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**UNITED STATES DISTRICT COURT
DISTRICT OF ALASKA**

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

The United States and the State of Alaska (“the Governments”) jointly provide this notice (“Notice”) of their expenditure of \$5,464,608 from the Exxon Valdez Oil Spill Investment Fund (“Investment Fund”). This entire expenditure is from the Research 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.¹

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.²

The Governments provide Notice of this sixty-second expenditure in the amount of \$5,464,608 from the Research Sub-Account, authorizing: \$5,450,000 for the Kenai Peninsula

¹ The Koniag Sub-Account funds, which had been set aside for the protection, and potential purchase, of certain lands on Kodiak Island held by Koniag, Inc. (Koniag), were transferred to the Habitat Sub-Account on March 14, 2014 after the final payment due Koniag (after its termination of the Master Agreement for Protection of Certain Lands and Resources Between Koniag, Inc., the United States of America, and the State of Alaska and associated easements) was made, and the Koniag Investment Sub-Account was terminated. The payment was the subject of the Governments’ Fifty-Fifth Joint Notice of Expenditures from the Investment Fund.

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

Aquatic Ecosystem Restoration Project;³ and \$14,608 for Principal Investigator Jacqui Michel to revise a section of a Lingering Oil Report written for the Trustee Council into a technical manuscript suitable for publication in a peer-reviewed scientific journal.⁴ The entire amount that is the subject of this Notice will be provided to the State of Alaska.

The Trustee Council has not met since the Governments' filing on January 14, 2016 of their Sixty-First Joint Notice of Expenditures. The Governments will submit the meeting notes for the November 12, 2015 meeting once they have been approved by the Trustee Council.

RESPECTFULLY SUBMITTED on May 9, 2016, at Anchorage, Alaska.

FOR THE STATE OF ALASKA

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³ The Trustee Council unanimously authorized these expenditures at its March 25, 2015 meeting in Resolution 15-01. Resolution 15-01 is included as Attachment A to the Fifty-Eighth Notice at Docket No. 363-1.

⁴ The Trustee Council unanimously authorized these expenditures at its November 12, 2015 meeting in Resolution 15-03. Resolution 15-03 is included as Attachment B to the Sixtieth Notice at Docket No. 378-2. Resolution 15-03 authorized \$106,800 as "unallocated lingering oil" funds to be further designated to specific projects by the Executive Director with notification to the Trustee Council. The \$14,608 that is the subject of this Notice is part of the "unallocated lingering oil" funding distributed in Resolution 15-03.

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FOR THE UNITED STATES

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on May 9, 2016, a copy of the foregoing SIXTY-SECOND 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 Fourth 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
Sheila Desjarlais 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 4210 University Drive Anchorage, AK 99508- 4650
Erika M. Zimmerman U.S. Department of Justice c/o NOAA/Damage Assessment 7600 Sand Point Way NE Seattle, WA 98115		

/s/ Jennifer L. Cruz
Law Office Assistant I