grace Hall, however, the occupancy agreement has already been negotiated through April 2028,

with an annual increase of less than 1% per year. Thus, collocation with USGS staff in Grace Hall could also provide certainty in terms of cost planning.

There is a benefit to the USGS as well. This proposed collocation action would join a series of other actions taken by the USGS to reduce its space utilization by 20%, in line with Bureau and OMB targets. USGS will have achieved this overall target in Alaska primarily through increased collocations with strategic partners since FY2010 and through implementing reduced utilization standards (180 square feet per person) and other space efficiencies. These space efficiencies have been or are being accomplished concurrently through new space design in the Glenn Olds Hall Addition (now under construction), modification of other Grace Hall space, and with closure of USGS occupancy of the space inefficient Gould Hall.

Finally, collocation also provides advantages in terms of the Council joining a campus with other Federal partners. Once located on the USGS Campus, the Council would be in proximity to the Department of the Interior Office of the Solicitor – Alaska Region, the USGS Office of the Regional Executive – Alaska Area, and the USGS Alaska Science Center, facilitating discussions among these strategic partners. Sharing the campus with USGS, the Council would also have access to a number of small (5 people capacity) to large (100 people capacity) conference rooms to use when meeting with other partners and the public. The availability of these conference rooms will be provided at no additional cost to the Council, although access may be limited by previously scheduled USGS meetings and events. Additional non-facilities costs may also be negotiated with USGS.

ACTIONS NEEDED

1. USGS must provide GSA with 120-days written notice that it plans to vacate the Chamber of Commerce building, which the Council currently occupies.
2. The USGS ASC and the Council will sign a Memorandum of Agreement and an annual collocation agreement (template attached) negotiating the facilities and other costs for the remainder of FY2012. Based on the Council moving into Grace Hall by 1 August 2012, for FY2012 the Council would owe \$100,111 for 10 months at the Chamber of Commerce building and \$13,732 for 2 months in Grace Hall, totaling \$113,843. If the Council accepts all the suggested collocation costs (such as sharing mail and copier costs), they would be responsible for an additional \$1,199 for FY2012.
3. Based on lead time needed to establish telecommunications and computer servers, the Council's IT staff, in coordination with USGS ASC IT staff, may begin work in Grace Hall as early as 1 May 2012. Access to the building's telephone closet, as well as individual offices for wiring and other needs will be available at this time. Telecommunications and computer network costs will be the responsibility of the Council.
4. Modifications to the space in Grace Hall will need to be coordinated through USGS and GSA. For the initial occupancy by the Council, the space will remain as is currently laid out, including 6

private offices and 1 locking suite door. When modifications are negotiated, the costs will be paid by the Council.

5. The Council will contract with a local moving company to transport their office furniture, equipment, and contents from the Chamber of Commerce building to Grace Hall. This will be at the expense of the Council.

RECEIVED

MAR 16 2012

**U.S. GEOLOGICAL SURVEY
MEMORANDUM OF AGREEMENT
BETWEEN**

**EXXON VALDEZ OIL SPILL
TRUSTEE Council**

***Alaska Science Center*
AND
*The Exxon Valdez Oil Spill Trustee Council***

I. PURPOSE

The purpose of the Memorandum of Agreement (MOA) is to establish areas of common agreement and specify specific responsibilities and rights between the parties regarding the sharing of facilities in the *Alaska Science Center*.

II. SCOPE

This MOA applies to the respective organizations that share facilities in the *Alaska Science Center*. It is intended to identify the responsibilities of the Host Cost Center (*Alaska Science Center*) and the Parent Cost Center (*Exxon Valdez Oil Spill Trustee Council*) with respect to the level of service and expectations on the part of both parties (also referred to below as Cost Centers). It is not intended to direct or interfere in the scientific activities of either organization.

III. POINT OF CONTACT

Final authority for this MOA resides with the Center Director for the *Alaska Science Center* and the Executive Director for the *Exxon Valdez Oil Spill Trustee Council*.

For the *Alaska Science Center*, day-to-day responsibility for implementation and administration is the Administrative Officer.

For the *Exxon Valdez Oil Spill Trustee Council*, day-to-day responsibility for implementation and administration is the Administrative Officer.

IV. RESPONSIBILITIES

Alaska Science Center

- A. *Alaska Science Center* will be the lead organization for obtaining space. The *Alaska Science Center* will provide the *Exxon Valdez Oil Spill Trustee Council* with information and assistance in decisions affecting total staff. The *Alaska Science Center* will be the lead organization for obtaining repairs and

building support when needed (Space allocations will be determined through joint dialogue of both organizations and documented in a Business Case Analysis workbook to show the cost-benefit analyses performed to support the facilities change.)

- B. *Alaska Science Center* will provide common office support to *Exxon Valdez Oil Spill Trustee Council* employees that include the same level of service as *Alaska Science Center* employees, providing normal office supplies, reproduction machines, and US postage. See attached Co-Location Request Form for specifics.
- C. *Alaska Science Center* will assist *Exxon Valdez Oil Spill Trustee Council* employees in obtaining parking spaces. See attached Co-Location Request Form for specifics.
- D. These responsibilities shall not preclude management staff agreeing to provide or assist in any other endeavor or action, which is mutually agreeable to both parties.

Exxon Valdez Oil Spill Trustee Council

- A. *Exxon Valdez Oil Spill Trustee Council* will identify specific office, storage and warehouse needs to *Alaska Science Center*. This includes times when additional *Exxon Valdez Oil Spill Trustee Council* personnel, not normally supported, will need space or assistance.
- B. *Exxon Valdez Oil Spill Trustee Council* personnel will provide their own computer systems, configured to their needs. Computer networking and telecommunications needs will also be the direct responsibility of the *Exxon Valdez Oil Spill Trustee Council*.
- C. These responsibilities shall not preclude research and management staffs from agreeing to support or assist in other endeavors or actions, which are mutually agreeable to both parties.

Common

- A. Each organization will provide maintenance for their commonly used items.
- B. Each organization will be responsible for obtaining and renewing their mission-specific software maintenance requirements.
- C. Each organization will apprise the other of planned training or presentations and shall allow both organizations to attend mutual scientific project, safety, and facilities issues. If there is a per person cost for attendance, each organization will be responsible for their own costs.
- D. Each organization will coordinate when hosting meetings and conferences, particularly when such meetings will be longer than one day.
- E. *Alaska Science Center* and *Exxon Valdez Oil Spill Trustee Council* will review the MOA annually.

Exceptions

- A. Each organization will maintain their own vehicles.
- B. Each organization will provide their own support for any service or need not mentioned in this MOA such as editing, GIS, payroll, property accountability, travel vouchers, personnel and procurement.

V. FINANCIAL MANAGEMENT

The Cost Centers will use the Co-Location Request form (attached) to document the support and facilities costs agreed upon between the *Alaska Science Center* and the *Exxon Valdez Oil Spill Trustee Council* and will follow the Co-Location Memorandum and the FOP Chapter 6.7 for procedures. The *Alaska Science Center* will be reimbursed for both support and facilities expenses by the *Exxon Valdez Oil Spill Trustee Council*.

IV. LENGTH OF AGREEMENT

This agreement will remain in force for up to five years from date signed, with the option to renew if mutually agreed, or until one or both Cost Centers stipulate in writing their desire to terminate (120 days notice required). Actual termination of the agreements shall be at the wishes of the Cost Centers subject to approval in writing from the Regional Executive. Facilities policy for the USGS at this time requires that the withdrawal of one Cost Center would transfer the space cost liability to the other.

This agreement may be modified or rewritten at any time with the mutual consent of the cost centers.

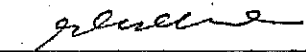
VII. APPROVALS

Mark Shasby

Digitally signed by Mark Shasby
DN: cn=Mark Shasby, o=USGS, ou=Director-Alaska Science
Center, email=shasby@usgs.gov, c=US
Date: 2012.03.13 14:40:19 -08'00'

Alaska Science Center Director

Date



Exxon Valdez Oil Spill Trustee Council Executive Director

3/27/12

Date

**RESOLUTION 12-05 OF THE EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL
AUTHORIZING AN INVESTMENT ADVISOR SERVICES CONTRACT**

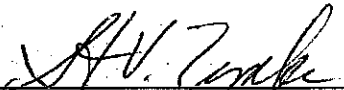
We, the undersigned, duly authorized members of the *Exxon Valdez* Oil Spill Trustee Council do hereby certify that, in accordance with the Memorandum of Agreement and Consent Decree entered as settlement of *United States of America v. State of Alaska* No. A91-081 Civil, U.S. District Court for the 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 in the amount of \$11,990 which includes applicable General Administration (GA), to Callan Associates to participate as an independent investment advisor on the Council's Investment Working Group. Additionally, \$2,725, which includes applicable GA, will be added to the EVOSTC Administrative Budget, PJ 12120100, for travel costs. Project management fees are not applicable to the investment advisor services contract. This authorization is contingent upon the majority approval of the Investment Working Group. The monies are to be distributed according to the following schedule:

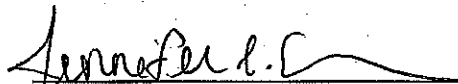
Alaska Department of Fish and Game (includes 9% GA)	\$14,715
TOTAL APPROVED	\$14,715

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 United States Department of Justice to take such steps as may be necessary to make available funds for an investment advisor services contract from the appropriate account designated by the Executive Director.


/// /// ///

Approved by the Trustee Council at its meeting of March 27, 2012 held in Anchorage,
Alaska as affirmed by our signatures affixed below.


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

for 
MICHAEL C. GERAGHTY
Attorney General
Alaska Department of Law

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


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

CORA CAMPBELL
Commissioner
Alaska Department of Fish and Game

LARRY HARTIG
Commissioner
Alaska Department of Environmental
Conservation

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National Marine Fisheries Service
U.S. Department of Commerce

CORA CAMPBELL
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Alaska Department of Fish and Game



LARRY HARTIG
Commissioner
Alaska Department of Environmental
Conservation

**RESOLUTION 12-03 OF THE *EXXON VALDEZ* OIL SPILL TRUSTEE COUNCIL
REGARDING PORT GRAHAM HABITAT PROTECTION, PTG 01**

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

On March 17, 2008, the Council resolved through Resolution 08-06 to provide \$32,700 in funding to the U.S. Department of Interior National Park Service (National Park Service) for due diligence expenses in support of Port Graham Habitat Protection Efforts focusing on the PTG 01 project. A portion of the funds, \$20,200, was spent before the authorization's September 30, 2009 expiration. The National Park Service is requesting reauthorization of the remaining funds, \$12,500, to update the appraisal.

In addition, we authorize an additional \$7,085, which includes applicable GA, to the National Park Service for due diligence activities for Port Graham PTG 01.

United States Department of Interior, National Park Service	\$7,085
TOTAL APPROVED FOR ADDITIONAL FUNDING:	\$7,085

Authorization of the approved funding shall run from March 27, 2012, to September 30, 2013.

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 United States Department of Justice to take such steps as may be necessary to make funds available in the amount of \$7,085 from the appropriate account as designated by the Executive Director.

Approved by the Council at its meeting of March 27, 2012, held in Anchorage, Alaska, as affirmed by our signatures affixed below:




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



for MICHAEL C. GERAGHTY
Attorney General
Alaska Department of Law

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



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

CORA CAMPBELL
Commissioner
Alaska Department of Fish and Game

LARRY HARTIG
Commissioner
Alaska Department of Environmental
Conservation

Attachment A – Resolution 08-06 and Attachments; Port Graham Benefits Report
1994, Parcel Map

Attachment B – Port Graham Benefits Report (Revised 2012), Parcel Map

Approved by the Council at its meeting of March 27, 2012, held in Anchorage, Alaska, as affirmed by our signatures affixed below:

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



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

MICHAEL C. GERAGHTY
Attorney General
Alaska Department of Law

JIM BALSIGER
Administrator, Alaska Region
National Marine Fisheries Service
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LARRY HARTIG
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Conservation

Attachment A – Resolution 08-06 and Attachments; Port Graham Benefits Report
1994, Parcel Map

Attachment B – Port Graham Benefits Report (Revised 2012), Parcel Map


Approved by the Council at its meeting of March 27, 2012, held in Anchorage, Alaska, as affirmed by our signatures affixed below:

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

MICHAEL C. GERAGHTY
Attorney General
Alaska Department of Law

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

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



CORA CAMPBELL
Commissioner
Alaska Department of Fish and Game

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Commissioner
Alaska Department of Environmental
Conservation

Attachment A – Resolution 08-06 and Attachments; Port Graham Benefits Report
1994, Parcel Map
Attachment B – Port Graham Benefits Report (Revised 2012), Parcel Map

Approved by the Council at its meeting of March 27, 2012, held in Anchorage, Alaska, as affirmed by our signatures affixed below:

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

MICHAEL C. GERAGHTY
Attorney General
Alaska Department of Law

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

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

CORA CAMPBELL
Commissioner
Alaska Department of Fish and Game



LARRY HARTIG
Commissioner
Alaska Department of Environmental
Conservation

Attachment A – Resolution 08-06 and Attachments; Port Graham Benefits Report
1994, Parcel Map

Attachment B – Port Graham Benefits Report (Revised 2012), Parcel Map

**RESOLUTION 08-06 OF THE
EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL
REGARDING PORT GRAHAM HABITAT PROTECTION**

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 for fiscal year 2007, as described in Attachment A.


This resolution authorizes the distribution of \$32,700 of FY 08 funding for due diligence expenses in support of Port Graham Habitat Protection Efforts focusing on parcel PTG 01, as described in Attachment A, to be distributed according to the following schedule:

Department of Interior, National Park Service	\$32,700
TOTAL APPROVED FOR DISTRIBUTION	\$32,700

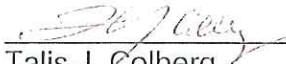
Authorization of the approved funding shall run from March 17, 2008 to September 30, 2009.

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 United States Department of Justice to take such steps as may be necessary to make funds available in the amount of \$32,700 from the appropriate account as designated by the Executive Director.

Approved by the Council at its meeting of March 17, 2008, held in Anchorage, Alaska, as affirmed by our signatures affixed below:



Joe L. Meade
Forest Supervisor
Forest Service Alaska Region
U. S. Department of Agriculture



Talis J. Colberg
Attorney General
Alaska Department of Law

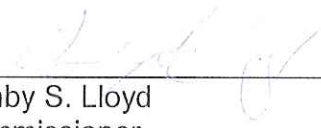


Randall Luthi
Director
Minerals Management Service
U.S. Department of Interior

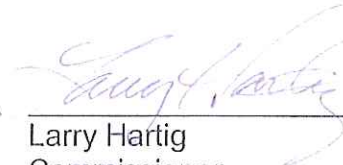
HANS NEIDIG For
Randall Luthi



James Balsiger
Administrator, Alaska Region
National Marine Fisheries Service
U.S. Department of Commerce



Denby S. Lloyd
Commissioner
Alaska Department of Fish and Game



Larry Hartig
Commissioner
Alaska Department of Environmental
Conservation

Attachment A – Port Graham Estimate of Due Diligence Costs; Port Graham Benefits Report 1994; Parcel Maps

ATTACHMENT A

**Port Graham
Estimate of Due Diligence Costs**

Initial Costs

Appraisal	\$20,000
Appraisal review	\$3,000
Hazmat	\$4,250
Subsurface Assessment	\$2,000
Preliminary Commitment for Title Insurance	\$750
Total Estimated Initial Costs	\$30,000

Budget Summary

Budget Category	FY 08-09
Personnel	\$0.0
Travel	\$0.0
Contractual	\$30,000
Commodities	\$0.0
Equipment	\$0.0
Subtotal	\$30,000
General Administration	\$2,700
Total Request	\$32,700

Restoration Benefits Report for Habitat Acquisition
Port Graham Corporation
Parcels PTG 01 through 07

Region and Locale

Kenai Peninsula. Parcels are located on the southeast coastline of the peninsula within Kenai Fjords National Park.

Proposed Acquisition Description

Port Graham (PTG) parcels 01 through 07 are located along the deep water fjords of Kenai Fjords National Park. The park is characterized by a highly indented coastline, interspersed protected waters and extremely scenic uplands. The fjords support tide-water glaciers, many that have receded dramatically this century. Upland slopes are predominately steep, though there are relatively flat areas; soils are generally shallow. Coastal parts of the parcels are covered by a temperate rainforest dominated by Sitka spruce and western hemlock. Under story vegetation is typical of that found with this forest type. More inland parts of the parcels are covered with shrub and tundra vegetation types. Parcels PTG 05 and PTG 01 contain Delight, Desire and Addison Creeks that support commercial red and pink salmon fisheries.

Kenai Fjords National Park provides the most dramatic fjord system in the United States that is protected as a national park. Waters adjacent to the park are teeming with marine life and are often occupied with harbor seals, sea otters, Northern sea lions, porpoises and Minke, Humpback, Orca and Gray whales. Several species of salmon, including pink salmon and red salmon injured by the Exxon Valdez Oil Spill (EVOS), are supported by the park's upland habitat. Numerous species of marine and other birds, including harlequin ducks, marbled and Kittlitz's murrelets, pigeon guillemots, black oystercatchers, cormorants, common loons and bald eagles injured by the EVOS, are found throughout the area and use park uplands. The park is a birder's paradise. Upland areas also support black bear, moose, mountain goat, river otter, mink, marten, wolverine, coyote, snowshoe hare, and porcupine.

Although the park was established amidst great controversy in 1980, it is now the major attraction for the city of Seward's booming tourism economy. A 1996 MOU signed by the City, NPS, USFS, State Parks and the Chamber of Commerce supports the construction of an interagency, cooperatively run Visitor Center/Administrative Offices/Conference Center on City-owned land near the Seward Small Boat Harbor. Numerous businesses, related to the park, have been created in the city since that time. Several businesses, such as Kenai Fjords Tours, Major Marine Tours, and Mariah Charters, have matured into companies of significant size. Because of increased demand, companies are still adding capacity to carry more visitors to see the park, its magnificent landscape, and its wildlife. The Anchorage Daily News runs daily advertisements throughout the year for several commercial companies providing

boat tours of the park. The Alaska Railroad runs daily summer trains to Seward, which are scheduled to connect to these tours. National magazines carry monthly advertisements for guided trips to the park. Large cruise ship companies have discovered Seward (110 dockings in 1996) and their passengers fill the park's visitor center as they disembark into town and seek out points of interest. Many of the cruise ship tourists take flight-seeing tours of the park and have helped stimulate yet more jobs. Half the park's 1994 commercial use licenses were for flight-seeing businesses.

The parcels in this package contain most of the resources and services injured from the oil spill. By protecting the habitat upon which these resources depend, the Trustee Council's goal of providing restoration benefits through protective measures can be accomplished on the Kenai Peninsula.

Parcel Acreage and Ratings. All parcels have been appraised. Combined, the parcels total 46,621 acres, more or less. Parcels have been evaluated by the Trustee Council's Habitat Work Group (1993 & 1994) and score from high to low. High and moderate parcels comprise about 29,000 acres; low rated parcels comprise 18,000 acres.

Other Information

Most of these parcels were conveyed to Port Graham Corporation in 1995 and 1996 under the authority of the Alaska Native Claims Settlement Act. Port Graham's remaining acreage entitlement of 4,290 acres is scheduled to be conveyed in future years. All future conveyances will be within Kenai Fjords National Park. Habitat protection would include conveyed lands and future conveyances. The Port Graham Corporation has expressed willingness to negotiate sale of some or all of their lands within the park on a fee simple basis. The subsurface estate of these parcels has or will be conveyed to the Chugach Alaska Corporation. This subsurface estate has been appraised, but an offer will not be presented at this time.

A number of additional parcels have been rated by the Trustee Council's staff on the Kenai Peninsula near the villages of Port Graham and English Bay. Ratings were from moderate to low value. Lands within the boundaries of Kenai Fjords National Park represent the best potential to acquire lands which have the highest potential to contribute to the Trustee Council's restoration goals.

Restoration Benefits

Injured Resources and Services. Sixteen of the 19 listed injured resources and services used to rate the parcels are present on or directly associated with the lands in this package. The following list contains those rated by the Trustee Council staff as having high or moderate potential to benefit restoration.¹ Injured resources on or immediately adjacent to these lands

¹Rating done by the Habitat Protection Work Group (HPWG).

include: spawning pink salmon, spawning red salmon, feeding and likely spawning Dolly Varden, spawning Pacific herring, nesting bald eagles, feeding black oystercatchers, feeding and haulout areas for harbor seals, molting harlequin ducks, intertidal & subtidal biota (including some dense mussel beds, kelp and eelgrass areas), probable nesting marbled murrelets, feeding and probable nesting pigeon guillemots, high use areas and latrine sites for river otters, and feeding sea otters. Public services provided by these lands include: nationally known and advertised recreation and tourism destinations, pristine wilderness settings, and several archaeologic and historic cultural resource sites. Additionally, commercial pink and red salmon fisheries are supported by Delight and Desire Creeks in PTG 05 and Addison Creek in PTG 01. Furthermore, these lands and adjacent coastal waters provide habitat for clams, common loons, cormorants, killer whales, Kittlitz's murrelets, mussels, rockfish, sediments, and passive use, injured resources and services added since the original ratings.

Acquisition of this package will result in habitat protection for not only the lands acquired, but for a much larger area. These lands are within the designated boundaries of Kenai Fjords National Park, an area comprised of 669,000 acres. As such, adding these lands back into park status will ensure that the thousands of acres of protected habitat in the park are not fragmented by various man-made developments and extractive activities. Both the lands acquired, and the lands in the park will provide protection for injured resources and services injured by the oil spill.

Currently, this area is receiving steadily increasing recreational visitation. Both large commercially-operated and small privately-owned boats ply the fjords in greater numbers. The area is well known by sport fishermen who seek out salmon and halibut. Kayakers, campers, photographers and birders from around the world have discovered the park and use it regularly.

Flight-seeing is increasingly popular, and a growing number of tourists see the park in this way. The number of commercial users in the park is on a steady upward trend; between 1995 and 1996 the number of businesses operating in Kenai Fjords with a Park Service commercial use license increased from 34 to 43.

Park management will maintain habitat acquired in its natural condition, thereby protecting injured resources and services from further injury. Park rangers, other park staff and volunteers in the park will regularly patrol the park to ensure a high level of compliance with park regulations and Trustee Council restoration goals. At the same time, services like recreation and tourism can continue to occur and increase, in balance with restoration needs. The park already provides some remote visitor cabins. Cultural sites of particular importance to the Native community will be protected consistent with state and federal laws. The commercial red and

"Comprehensive Habitat Protection Process: Large Parcel Evaluation & Ranking," as presented to the Council November 30, 1993, The list of injured resources and services has been expanded to 30 as of the Trustee Council meeting on 8/29/96.

pink salmon fisheries associated with Delight, Desire and Addison Creeks will be maintained by protection of spawning and rearing habitat.

Should the parcels not be acquired, private management would determine the nature and rate of change to the land. Development could take many forms. While the unspoiled and wild landscape of the park provides protection for injured resources and services and is a prime visitor attraction, the same landscape could be severely altered with lodges, cabins and docks in bays with greatly increased boat and aircraft traffic. Developed parcels would fracture habitat into smaller blocks, and protection for injured resources and services would be diminished. Most biologists agree that large, protected natural areas provide better habitat for populations of animals, such as those injured by the EVOS, than parcels interrupted by human developments.

In future years forested areas of the park could be logged. Logging would begin to impact the habitat of injured resources and services on lands logged and possibly on surrounding lands. Even small logging operations would severely impair the scenic, wilderness and recreational qualities of the otherwise undisturbed area.

Proposed Management Structure. Lands acquired would be managed by the National Park Service pursuant to the National Park Service's Organic Act, 16 USC 1, and the Alaska National Interest Lands Conservation Act (ANILCA), 16 USC 3101. These two laws provide the key legislative mandates for management. For Kenai Fjords National Park, ANILCA section 201 (5) says,

Kenai Fjords National Park... shall be managed for the following purposes, among others: To maintain unimpaired the scenic and environmental integrity of the Harding Ice Field, its outflowing glaciers, and coastal fjords and islands in their natural state; and to protect seals, sea lions, other marine mammals, and marine and other birds and to maintain their hauling and breeding areas in their natural state, free of human activity which is disruptive to their natural processes....

These mandates from Congress mesh well with the Trustee Council's restoration goals for the injured resources and services. The very core of the Park Service mission is both protection and use. On the one hand, most areas will be left in their natural state thus providing undisturbed habitat for the many species that will benefit from such protection. On the other hand, services like recreation and tourism can continue to occur. People from Alaska, from the rest of the USA, and from around the world could visit the park, marvel at its scenery, and learn about its natural resources.

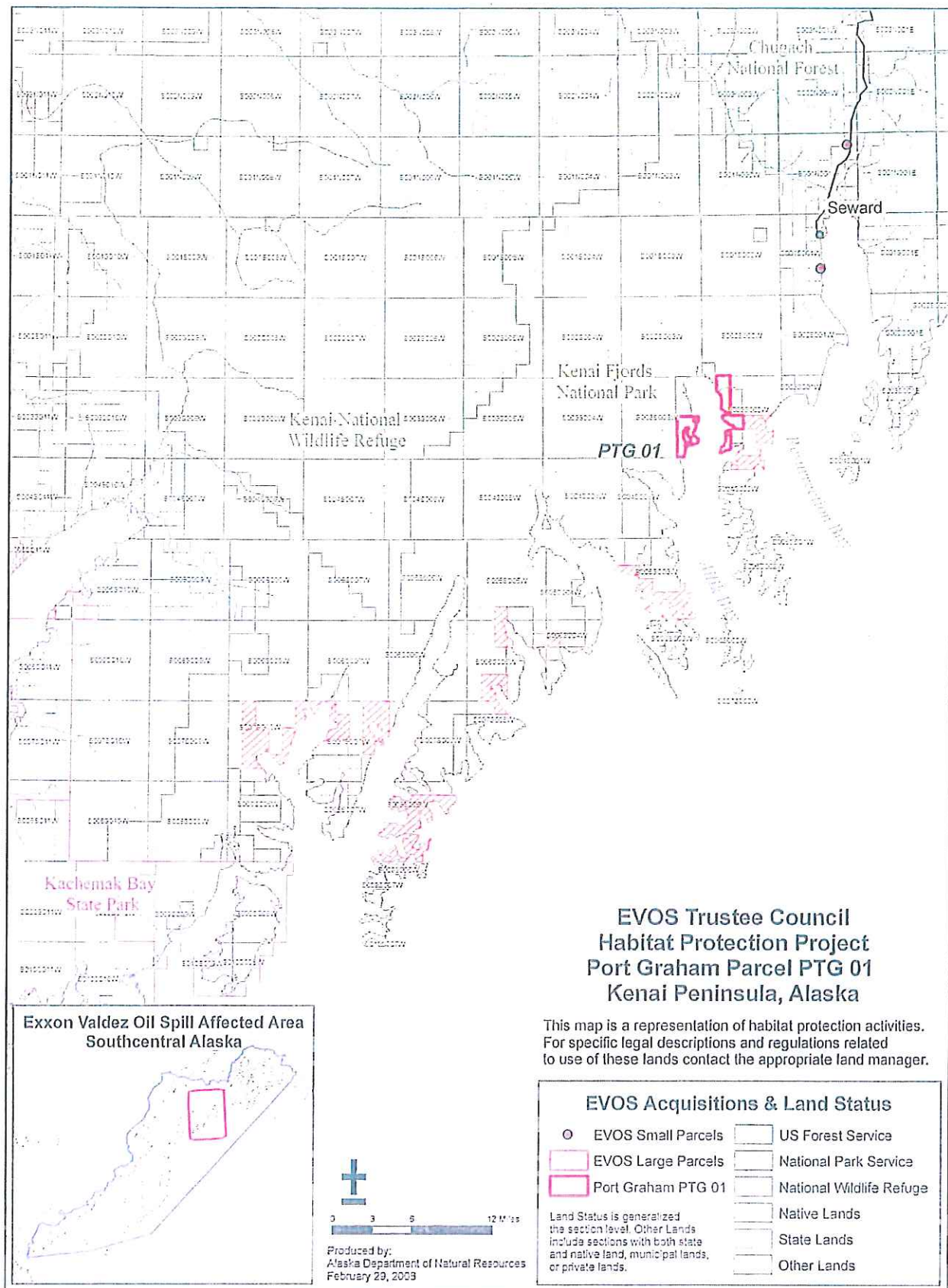
Terms and Conditions

Fee simple acquisition of all parcels.

Sources of Revenue. Civil restoration fund monies.

Recommendation

Fee simple acquisition of all parcels.








HABITAT PROTECTION ACQUISITION PARCELS KODIAK PENINSULA, ALASKA

Parcel: PTG01

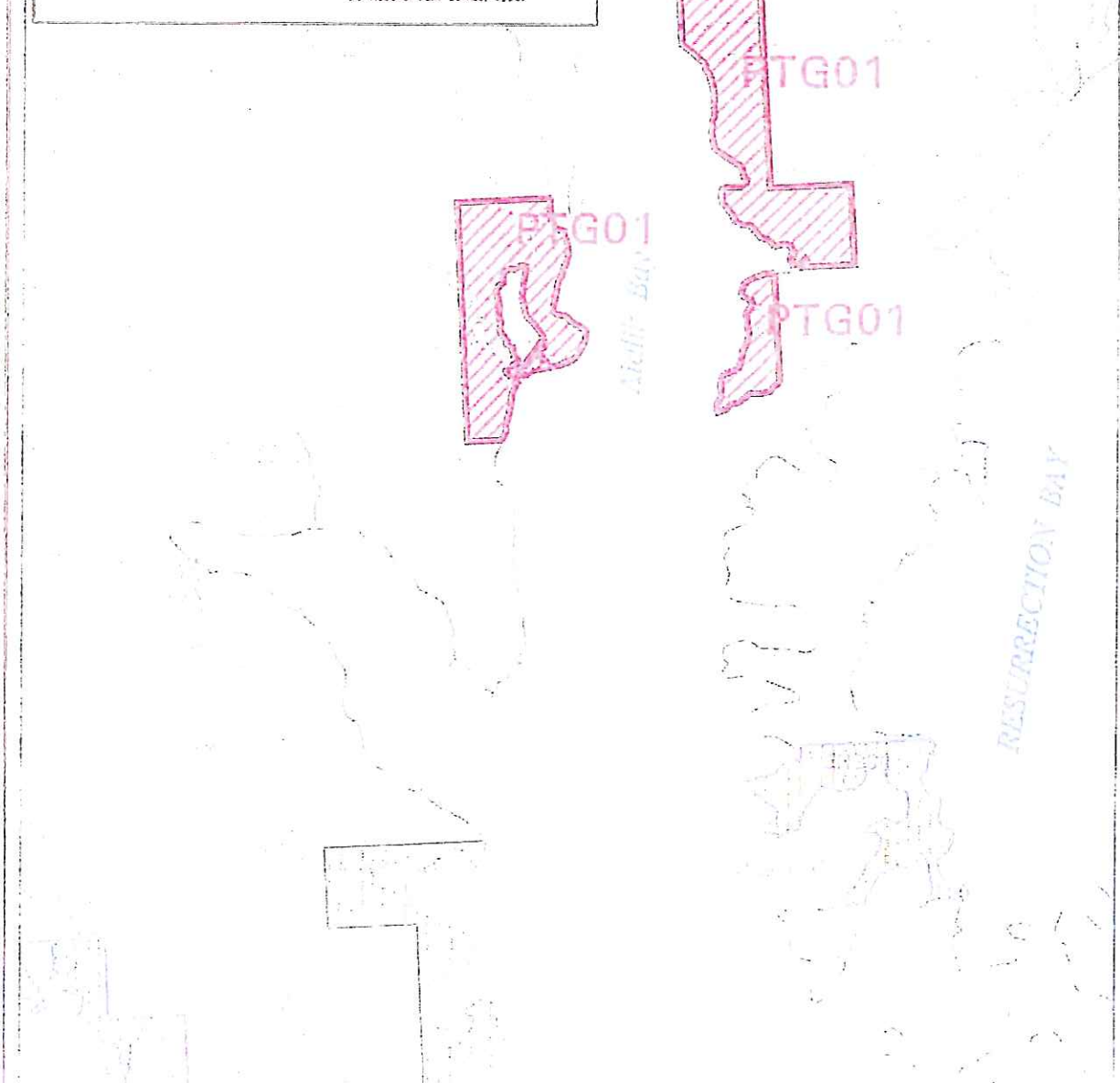
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Universal Transverse Mercator Projection

LEGEND

- | | |
|--|---|
|  National Parks, Monuments,
or Preserves; or BLM |  English Bay
Corp. Selected |
|  National Wildlife Refuges |  Port Graham
Corp. Selected |
|  State Patented or
Tentatively Approved | |

SOURCES:
Land status provided by the
Department of Natural Resources,
Division of Land and Land Records
Information Section, 1992, and
US National Park Service, 1992.



PTG 01 (Revised 2012), Aialik Bay

Owner: Port Graham Corporation
Physical Location: These parcels are located on the eastern shore of Aialik Bay within the boundaries of Kenai Fjords National Park
Acreage: 2265 acres
Brief Description: Head of Aialik Bay
Agency Sponsor: U.S. Department of the Interior, National Park Service
Appraised Value: \$2,000,000 (in 2009)

History of Trustee Council Consideration:

Through Resolution 08-06, on March 17, 2008, the Trustee Council (TC) approved and dispersed due diligence funds to the National Park Service (NPS) for the Port Graham Project 01 (PTG 01). However, today the project has been scaled back from the original scope approved in TC Resolution 08-06 (see attached map of the subject properties)

As originally approved, this project included both tracts currently under consideration but also contained an additional two tracts: a 2250 acre tract on the west side of Aialik Bay owned by the Port Graham Corporation (PGC), as well a 4.8 acre parcel owned by Alaska Wildland Adventures (AWA). However, neither party is interested in selling those tracts at this time. The original project proponents were not satisfied with the values set by the 2009 appraisal and the landowners began to re-consider their options. Today PGC, under new leadership, has expressed great interest in assessing the current market values of the two parcels in the revised PTG 01.

Parcel Description. These parcels are comprised of two tracts (2,242 acres and 428 acres) owned by PGC (2265 acres combined as determined by NPS acreage calculations) and are located between Coleman Bay and Aialik Glacier on the east shore of Aialik Bay within the boundaries of Kenai Fjords National Park. Both parcels are in a natural undeveloped state at this time, with the exception of an NPS cabin on a 5-acre parcel that the NPS leases from PGC to provide for public use. The parcels contain rugged cliffs, coastal temperate rainforest, and tidally influenced shoreline. Pocket areas above the mean high tide mark contain beach grass communities.

PGC lands within the park were designated as the first priority for fee simple acquisition in the 1988 NPS Land Protection Plan because these lands “are important in terms of scenic qualities, wildlife habitat, cultural resources and visitor uses.” The Plan points out that the lands are surrounded by NPS land in “the heart of the Kenai Fjords.”

Linkage to Restoration

Restoration Benefits

As identified by the TC, injured species that are not recovering and will benefit from acquisition of these parcels include Pacific Herring.¹ Injured species with unknown recovery status that will benefit from acquisition of these lands include Marbled and Kittlitz's Murrelets. Injured species still recovering that will benefit include intertidal communities, Barrow's Goldeneyes, Black Oystercatchers, Harlequin Ducks, Sea Otters, and Mussels. The Aialik Bay area, including these parcels, is also used by Bald Eagles, River Otters, Common Murres, Common Loons, Cormorants, Harbor Seals, Killer Whales, Pink Salmon, Sockeye Salmon, and Dolly Varden char.

The area supports recreational use by kayakers, nature viewers, fishers, birdwatchers and hikers. The majority of visitors to Kenai Fjords National Park (approximately 55,000 people annually) tour Aialik Bay and observe the untrammeled natural beauty and wildlife of these parcels. Much of these parcels are prominently visible to park visitors on tour boats or kayaks in Aialik Bay.

Additionally, the Aialik Bay Public Use Cabin is located on the PGC parcel. The NPS currently leases 5 acres containing the cabin for rental to the public. The popular cabin is heavily used by recreational visitors throughout the summer (approximately 400 user nights annually).

The parcels also have significant cultural values, including several archeological sites containing prehistoric elements in relatively pristine condition.

Potential Threats

Under private ownership, uses that would be incompatible with the NPS management are allowable. Such uses include subdivision, development, limited timber cutting, hunting, and denial of public use and access. These uses would significantly change the character of the Park and would adversely affect natural resources and visitor experiences.

The PGC and AWA jointly developed a lodge on another PGC parcel within Aialik Bay in 2009 and closed surrounding private lands to public use except lodge guests. At the time the 4.8 acre parcel was purchased by AWA, the real estate listings promoted it as a site suitable for development as a lodge. If listed on the real estate market, it is possible that the parcels would be marketed in a similar manner.

Proposed Management

Upon acquisition, these parcels will be managed by the NPS as part of Kenai Fjords National Park, consistent with applicable federal laws and policy. The purpose of the Park, as defined in the Alaska National Interest Lands Conservation Act, is to "maintain unimpaired the scenic and environmental integrity of ...coastal fjords and islands in their

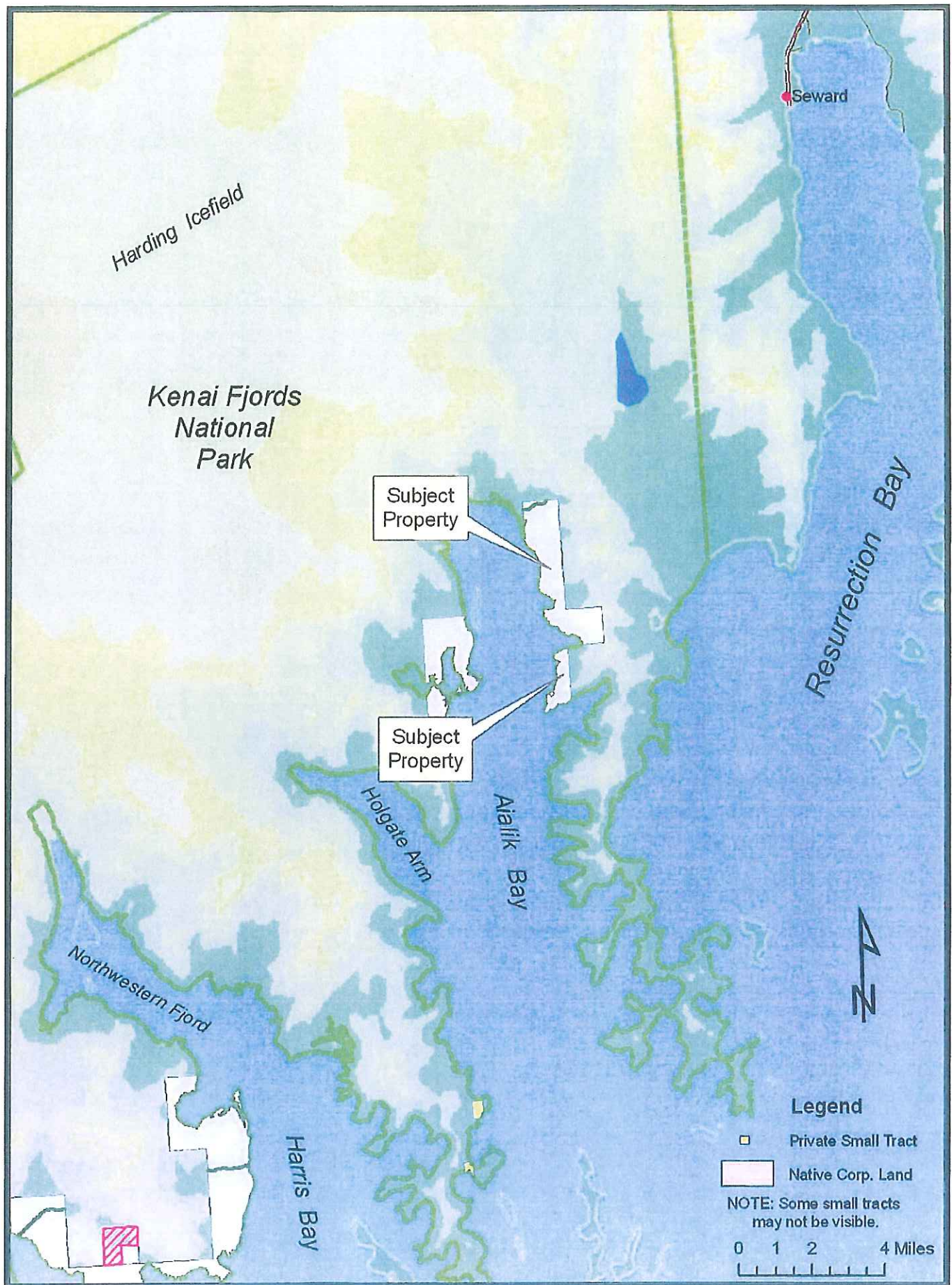
¹ See 2010 Injured Resources & Services Update, *Exxon Valdez* Oil Spill Trustee Council. available at <http://www.evostc.state.ak.us/Recovery/status.cfm>.

natural state and to protect seals, sea lions, other marine mammals, and marine and other birds...”

Request

Request the TC reauthorize use of due diligence funds in the amount of \$12,500, which were disbursed to the NPS in 2008. In addition, request an additional \$6,500 for the NPS for due diligence activities for Port Graham PTG 01.

Attachment: Map of Subject Properties



Kenai Fjords National Park

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

February 1, 2012

Chaired by: Tom Brookover
Trustee Council Member

Trustee Council Members Present:

Steve Zemke, USFS *
Kim Elton, USDOl
Jim Balsiger, NOAA

Jennifer Schorr, ADOL ***
• Tom Brookover, ADF&G **
Lynn Kent, ADEC ****

- Chair
- * Steve Zemke alternate for USFS
- ** Tom Brookover alternate for Cora Campbell
- *** Jennifer Schorr alternate for Rick Svobodney
- **** Lynn Kent alternate for Larry Hartig

The meeting convened by teleconference at 9:30 a.m., February 1, 2012 in Anchorage at the EVOS Conference Room.

1. Approval of the Agenda

APPROVED MOTION: Motion to approve the February 1, 2012 agenda.

Motion by Schorr, second by Kent

2. Approval of September 15, 2011 meeting notes

APPROVED MOTION: Motion to approve the September 15, 2011 meeting notes as prepared.

Motion by Zemke, second by Schorr

Public comment opened at 9:40 a.m.

No public comments were made.

Public comment closed at 9:45 a.m.

3. Amended Resolution 11-12

APPROVED MOTION: Motion to approve amending Resolution 11-12 recognizing the funds were set aside in Resolution 11-14 regarding the 2012 Work Plan.

Motion by Kent, second by Schorr

4. General Operating Procedures

APPROVED MOTION: Motion to approve the General Operating Procedures January 24, 2012 draft, including any minor revisions and formatting to be made by the Executive Director.

Motion by Schorr, second by Zemke

5. Financial Operating and Reporting Procedures

APPROVED MOTION: Motion to approve the Financial Operating Procedures January 4, 2012 draft and Reporting Procedures January 12, 2012 draft, including any minor revisions and formatting to be made by the Executive Director.

Motion by Zemke, second by Kent

6. 2012-2014 term PAC Charter renewal

APPROVED MOTION: Motion to approve the 2012-2014 Public Advisory Committee Charter.

Motion by Kent, second by Schorr

7. Amendment to Boufadel PJ 11100836-B

APPROVED MOTION Motion to approve additional funding for Boufadel PJ 11100836-B Pilot Studies and Bioremediation of the *Exxon Valdez* Oil in Prince William Sound Beaches up to \$1,199,218 which includes General Administration.

Motion by Schorr, second by Kent

8. Habitat – Chokwak II

APPROVED MOTION Motion to reauthorize the purchase of small parcel KAP 3001 (Chokwak II) totaling \$160,000 the funds which were previously disbursed and authorized under Resolution 07-04 and 09-08. This funding shall terminate if a purchase agreement is not executed by February 1, 2013.

Motion by Schorr, second by Kent

9. Adjourn

Motion to adjourn

Motion by Zemke, second by Kent

Off the record 10:50 a.m.