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**UNITED STATES DISTRICT COURT
DISTRICT OF ALASKA**

STATE OF ALASKA,)	
)	
Plaintiff,)	No. 3:91-CV-0083 (HRH)
)	
v.)	FORTY-NINTH
)	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 \$673,501 from the Koniag Sub-Account of 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 *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-ninth expenditure of \$673,501 from the Koniag Sub-Account previously approved by Resolution 01-08, which authorizes year ten of the annual October 15th Koniag payments.² Of the \$673,501 that is the subject of this Notice, the entire amount will be provided to the United States.

The Trustee Council has not met since the Governments’ filing on April 16, 2012 of their Forty-Eighth Joint Notice of Expenditures. The Governments will submit the meeting notes for the March 27, 2012 meeting once they have been approved by the Trustee Council.

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. 1-2.

² The Trustee Council unanimously authorized these funds at its January 16, 2001 meeting in Resolution 01-08. Resolution 01-08 is included as Attachment A pp. 29-39 to the Forty-First Joint Notice at Docket No. 303.

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

FOR THE STATE OF ALASKA

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ATTORNEY GENERAL

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FOR THE UNITED STATES

s/ERIKA M. ZIMMERMAN (consent)
Trial Attorney
Environmental Enforcement Section
Environment & Natural Resources Division
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7600 Sand Point Way, NE
Seattle, Washington 98115
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Facsimile: (907) 526-6665
Email: Erika.Zimmerman@usdoj.gov

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 16th day of July, 2012, a copy of the foregoing FORTY-NINTH JOINT NOTICE OF EXPENDITURES FROM THE INVESTMENT FUND, together with attachment A 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 W. 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

July 16, 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 \$673,501 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). The entire expenditure is from the Koniag 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:

United States

Amount: \$673,501 from the Koniag Sub-Account

Beneficiary

account: 14X5198

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

Beneficiary

account: 14010001

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

Attachment A

Page 1 of 2

Mr. Gary Bader
Treasury Division, Department of Revenue

Page 2
July 16, 2012

Beneficiary Bank

account: 021030004
name: Treasury, NYC

OBI Text

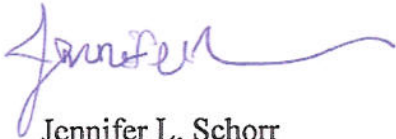
Natural Resource Damage Assessment Restoration Fund 14X5198
EVOS Exxon Valdez, Civil Settlement, FY06 Joint Funds

Beneficiary Reference

A91-082Civil

This transfer should take place when most financially advantageous, preferably on or before September 15, 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*
Cherri Womac, Exxon Valdez Oil Spill Trustee Council Restoration Office, *via email*
Linda Kilbourne, Exxon Valdez Oil Spill Trustee Council Restoration Office, *via email*