

JAHNA LINDEMUTH  
ATTORNEY GENERAL

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

Attorneys for the State of Alaska

**UNITED STATES DISTRICT COURT  
DISTRICT OF ALASKA**

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

The United States and the State of Alaska ("the Governments") jointly provide this notice ("Notice") of their expenditure of \$6,819,207 from the Exxon Valdez Oil Spill Investment Fund ("Investment Fund"). This expenditure is entirely 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

Sixty-Fourth Joint Notice Of Expenditures From Investment Fund  
(Case 3:91-CV-0083 (HRH))

Page 1 of 6

("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.<sup>1</sup>

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.<sup>2</sup>

The Governments provide Notice of this sixty-fourth expenditure in the amount of \$6,819,207 from the Habitat Sub-Account, authorizing funding for several habitat projects: \$4,535,533 in funding for the Kodiak Island Habitat Enhancement Buskin River Watershed – Project 17170119;<sup>3</sup> \$51,230 in additional funding for Habitat Support - Project 17120100;<sup>4</sup>

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<sup>1</sup> 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.

<sup>2</sup> 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.

<sup>3</sup> The Trustee Council unanimously authorized this expenditure at its January 11, 2017 meeting in Resolution 17-01, appended to this Notice as Attachment A pp. 3-30.

<sup>4</sup> The Trustee Council unanimously authorized an original expenditure for Project 17120100 at its November 3, 2016 meeting in Resolution 16-02, which attached the Fiscal Year 2017 EVOSTC Annual Budget. Resolution 16-02 was previously filed with this Court as Attachment A, pp. 3-80, of the Sixty-Third Joint Notice of Expenditures from the Investment

\$165,000 for purchase of Parcel KEN 4006, Kasilof River Parcel (Lot 31), Kenai Peninsula;<sup>5</sup> \$180,000 for purchase of Parcel KEN 4007, Spiridon Bay, Kodiak National Wildlife Refuge;<sup>6</sup> and \$1,887,444 for State Parks Riverbank Protection & Restoration - Project 17170116.<sup>7</sup> Of the \$6,819,207 that is the subject of this Notice, \$4,535,533 will be provided to the United States and \$2,283,674 will be provided to the State of Alaska.

The Trustee Council has met once since the Governments' filing on December 21, 2016 of their Sixty-Third Joint Notice of Expenditures. The Governments will submit the meeting notes for the January 11, 2017 meeting once they have been approved by the Trustee Council. The meeting notes for the Trustee Council's meeting on November 3, 2016 are appended to this Notice as Attachment B.

RESPECTFULLY SUBMITTED this 26th day of January, 2017 at Anchorage, Alaska.

FOR THE STATE OF ALASKA

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Fund, at ECF Dkt. No. 475-1. Resolution 17-01, appended to this Notice, authorizes the additional funding. A Revised Fiscal Year 2017 EVOSTC Annual Funding Overview is attached to Resolution 17-01, at Attachment A, pp. 19-30.

<sup>5</sup> The Trustee Council unanimously authorized this expenditure at its January 11, 2017 meeting in Resolution 17-01. For a description of Parcel KEN 4006, see Attachment A, pp. 10-12.

<sup>6</sup> The Trustee Council unanimously authorized this expenditure at its January 11, 2017 meeting in Resolution 17-01. For a description of Parcel KEN 4007, see Attachment A, pp. 13-18.

<sup>7</sup> The Trustee Council unanimously authorized expenditures totaling \$2,214,444 for Project 17170116 at its November 3, 2016 meeting in Resolution 16-02 (ECF Dkt. No. 475-1), anticipating later release of funding for individual projects under Project 17170116 as projects ripened. This Notice identifies the release of funding for all projects under Project 17170116, with the exception of \$327,000 for the Kenai River Flats project, which the EVOSTC anticipates may be released at a later date.

Sixty-Fourth Joint Notice Of Expenditures From Investment Fund  
(Case 3:91-CV-0083 (HRH))

Page 4 of 6

JAHNA LINDEMUTH  
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. WELLS (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.Wells@usdoj.gov

### CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 26th day of January, 2017, a copy of the foregoing SIXTY-FOURTH 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 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 4230 University Drive, Ste. 220 Anchorage, AK 99508- 4650
Erika M. Wells U.S. Department of Justice c/o NOAA/Damage Assessment 7600 Sand Point Way NE Seattle, WA 98115		

/s/Londa Wright



THE STATE  
of **ALASKA**  
GOVERNOR BILL WALKER

**Department of Law**

CIVIL DIVISION

1031 West 4th Avenue, Suite 200  
Anchorage, Alaska 99501  
Main: 907-269-5100  
Fax: 907-276-3697

January 25, 2017

Mr. Gary Bader  
Chief Investment Officer  
Treasury Division, Dept. of Revenue  
P.O. Box 110405  
Juneau, AK 99811-0405

Mr. Bob Mitchell  
State 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 and Mr. Mitchell:

The *Exxon Valdez* Trustee Council has unanimously determined to expend \$6,819,207 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 is entirely from the Habitat Sub-Account of the Investment Fund.

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: \$2,283,674 from the Habitat Sub-Account

Beneficiary: State of Alaska  
Account: GeFONSI 33070, Account 22177, ADF&G IRIS Fund 3291  
Name: Exxon Valdez Settlement Account

**United States**

Amount: \$4,535,533 from the Habitat Sub-Account

Mr. Gary Bader  
Treasury Division, Department of Revenue

Page 2  
January 25, 2017

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

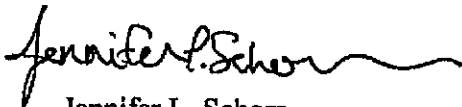
Natural Resource Damage Assessment Restoration Fund 14X5198  
EVOS Exxon Valdez, Civil Settlement

***Beneficiary Reference***

A91-082Civil

This transfer should take place when most financially advantageous, preferably on or before February 2, 2017. If you have any questions, please email Elise Hsieh at [elise.hsieh@alaska.gov](mailto:elise.hsieh@alaska.gov).

Sincerely,



Jennifer L. Schorr  
Assistant Attorney General  
Environmental Section  
State of Alaska  
Department of Law



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

cc: Jennifer Reiersen, Alaska Department of Fish and Game, *via email*  
Michelle Kaelke, Alaska Department of Fish and Game, *via email*  
Carol Petraborg, Alaska Department of Fish and Game, *via email*  
Bronze Ickes, Alaska Department of Revenue, *via email*  
Bruce Nessler, 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*

**RESOLUTION 17-01 OF THE EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL**  
REGARDING BUSKIN RIVER WATERSHED PROJECT 17170119, KEN 4006, KAP 4007  
AND REVISED FY17 EVOSTC ANNUAL BUDGET

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. This funding is for necessary natural resource damage assessment and restoration activities as described below.

**SECTION I: Kodiak Island Habitat Enhancement Buskin River Watershed Project and Revised FY17 EVOSTC Annual Budget**

**A. Funding Authorized in Section I**

The total amount of funding approved in Section I is **\$4,586,763**

- 1. Kodiak Island Habitat Enhancement Buskin River Watershed – Project 17170119, dated December 1, 2016:** The Council approves funding of \$4,535,533, which includes GA. This authorization is valid until July 11, 2018; and
- 2. Revised FY17 EVOSTC Annual Budget, Project 17120100:** The Council approves an addition of \$51,230 for ADNR Realty Services, which includes GA, to be added to the FY17 Annual Budget previously approved by the Council in Resolution 16-02.

The lead or managing agency for each project must demonstrate to the Executive Director, where applicable, that requirements of the National Environmental Policy Act (NEPA) are met before any project funds may be expended (with the exception of funds to prepare NEPA documentation); and the Principal Investigators for the project must abide by the Council's policies, including those pertaining to data and reporting.

In addition, this funding must be spent in accordance with the FY17 Annual Funding Overview, dated December 12, 2016 and the documents referenced therein, including and as described by the FY17 EVOSTC Annual Budget and the Kodiak Island Habitat Enhancement Buskin River Watershed Project,

noted above, In addition, the funds must be spent in accordance with any additional requirements, conditions or information described in Section I (B).

**B. Additional Requirements, Conditions and Other Information**

The additional requirements, conditions and other information below are in addition to any requirements, conditions or other information in Sections I (A).

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**SECTION II: HABITAT PARCELS**

**A. Funding Authorized in Section II**

The total amount of funding approved in Section II is **\$345,000**. Authorization for funding for the purchase of interests in the parcels noted in Section II (B) shall terminate if purchase agreements are not executed by July 11, 2018. This funding must be spent in accordance with the activities, requirements, conditions and information described as in Section II (B).

**B. Habitat Parcel Additional Requirements, Conditions and Other Information**

The additional requirements, conditions and other information below are in addition to any requirements, conditions or other information in Sections II (A). The Council is approving funding for the protection of the following parcels with purchases of interests in land to be at the fair market value established by an approved appraisal and the total cost of which, including due diligence and closing costs, does not exceed the amount noted for each parcel:

- 1. Parcel KEN 4006, Kasilof River Parcel (Lot 31), Kenai Peninsula: \$165,000; and**
- 2. Parcel KAP 4007, Spiridon Bay, Kodiak National Wildlife Refuge: \$180,000; and**

These purchases are further conditioned upon:

- a. due diligence reports, which are acceptable to the Alaska Department of Natural Resources, U.S. Department of Interior Solicitor's Office and the Alaska Department of Law; and
- b. provided that the EVOSTC Executive Director, in consultation with the Alaska Department of Natural Resources, U.S. Department of Interior Solicitor's Office and

Alaska Department of Law, determines that it is in the interest of the Council to move forward with purchase of the interests in the Parcels.

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### **SECTION III: APPROVAL BY COUNCIL**

By unanimous consent, we hereby 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 to make available the funding as described in this Resolution.

**Attachments:**

KEN 4006 Benefit Report

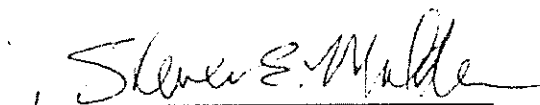
KAP 4007 Benefit Report

FY17 Annual Funding Overview (AFO), dated January 9, 2017

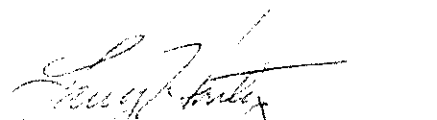
Approved by the Council at its meeting of January 11, 2017, held in Anchorage, Alaska, as affirmed by our signatures affixed below:

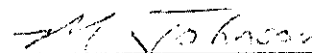
\_\_\_\_\_  
SAM COTTEN  
Commissioner  
Alaska Department of Fish and Game

\_\_\_\_\_  
JAMES BALSIGER  
Administrator, Alaska Region  
National Marine Fisheries

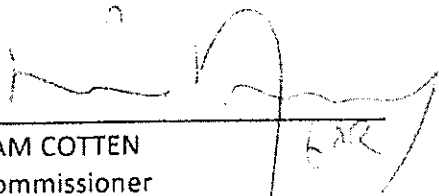
  
\_\_\_\_\_  
JAHNA LINDEMUTH  
Attorney General  
Alaska Department of Law

\_\_\_\_\_  
TERRI MARCERON  
Forest Supervisor  
Chugach National Forest  
U.S. Department of Agriculture

  
\_\_\_\_\_  
LARRY HARTIG  
Commissioner  
Alaska Department of Environmental  
Conservation

  
\_\_\_\_\_  
MICHAEL JOHNSON  
Senior Advisor to the Secretary for  
Alaska Affairs  
Office of the Secretary  
U.S. Department of the Interior

Approved by the Council at its meeting of January 11, 2017, held in Anchorage, Alaska, as affirmed by our signatures affixed below:



SAM COTTEN  
Commissioner  
Alaska Department of Fish and Game

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Administrator, Alaska Region  
National Marine Fisheries

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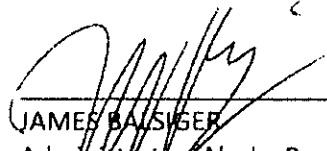
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U.S. Department of the Interior

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Commissioner  
Alaska Department of Fish and Game



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JAMES BALSIGER  
Administrator, Alaska Region  
National Marine Fisheries

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JAHNA LINDEMUTH  
Attorney General  
Alaska Department of Law

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Forest Supervisor  
Chugach National Forest  
U.S. Department of Agriculture

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

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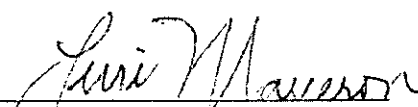
SAM COTTEN  
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Alaska Department of Fish and Game

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JAMES BALSIGER  
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JAHNA LINDEMUTH  
Attorney General  
Alaska Department of Law



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Forest Supervisor  
Chugach National Forest  
U.S. Department of Agriculture

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LARRY HARTIG  
Commissioner  
Alaska Department of Environmental  
Conservation

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MICHAEL JOHNSON  
Senior Advisor to the Secretary for  
Alaska Affairs  
Office of the Secretary  
U.S. Department of the Interior

## **Kasilof River Parcel (Lot 31)**

**Prepared by U.S. Fish and Wildlife Service**

**December 2, 2016**

Property Name:	Kasilof River Parcel (Lot 31) No. KEN 4006
Parcel Size:	5.86 acres
Owner:	Private owner
Agency Sponsor	U.S. Fish and Wildlife Service
Appraised Value	To be determined
Funding Request	To be determined upon completion of appraisal – Not to exceed \$165,000 (total estimate including land cost, due diligence and closing costs)

### **Overview:**

This project is comprised of one unimproved lot (parcel) containing 5.86 acres. The parcel is situated on the Kasilof River and can be accessed by boat. It is not on the road system. The parcel is adjacent to the Kenai National Wildlife Refuge (Kenai NWR) and in the immediate vicinity of two other small parcels (KEN 4004 and 4005) approved for purchase by the Trustee Council on 11/03/2016 (see attached map) If acquired, the U.S. Fish and Wildlife Service (Service) can process a minor boundary adjustment for the inclusion of this property into the Kenai NWR and the parcel would be managed as national refuge lands. The parcel is currently listed for sale on the open real estate market. This proposed acquisition is fee simple (including both surface and subsurface estates). Although the mineral estate was reserved to the State of Alaska in the original conveyance out of the public domain, mineral development would not be commercially viable and is highly unlikely. The Kasilof River is outside the boundary of this small parcel and would remain outside the Kenai NWR and under the State of Alaska's ownership and control regardless of the purchase. The fair market value of the parcel will be determined by an appraisal prepared to EVOSTC, USPAP and UASFLA appraisal standards. The appraisal report will be reviewed and approved by an Office of Valuation Services (U.S. Department of Interior) review appraiser.

### **Property Description and Habitat:**

This unimproved land contains valuable riverine and upland habitat, including kettle and riparian wetlands. The Kasilof River runs along the northwestern boundary of the parcel. In addition to the riverbank and wetland habitats, the upland habitat contains wooded areas with birch and spruce trees, blueberries, alders and other native plant species.

The Marbled murrelet is an EVOS-affected species designated as 'not recovering'<sup>1</sup>. The parcel and surrounding area contain Marbled murrelet nesting habitat, and the species does nest in the

<sup>1</sup> The recovery status was taken from the Injured Resources and Services, 2014 Update.

area. The parcel and surrounding area also contain habitat that supports Bald eagles, Dolly Varden, river otters and sockeye salmon, all of which are EVOS-affected species.

Some other notable wildlife species found in the area of the Kasilof River and estuary include sandhill cranes, Hudsonian godwits, various shorebirds, Bonaparte's gulls, mew gulls, herring gulls, Arctic terns and snow buntings.

The Kasilof River flows northeasterly from its headwaters at the outlet of Tustumena Lake, and the river is a significant contributor to Cook Inlet area commercial, recreation, subsistence and personal use salmon fisheries. The parcel includes riverbank vegetation important for sockeye salmon migration and is a part of the Kasilof River complex, which contains a spectacular, varying wetlands landscape. The parcel is ranked "high" on the habitat prioritization mapping report completed by Great Land Trust for the Trustee Council in 2014. The purchase of this parcel containing valuable riparian and wildlife habitat is also considered to be a high priority acquisition for the U.S. Fish and Wildlife Service and the national refuge system. This purchase would also extend the protection along the Kasilof River corridor that was funded by the Trustee Council's recent approval of the KEN 4004 and 4005 small parcels.

#### **Restoration Benefits:**

The conservation of the parcel would provide permanent habitat protection for Marbled murrelets (EVOS-affected species not recovering) and benefit several other EVOS-affected species, including Bald eagles, Dolly Varden, river otters and sockeye salmon, thereby assisting the EVOSTC in maintaining the protection of these species and their habitat. It would ensure conservation and protection of the land and its wildlife in perpetuity. It would significantly contribute to a larger effort and strategy of the *Kenai Mountains to Sea* partnership to ensure that a riparian corridor and connectivity is maintained along the Kasilof River, between its mouth and where refuge lands start near the mouth of the Tustumena Lake. Moreover, it would provide protection for an undeveloped riverine corridor for wildlife movement, including foraging flights by Marbled murrelets. In addition to the benefits afforded to wildlife and its habitat, this acquisition would also assist with the designated recovering human services affected by EVOS, including commercial fishing, recreation and tourism and subsistence.

#### **Potential Threats:**

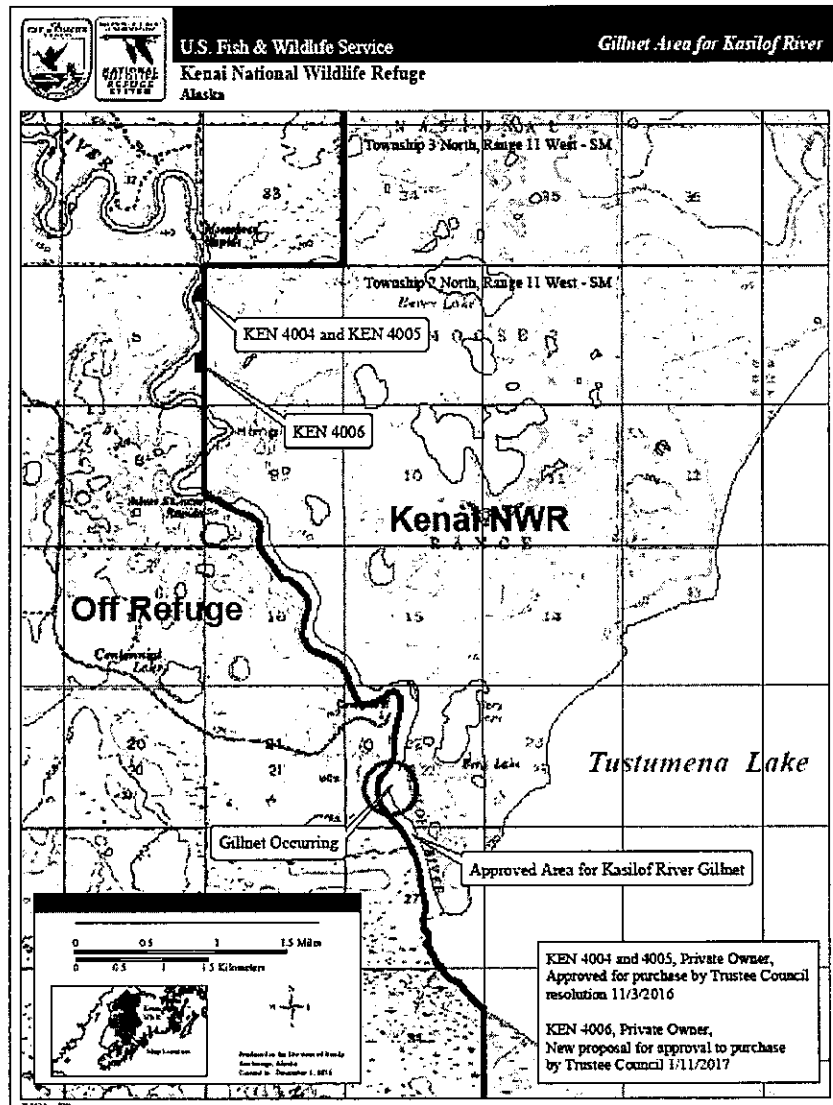
The parcel is listed on the open market presently and will likely be purchased for development incompatible with habitat protection if it is not acquired through EVOSTC funding. The purchase and conservation of this parcel would eliminate a number of threats to birds, fish and wildlife and their habitat, including potential development causing habitat loss, blocking wildlife corridors and connectivity of the river system corridor, resulting in fragmentation of habitat and restriction of wildlife movement. These restrictions can result in decreased genetic diversity, decreased ability of the wildlife populations to adapt to changes in the environment, and can prevent access to required resources necessary for healthy populations.

#### **Proposed Management:**

U.S. Fish and Wildlife Service, Kenai NWR

### Funding Request:

The amount of the final purchase price required to acquire the parcel will be determined upon completion of an approved appraisal report, but it is expected that it will not exceed \$165,000, including due diligence and closing costs. The Trustee Council is asked to approve up to \$165,000 for the completion of this purchase.



**Spiridon Bay Acquisition Protection Project – Kodiak National Wildlife Refuge**  
**Prepared by U.S. Fish & Wildlife Service**  
**December 2, 2016**

<b>Property Name:</b>	Spiridon Bay, Kodiak National Wildlife Refuge, Parcel No. KAP 4007
<b>Parcel size:</b>	7.54 acres ±
<b>Owner:</b>	Private Owner
<b>Agency Sponsor:</b>	United States Fish and Wildlife Service, National Wildlife Refuge System
<b>Appraised Value:</b>	To be determined
<b>Funding Request:</b>	To be determined upon completion of appraisal – Not to exceed \$180,000 (total estimate for parcel including due diligence and closing costs)

**Overview:**

This project will protect natural resources and their habitats through fee acquisition of one parcel totaling 7.54 +/- acres located on the northwest coast of Kodiak Island. The property is situated in Spiridon Bay, within the Kodiak National Wildlife Refuge acquisition boundary and is located within the Exxon Valdez Oil Spill area. No roads access this remote property, but it is accessible by float plane and boat. The attached map shows the parcel as one lot surrounded by existing Refuge lands except for a small portion of its southern boundary which borders a native allotment (The native allotment shown as red on the area map is within the Alaska Maritime National Wildlife Refuge and is not part of this proposed purchase.) If acquired, the property would be managed by the U.S. Fish & Wildlife Service as part of the Kodiak National Wildlife Refuge. The fair market value of the property will be determined by an appraisal prepared to EVOSTC, USPAP and UASFLA appraisal standards. The appraisal report will also be reviewed and approved by an Office of Valuation Services (Department of the Interior) review appraiser.

**Property Description and Habitat:**

The parcel is in private ownership and consists of a total of 7.54 +/- acres of remote land, plus improvements. The land area is one lot that is oceanfront with Refuge lands on all sides except the southernmost boundary adjoining a native allotment. Access is by float plane or boat. A spring is reported on the site and a water rights report will be conducted on the property. The topography is rolling with a few level areas. Improvements will be acquired with the property. There is a 480 sq. ft. cabin that includes bunks for six, a kitchen, and an outhouse. The property does not have a well or septic tank and the cabin is powered by a 2000 KW Honda generator. As shown in the attached photo, the property contains high-value coastal and terrestrial wetlands. The terrestrial vegetation on the property is more open with less shrub and brush habitats compared to surrounding areas. The shoreline of the parcel consists of gravel and mixed sand/gravel beaches, salt and brackish water marshes, and exposed rocky shores. The parcel has over 1,950 feet of ocean frontage along Spiridon Bay.

*Environmental Site Assessment:* There will be a Level One Environmental Site Assessment completed later in the acquisition process.

**Restoration Benefits:**

The parcels provide many benefits to a large number of the natural resources and services impacted by the Exxon Valdez Oil Spill. Healthy habitats are essential for oil spill recovery. Therefore, the acquisition of this parcel will benefit future recovery efforts. The coastal wetland environment contains sea otter forage areas in the intertidal areas as well as harbor seal haul out and pupping habitat. The properties are immediately adjacent to documented seabird nesting colonies occupied by Arctic Tern, a known sea bird in decline, Black-legged Kittiwake, Glaucous-winged Gull, and Black Oystercatchers. Purchase of this parcel would help ensure protection of these valuable marine habitats.

Great Land Trust EVOS Habitat Prioritization: Great Land Trust was consulted for the determination of the property value classification, based on the 2014 EVOS Habitat Prioritization Report completed on behalf of the Trustee Council. The preliminary classification value is ranked as "Medium High" value for multiple injured resources and services.

Other Natural Resources and Services Benefitted: There are additional attributes of this parcel that represent great value to natural resources and the recreational and subsistence services dependent on them.

- The ocean waters adjacent to and the shorelines of the parcel are designated critical habitat for the southwest Alaska distinct population segment of the northern sea otter, which is listed as threatened under the federal Endangered Species Act.<sup>1</sup> The waters are also identified as "sea otter concentration area" in spill response contingency plans.<sup>2,3</sup>
- The ocean waters adjacent to and the shorelines of the parcel are designated critical habitat for the Steller sea lion, which is listed as endangered under the federal Endangered Species Act.<sup>1</sup>
- The ocean waters adjacent to the parcel are identified as Pacific herring spawning area.<sup>4</sup>
- The ocean adjacent to and the shorelines of the parcel are identified as "waterfowl concentration area" during the winter.<sup>5</sup>
- The ocean adjacent to and the shorelines of the parcel are identified as areas providing subsistence uses of marine resources such as crabs and intertidal invertebrates.<sup>6</sup>

<sup>1</sup> U.S. Fish and Wildlife Service. Critical Habitat for Threatened & Endangered Species (<http://ecos.fws.gov/crithab>).

<sup>2</sup> Alaska Response Team. 2010. Kodiak Subarea Contingency Plan ([http://dec.alaska.gov/spar/ppr/plans/scp\\_ki/ki\\_2010\\_D-SensitiveAreas.pdf](http://dec.alaska.gov/spar/ppr/plans/scp_ki/ki_2010_D-SensitiveAreas.pdf)). Map titled "KIB Sensitive Areas - Marine Mammals - Sea Otters" ([http://www.asgdc.state.ak.us/maps/cplans/kod/kib\\_sens/map07-layout1.pdf](http://www.asgdc.state.ak.us/maps/cplans/kod/kib_sens/map07-layout1.pdf)).

<sup>3</sup> Kodiak Island Borough. 1997. *Sensitive Areas Identification Project Report*.

<sup>4</sup> Alaska Response Team. 2010. Kodiak Subarea Contingency Plan. Map titled "KIB Sensitive Areas - Fishery Resources - Herring Spawning, Pollock Spawning, Pollock, Juvenile Rearing, Anadromous Fish Streams" in Kodiak Subarea Contingency Plan. ([http://www.asgdc.state.ak.us/maps/cplans/kod/kib\\_sens/map01-layout1.pdf](http://www.asgdc.state.ak.us/maps/cplans/kod/kib_sens/map01-layout1.pdf))

<sup>5</sup> Alaska Response Team. 2010. Kodiak Subarea Contingency Plan. Map titled "KIB Sensitive Areas - Waterfowl - Ducks, Geese & Swans" ([http://www.asgdc.state.ak.us/maps/cplans/kod/kib\\_sens/map11-layout1.pdf](http://www.asgdc.state.ak.us/maps/cplans/kod/kib_sens/map11-layout1.pdf)).

<sup>6</sup> Alaska Response Team. 2010. Kodiak Subarea Contingency Plan. Map titled "KIB Sensitive Areas - Subsistence - Marine" ([http://www.asgdc.state.ak.us/maps/cplans/kod/kib\\_sens/map14-layout1.pdf](http://www.asgdc.state.ak.us/maps/cplans/kod/kib_sens/map14-layout1.pdf)).

EVOS List of Injured Resources and Services: Protection of the parcels would benefit many marine and terrestrial species on the EVOS Injured Resources List and the services dependent on them.

The species and services specifically identified on the EVOS List of Injured Resources and Services that would benefit from this habitat protection project are listed below.

Bald Eagles	Barrow's Goldeneye
Black Oystercatchers	Clams
Cormorants	Harbor Seals
Harlequin Ducks	Intertidal Communities
Mussels	Pacific Herring
Sea Otters	Sediments
Subtidal Communities	Passive Use
Recreation and Tourism	Subsistence

U.S. Fish & Wildlife Service Interest in the Property. Purchase of the parcel is a high priority for the Fish and Wildlife Service due to the habitat values of the parcel, its location surrounded by currently managed Refuge lands, the abundance of coastline and biological resources, and the excellent wetland conservation values. Purchasing this parcel will create a large continuous tract of protected habitat, keeping the existing natural ecosystem of this area intact for wildlife and recreational and subsistence uses. Among other factors the Service considered with respect to this parcel:

- 1) Spiridon Bay is a highly desirable and sought after area in the remote Kodiak real estate market. The property is located in an area that has good access for both boat moorage and floatplane landings. This feature makes this parcel particularly appealing for a variety of potential uses in the private and commercial sector market. The Service would like to protect the property and the surrounding habitat from further development. Purchasing this parcel would ensure that the land remains open to the public and free of additional development.
- 2) The parcel borders existing National Wildlife Refuge land, is within the approved Refuge acquisition boundary, and upon acquisition, would become part of the Refuge.

#### **Potential Threats:**

As noted above, the acquisition and protection of this parcel would eliminate a number of significant threats to birds, fish and wildlife, and their habitats, including the threat of more intensive private development and use, which would result in significant habitat loss, degradation, fragmentation of presently intact systems, and disturbance of resources during the most critical portions of their lifecycles. These restrictions can result in decreased wildlife diversity and decreased ability of populations of fish and wildlife to utilize resources necessary for their survival and to enable them to adapt to changes in their environment.

#### **Proposed Management:**

If acquired, the property will become part of the Kodiak National Wildlife Refuge and will be managed as such. The Kodiak National Wildlife Refuge is characterized by a diverse range of habitats within a relatively compact geographic area. Because of this, the Refuge supports some of the highest densities of brown bears, nesting bald eagles, and spawning salmon found anywhere on North America. More than 240 species of birds have been recorded in the Kodiak Archipelago. With a total resident population of bald eagles estimated at 2,250, more than 500 pairs of eagles nest on the Refuge. As

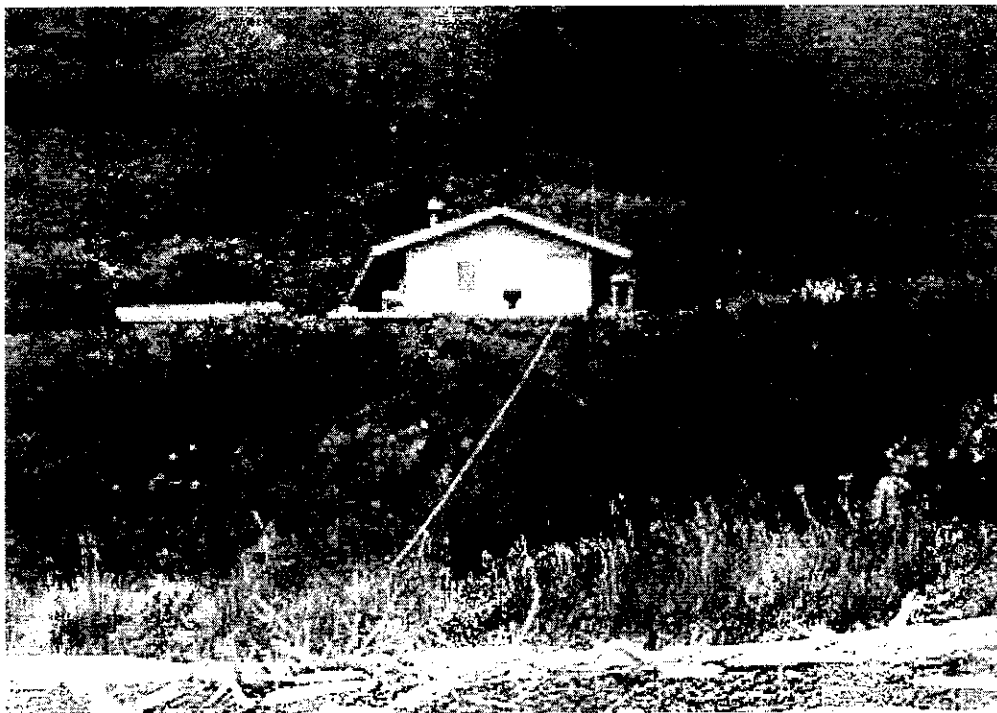
many as two million seabirds inhabit the Refuge shoreline and adjacent bays and inlets. At least 150,000 ducks and geese also winter along the shoreline areas of the Refuge. In addition, seabird nesting colonies exist in close proximity to the Refuge and are home to the Arctic Tern, a known seabird in decline, Black-legged Kittiwake, Glaucous-winged Gull, and Black Oystercatcher. The Refuge is also important to subsistence uses by local residents. Some of these important marine and island habitats are those associated with this subject parcel, and would be protected as part of the Kodiak National Wildlife Refuge once acquired. If consistent with EVOSTC requirements for management of EVOS-acquired lands, the existing cabin is expected to be removed due to the management plan to use the Chief Cove cabins (location shown on map - recently approved for funding through EVOSTC) for public and administrative use.

**Funding Request:**

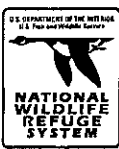
The final purchase price required to acquire the property will be determined upon completion of an approved appraisal report, but it is expected that it will not exceed \$180,000, including due diligence and closing costs. The Trustee Council is asked to approve up to \$180,000 for the completion of this purchase.



Looking from the cabin toward the Native Allotment (not part of purchase)



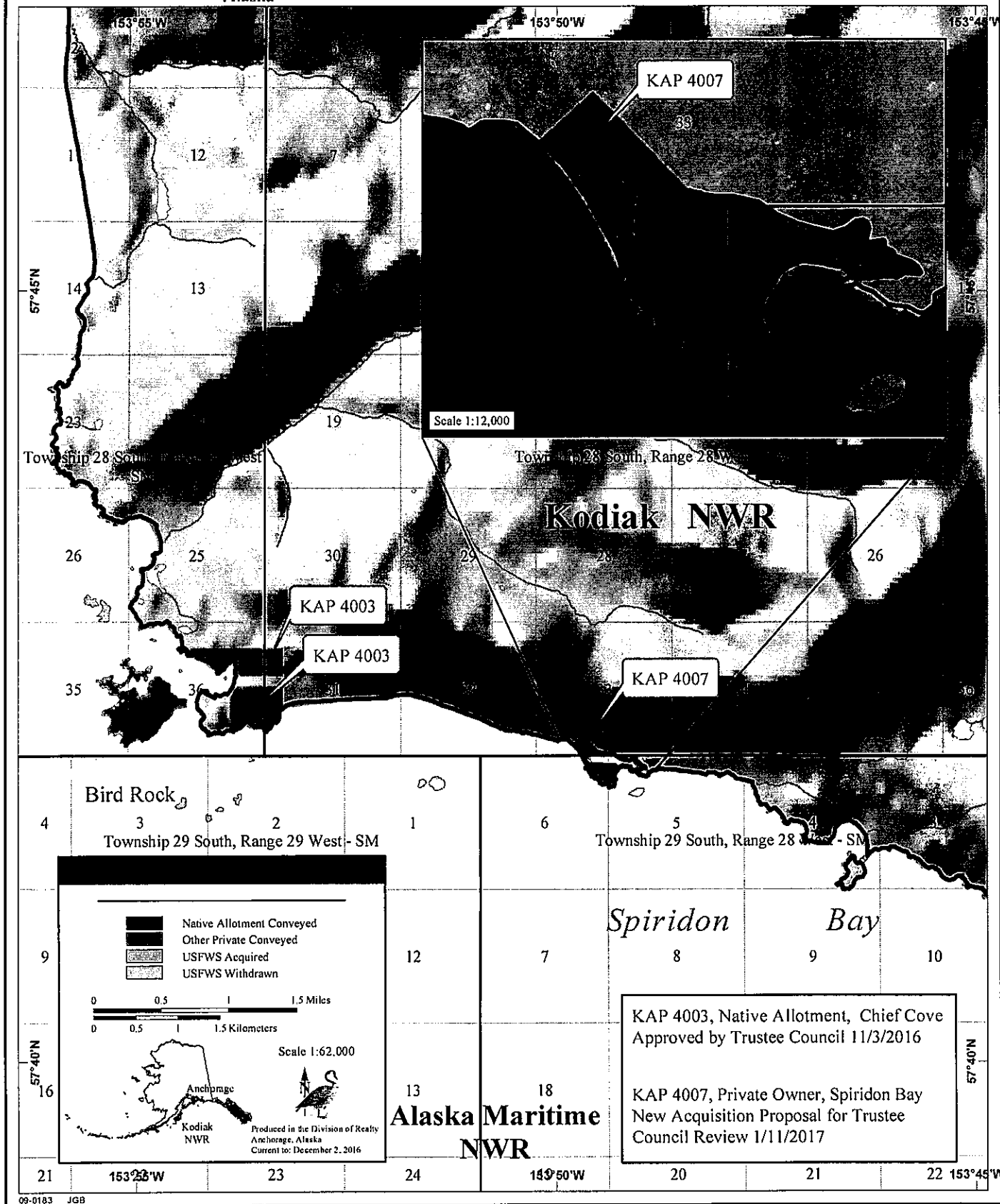
View of the cabin from the beach



U.S. Fish & Wildlife Service

EVOS - KAP 4007 Spiridon Bay Parcel

Kodiak National Wildlife Refuge  
Alaska



The AFO provides an overview of any funding, including for individual projects, programs, and habitat support, for that fiscal year.								
It is not intended to capture project total funding across years.								
The AFO is updated periodically to include additional funding authorized for that fiscal year, and to indicate release of funds.								
Trustee Council Meeting Date(s): 11.03.16								
Funding Period: EFY17 (February 1, 2017 - January 31, 2018), unless otherwise noted in column 3.								
The Executive Director (ED) may adjust agency distributions if the ED determines it is necessary to implement the work approved by the Council.								
1) Project and Lead PI or Parcel Number (grouped by Agency):	2) Date of Most Recent Proposal, APDI, or Habitat Benefit Report:	3) Date, Source, and Revision When proposal/report is not resubmitted with a new date. Red: funding not approved. Blue: funding not CN released. Also notes any pass-through agency funding.	4) Amount Recommended to TC for FY17 (includes any pending amount in column 3):	5) General Administration (GA) Cost (9%):	6) Trustee Council Approved FY17 Funding (includes any pending amounts in column 3):	7) Agency / (Check for any pass-through agency noted in Column #3)	8) Most Recent Resolution Number and Amount; and (in red) Any Amount Pending Review:	9) FY17 Funding Court Notice (CN) Number and Approved Amount; <b><u>Bold: Any Amount not Released</u></b>
17120100 Habitat Support	9/12/2016	09/12/16 Draft FY17 Annual Budget - Habitat Support - Contracted Services	\$93,000	\$8,370	\$101,370	ADFG	16-02: \$101,370	CN 63: \$101,370
17120100 Habitat Support	9/12/2016	09/12/16 Draft FY17 Annual Budget - ADOL Habitat Support per D. Blaisdell email - via RSA from ADFG to ADOL	\$70,400	\$6,336	\$76,736	via RSA from ADFG to ADOL	16-02: \$76,736	CN 63: \$76,736
		ADF&G Sub-Total from Habitat Sub-Account	\$163,400	\$14,706	\$178,106	ADFG		
17120100	9/12/2016	09/12/16 Draft FY17 Annual Budget (excluding Habitat)	\$1,027,128	\$92,441	\$1,119,569	ADFG	16-02: \$1,119,569	CN 63: \$1,119,569
15150123 O'Doherty	8/24/2016	8/24/16 FY17 Proposal: Kenai Aquatic Ecosystem Restoration Project, February 1, 2016 - May 1, 2018	\$2,500,000	\$225,000	\$2,725,000	ADFG	16-02: \$2,725,000	CN 63: \$2,725,000
17160111-F Moffitt	8/12/2016	08/12/16 FY17 Proposal: Herring Milt & Age-Sex-Length	\$152,600	\$13,700	\$166,300	ADFG	16-02: \$166,300	CN 63: \$166,300

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		ADF&G Sub-Total from Research Sub-Account	\$3,679,728	\$331,141	\$4,010,869	ADFG		
		<b>Total to ADFG:</b>	<b>\$3,843,128</b>	<b>\$345,847</b>	<b>\$4,188,975</b>	<b>ADFG</b>		
17120100 Habitat Support	9/12/2016	9/12/16 Draft FY17 Annual Budget - Habitat Support	\$121,000	\$10,890	\$131,890	ADNR	16-02: \$131,890	CN 63: \$131,890
17120100 Habitat Support	12/5/2016	12/05/16 Revised Draft FY17 Annual Budget - Habitat Support (Add \$47,000)	\$47,000	\$4,230	\$51,230	ADNR	17-01 \$47,423	CN 64: \$47,423
17170116 Miranda	8/15/2016	8/15/16 - ADNR -State Parks Habitat Restoration & Protection - Kenai River Flats, February 1, 2016 - May 1, 2018. Anticipated release of funding: Summer/Fall 2018	\$300,000	\$27,000	\$327,000	ADNR	16-02: \$327,000	Not Released
17170116 Miranda	8/15/2016	8/15/16 - ADNR -State Parks Habitat Restoration & Protection - Eagle Rock, February 1, 2016 - May 1, 2018. Anticipated funding release: Spring/Summer 2017.	\$410,450	\$36,940	\$447,390	ADNR	16-02: \$447,390	Not Released

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17170116 Miranda	8/15/2016	Habitat Restoration & Protection - <b>Crooked Creek</b> , February 1, 2016 - May 1, 2018. Anticipated funding release: Spring/Summer 2017.	\$445,900	\$40,131	<b>\$486,031</b>	ADNR	16-02: \$486,031	<b>Not Released</b>
17170116 Miranda	8/15/2016	8/15/16 - ADNR -State Parks Habitat Restoration & Protection - <b>Kenai River Ranch</b> , February 1, 2016 - May 1, 2018. Anticipated funding release: Spring/Summer 2017.	\$166,200	\$14,958	<b>\$181,158</b>	ADNR	16-02: \$181,158	<b>Not Released</b>
17170116 Miranda	8/15/2016	Habitat Restoration & Protection - <b>Pipeline Crossing</b> , February 1, 2016 - May 1, 2018. Anticipated funding release: Spring/Summer 2017.	\$282,450	\$25,421	<b>\$307,871</b>	ADNR	16-02: \$307,871	<b>Not Released</b>
17170116 Miranda	8/15/2016	8/15/16 - ADNR -State Parks Habitat Restoration & Protection - <b>Anchor River</b> , February 1, 2016 - May 1, 2018. Anticipated funding release: Spring/Summer 2017.	\$426,600	\$38,394	<b>\$464,994</b>	ADNR	16-02: \$464,994	<b>Not Released</b>

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KAP 4000	9/6/2016	9/6/16 - Habitat Large Parcel: KAP 4000 Benefits Report - Portage Lake, Afognak Island, February 1, 2016 - May 1, 2018.	\$8,500,000	\$0	\$8,500,000	ADNR	16-02: \$8,500,000	Not Released
KEN 4001	9/6/2016	9/6/16 - Habitat Large Parcel: KEN 4001 Benefits Report - Gull Island et al Parcels, February 1, 2016 - May 1, 2018	\$1,500,000	\$0	\$1,500,000	ADNR	16-02: \$1,500,000	Not Released
KAP 4002	9/6/2016	KAP 4002 Benefits Report - Thorsheim Drainage, February 1, 2016 - May 1, 2018	\$7,000,000	\$0	\$7,000,000	ADNR	16-02: \$7,000,000	Not Released
KAP 4003	9/19/2016	KAP 4003 Benefits Report - Chief Cove, Kodiak, February 1, 2016 - May 1, 2018	\$620,000	\$0	\$620,000	ADNR	16-02: \$620,000	Not Released
KEN 4004 & KEN 4005	9/19/2016	9/19/16 - Habitat Parcels: KEN 4004 and KEN 4005 Benefits Report - Kasilof River, Kenai Peninsula, February 1, 2016 - May 1, 2018	\$165,000	\$0	\$165,000	ADNR	16-02: \$165,000	Not Released
		ADNR Subtotal from Habitat Sub-Account	\$19,984,600	\$197,964	\$20,182,564	ADNR		
		ADNR Subtotal from Research Sub-Account	\$0	\$0	\$0	ADNR		
		<b>Total:</b>	<b>\$19,984,600</b>	<b>\$197,964</b>	<b>\$20,182,564</b>	<b>ADNR</b>		

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17120100 Habitat Support	9/12/2016	09/12/16 Draft FY17 Annual Budget - Habitat Support (see ADFG for RSA)	\$0	\$0	\$0	ADOL	16-02: \$0	CN 63: \$0
		ADOL Total from Habitat Sub-Account	\$0	\$0	\$0	ADOL		
		ADOL Total from Research Sub-Account	\$0	\$0	\$0	ADOL		
		<b>Total:</b>	\$0	\$0	\$0	ADOL		
		ADEC Total from Habitat Sub-Account	\$0	\$0	\$0	ADEC		
17120100	9/12/2016	09/12/16 Draft FY17 Annual Budget (excluding Habitat)	\$0	\$0	\$0	ADEC	16-02: \$0	CN 63: \$0
		ADEC Subtotal from Research Sub-Account	\$0	\$0	\$0	ADEC		
		<b>Total:</b>	\$0	\$0	\$0	ADEC		
17120100 Habitat Support	9/12/2016	09/12/16 Draft FY17 Annual Budget - Habitat Support - USFWS	\$27,000	\$2,430	\$29,430	USFWS	16-02: \$29,430	CN 63: \$29,430
17120100 Habitat Support	9/12/2016	09/12/16 Draft FY17 Annual Budget - Habitat Support (Great Land Trust)	\$303,800	\$27,342	\$331,142	USFWS	16-02: \$331,142	CN 63: \$331,142

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17170119 Amman	12/1/2016	12/1/16 - Buskin River Watershed Proposal - February 1, 2016 - May 1, 2018	\$4,136,039	\$372,244	\$4,508,283	USFWS	17-01 \$4,508,483	CN 64 \$4,508,483
KEN 4006	11/28/2016	11/28/16 - Habitat Large Parcel: KEN 4006 Benefits Report - Kasilof River (Lot 31), January 11, 2017- July 11, 2018	\$165,000	\$0	\$165,000	USFWS	17-01: \$165,000	Not Released
KAP 4007	11/11/2016	11/11/16 - Habitat Large Parcel: KAP 4007 Benefits Report - Spiridon Bay, Kodiak National Wildlife Refuge, January 11, 2017- July 11, 2018	\$180,000	\$0	\$180,000	USFWS	17-01: \$180,000	Not Released
		USFWS Subtotal from Habitat Sub-Account	\$4,811,839	\$402,016	\$5,213,855	USFWS		
17120100	9/12/2016	09/12/16 Draft FY17 Annual Budget (excluding Habitat)	\$10,000	\$900	\$10,900	USFWS	16-02: \$10,900	CN 63: \$10,900
17100853 Irons	8/15/2016	08.15.16 FY17 Proposal: Pigeon Guillemot (PIGU) Restoration per D. Bohn email	\$128,411	\$11,557	\$139,968	USFWS	16-02: \$139,968	CN 63: \$139,968
17120114-M Kuletz	4/1/2016	4/1/16 FY17 Proposal: PWS Marine Bird Surveys	\$22,900	\$2,000	\$24,900	USFWS	16-02: \$24,900	CN 63: \$24,900
		USFWS Subtotal from Research Sub-Account	\$161,311	\$14,457	\$175,768	USFWS		
		<b>Total:</b>	<b>\$4,973,150</b>	<b>\$416,473</b>	<b>\$5,389,623</b>	<b>USFWS</b>		

1) Project and Lead PI or Parcel Number (grouped by Agency):	2) Date of Most Recent Proposal, APDI, or Habitat Benefit Report:	3) Date, Source, and Revision When proposal/report is not resubmitted with a new date. Red: funding not approved. Blue: funding not CN released. Also notes any pass-through agency funding.	4) Amount Recommended to TC for FY17 (includes any pending amount in column 3):	5) General Administration (GA) Cost (9%):	6) Trustee Council Approved FY17 Funding (includes any pending amounts in column 3):	7) Agency / (Check for any pass-through agency noted in Column #3)	8) Most Recent Resolution Number and Amount; and (in red) Any Amount Pending Review:	9) FY17 Funding Court Notice (CN) Number and Approved Amount; <b><u>Any Amount not Released</u></b>
17170119 Amman	12/1/2016	12/1/16 - Buskin River Watershed Proposal	\$25,000	\$2,250	\$27,250	NOAA		
		NOAA Subtotal from Habitat Sub-Account	\$25,000	\$2,250	\$27,250	NOAA		
17120100	9/12/2016	09/12/16 Draft FY17 Annual Budget (excluding Habitat)	\$80,300	\$7,227	\$87,527	NOAA	16-02: \$87,527	CN 63: \$87,527
17120111-A Pegau	8/12/2016	08/12/16 FY17 Proposal: PWS Herring Pgm - Coordination & Logistics	\$127,000	\$11,400	\$138,400	NOAA	16-02: \$138,400	CN 63: \$138,400
17160111-B Bishop	8/12/2016	08/12/16 FY17 Proposal: Annual Herring Migration Cycle	\$350,300	\$31,600	\$381,900	NOAA	16-02: \$381,900	CN 63: \$381,900
17120111-C Branch	8/12/2016	08/12/16 FY17 Proposal: Modeling and Stock Assessment of PWS Herring	\$114,000	\$10,300	\$124,300	NOAA	16-02: \$124,300	CN 63: \$124,300
17170111-D Gorman	8/12/2016	08/12/16 FY17 Proposal: Studies of Reproductive Maturity Among Age Cohorts of Pacific Herring in PWS	\$156,000	\$14,000	\$170,000	NOAA	16-02: \$170,000	CN 63: \$170,000
17160111-G Rand	8/12/2016	08/12/16 FY17 Proposal: PWS Herring Pgm - Adult Herring Acoustic Surveys	\$68,100	\$6,100	\$74,200	NOAA	16-02: \$74,200	CN 63: \$74,200

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17120114-A Lindeberg	8/24/2016	08/24/16 FY17 Proposal: LTM Pgm - Program Management I - Program Coordination and Science Synthesis	\$208,100	\$18,725	\$226,825	NOAA	16-02: \$226,800	CN 63: \$226,800
17120114-B Hoffman	8/24/2016	08/24/16 FY17 Proposal: LTM Pgm - Logistics, and Outreach & Community Involvement	\$254,200	\$22,900	\$277,100	NOAA	16-02: \$277,100	CN 63: \$277,100
17120114-D Batten	8/24/2016	08/24/16 FY17 Proposal: LTM Pgm - Continuous Plankton Recorders	\$70,200	\$6,300	\$76,500	NOAA	16-02: \$76,500	CN 63: \$76,500
17120114-E Bishop	8/24/2016	08/24/16 FY17 Proposal: LTM Pgm - Seabird Abundance in Fall & Winter	\$82,700	\$7,400	\$90,100	NOAA	16-02: \$90,100	CN 63: \$90,100
17120114-G Campbell	8/24/2016	08/24/16 FY17 Proposal: LTM Pgm - Monitoring of Oceanographic Conditions in PWS	\$200,600	\$18,100	\$218,700	NOAA	16-02: \$218,700	CN 63: \$218,700
17160114-H Coletti	8/24/2016	08/24/16 FY17 Proposal: Nearshore Benthic Ecosystems in the Gulf of Alaska (funding distribution per D.Bohn email 04.26.16)	\$62,500	\$5,625	\$68,125	NOAA	16-02: \$10,900	CN 63: \$10,900
17120114-I Danielson	8/24/2016	08/24/16 FY17 Proposal: LTM Pgm - GAK1 Monitoring	\$134,600	\$12,200	\$146,800	NOAA	16-02: \$145,800	CN 63: \$145,800

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1) Project and Lead PI or Parcel Number (grouped by Agency):	2) Date of Most Recent Proposal, APDI, or Habitat Benefit Report:	3) Date, Source, and Revision When proposal/report is not resubmitted with a new date. Red: funding not approved. Blue: funding not CN released. Also notes any pass-through agency funding.	4) Amount Recommended to TC for FY17 (includes any pending amount in column 3):	5) General Administration (GA) Cost (9%):	6) Trustee Council Approved FY17 Funding (includes any pending amounts in column 3):	7) Agency / (Check for any pass-through agency noted in Column #3)	8) Most Recent Resolution Number and Amount; and (in red) Any Amount Pending Review:	9) FY17 Funding Court Notice (CN) Number and Approved Amount; <b>Bold:</b> <u>Any Amount not Released</u>
17120114-J Doroff	8/24/2016	08/24/16 FY17 Proposal: Long-Term Monitoring of Oceanographic Conditions in Cook Inlet/Kachemak Bay	\$155,700	\$14,000	\$169,700	NOAA	16-02: \$169,700	CN 63: \$169,700
17120114-L Hopcroft	8/24/2016	08/24/16 FY17 Proposal: LTM Pgm - Seward Line Monitoring	\$121,800	\$10,900	\$132,700	NOAA	16-02: \$132,700	CN 63: \$132,700
17120114-N Matkin	8/24/2016	08/24/16 FY17 Proposal: LTM Pgm - Long-Term Killer Whale Monitoring	\$140,200	\$12,600	\$152,800	NOAA	16-02: \$152,800	CN 63: \$152,800
17120114-O Moran	8/24/2016	08/24/16 FY17 Proposal: LTM Pgm - Humpback Whale Predation on Herring in PWS	\$148,500	\$13,400	\$161,900	NOAA	16-02: \$161,900	CN 63: \$161,900
17120113 Janzen	8/24/2016	8/24/16 FY17 Proposal: Data Management Program	\$200,000	\$18,000	\$218,000	NOAA	16-02: \$218,000	CN 63: \$218,000
17170118	8/31/2016	08/31/16 Proposal: Cross Program Publication (\$49,573 + 4,462 GA = \$54,035) DO NOT FUND TC Mtg: 11/3/16	\$0	\$0	\$0	NOAA	16-02: \$0	CN 63: \$0
		NOAA Subtotal from Research Sub-Account	\$2,674,800	\$240,777	\$2,915,577	NOAA		
		<b>Total:</b>	<b>\$2,699,800</b>	<b>\$243,027</b>	<b>\$2,942,827</b>	<b>NOAA</b>		
		NPS Total from Habitat Sub-Account	\$0	\$0	\$0	NPS		

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17160114-H Coletti	8/24/2016	08/24/16 FY17 Proposal: Nearshore Benthic Ecosystems in the Gulf of Alaska (funding distribution per D.Bohn email 04.26.16)	\$48,000	\$4,300	\$52,300	NPS	16-02: \$52,300	CN 63: \$52,300
		NOAA Subtotal from Research Sub-Account	\$48,000	\$4,300	\$52,300	NPS		
		<b>Total:</b>	<b>\$48,000</b>	<b>\$4,300</b>	<b>\$52,300</b>	<b>NPS</b>		
		USGS Total from Habitat Sub-Account	\$0	\$0	\$0	USGS		
17120100	9/12/2016	09/12/16 Draft FY17 Annual Budget (excluding Habitat)	\$140,972	\$12,687	\$153,659	USGS	16-02: \$153,659	CN 63: \$153,659
17120111-E Hershberger	8/12/2016	08/12/16 FY17 Proposal: PWS Herring Pgm - Herring Disease	\$181,500	\$16,300	\$197,800	USGS	16-02: \$197,800	CN 63: \$197,800
17120114-C Arimitsu / Piatt	8/24/2016	08/24/16 FY17 Proposal: LTM Pgm - Monitoring Long-Term Changes in Forage Fish Distribution, Abundance, and Body Conditions in PWS	\$182,400	\$16,400	\$198,800	USGS	16-02: \$169,700	CN 63: \$198,800

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17160114-H Coletti	8/24/2016	08/24/16 FY17 Proposal: Nearshore Benthic Ecosystems in the Gulf of Alaska (funding distribution per D.Bohn email 04.26.16)	\$258,200	\$23,300	\$281,500	USGS	16-02: \$281,500	CN 63: \$281,500
17170115 Whitehead	8/24/2016	08/24/16 Lingering Oil Proposal: Genomic Mechanisms	\$206,150	\$11,818	\$217,968	USGS	16-02: \$217,968	CN 63: \$217,968
17170117 Nixon & Michel	8/24/2016	08/24/16 Lingering Oil Proposal: Monitoring and Rate Removal Estimation (\$243.9 + 22.0 GA = \$265.9) DO NOT FUND TC Mtg 11.03.16	\$0	\$0	\$0	USGS	16-02: \$0	CN 63: \$0
		USGS Subtotal from Research Sub-Account	\$969,222	\$80,505	\$1,049,727	USGS		
		<b>Total:</b>	<b>\$969,222</b>	<b>\$80,505</b>	<b>\$1,049,727</b>	<b>USGS</b>		
		USDA-USFS Total from Habitat Sub-Account	\$0	\$0	\$0	USDA - USFS		
17120100	9/12/2016	09/12/16 Draft FY17 Annual Budget (excluding Habitat)	\$9,000	\$810	\$9,810	USDA - USFS	16-02: \$9,810	CN 63: \$9,810
17100853 Kaler	8/15/2016	08.15.16 FY17 Proposal: Pigeon Guillemot (PIGU) Restoration	\$9,000	\$810	\$9,810	USDA - USFS	16-02: \$9,810	CN 63: \$9,810
		USDA-USFS Subtotal from Research Sub-Account	\$18,000	\$1,620	\$19,620	USDA - USFS		

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		<b>Total:</b>	<b>\$18,000</b>	<b>\$1,620</b>	<b>\$19,620</b>	<b>USDA-USFS</b>		
17120100 Habitat Support	9/12/2016	09/12/16 Draft FY17 Annual Budget - Habitat Support	\$10,000	\$900	\$10,900	DOI-BLM	16-02: \$10,900	CN 63: \$10,900
		DOI Subtotal from Habitat Sub-Account	\$10,000	\$900	\$10,900	DOI		
17120100	9/12/2016	09/12/16 Draft FY17 Annual Budget (excluding Habitat)	\$7,100	\$639	\$7,739	DOI-OEPC	16-02: \$7,739	CN 63: \$7,739
17120100	9/12/2016	09/12/16 Draft FY17 Annual Budget (excluding Habitat)	\$28,000	\$2,520	\$30,520	DOI-SEC	16-02: \$30,520	CN 63: \$30,520
17120100	9/12/2016	09/12/16 Draft FY17 Annual Budget - ARLIS Digitization Phase V	\$34,323	\$3,089	\$37,412	DOI-BLM	16-02: \$37,412	CN 63: \$37,412
		DOI Subtotal from Research Sub-Account	\$69,423	\$6,248	\$75,671	DOI		
		<b>Total:</b>	<b>\$79,423</b>	<b>\$7,148</b>	<b>\$86,571</b>	<b>DOI</b>		
		<b>Grand Total:</b>			<b>\$33,912,207</b>			
		<b>CN 63 Grand Total w/o State Parks PJ &amp; Habitat Parcels:</b>			<b>\$8,981,000</b>			
		<b>CN 64 Grand Total:</b>			<b>\$6,819,207</b>			
		Subtotal from Habitat Sub-account			\$25,612,675			
		Subtotal from Research Sub-account			\$8,299,532			
		<b>Grand Total:</b>			<b>\$33,912,207</b>			

# Exxon Valdez Oil Spill Trustee Council

4210 University Drive • Anchorage, AK 99508-4626 • 907 278 8012 • fax 907 276 7178



## TRUSTEE COUNCIL MEETING NOTES

Anchorage, Alaska

November 3, 2016

Chaired by: Steve Mulder  
Trustee Council Member

Trustee Council Members Present:

Terri Marceron, USFS  
Michael Johnson, USDO  
Jim Balsiger, NMFS

•Steve Mulder, ADOL \*\*  
David Rogers, ADF&G \*  
Larry Hartig, ADEC

- Chair
- \* David Rogers alternate for Samuel Cotten
- \*\* Steve Mulder alternate for Jahna Lindemuth

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The meeting convened at 9:35 a.m., November 3, 2016 on the USGS Alaska Pacific University Campus, Dr. Glenn A. Olds Hall Conference Room, 4210 University Drive, Anchorage.

### 1. Approval of the November 3, 2016 meeting agenda

APPROVED MOTION: Motion to approve the November 3, 2016 draft meeting agenda adding an Executive Director's report before Item 6 Investment.

Motion by Hartig, second by Johnson

### 2. Approval of the November 12, 2015 meeting notes

APPROVED MOTION: Motion to approve the November 12, 2015 draft Trustee Council meeting notes.

Motion by Hartig, second by Marceron

Public Comment: **Fourteen public comments were offered.**

3. Approval of Investment Fund Annual Asset Allocation

APPROVED MOTION: Motion to approve the following Asset Allocation for FY17: Domestic Equities 40% +/- 7%, International Equities 27% +/- 7%, Domestic Bonds 33% +/- 5% and Cash Equivalents 0% + 10%/- 0%.

Motion by Hartig, second by Johnson

4. EVOSTC Policy Updates

APPROVED MOTION: Motion to rescind the Sample Destruction Policy, and adopt the Data and Reporting Policies, dated August 15<sup>th</sup> and 29<sup>th</sup>, 2016, respectively.

Motion by Rogers, second by Hartig

5. Approval of FY17 EVOSTC Annual Budget, Project 17120100

APPROVED MOTION: Motion to approve \$2,138,604, which includes GA, for funding of the FY17 EVOSTC Annual Budget Project 17120100, dated September 12, 2016.

Motion by Rogers, second by Hartig

6. Approval of Kenai Peninsula Aquatic Ecosystem Restoration, Project 15150123

APPROVED MOTION: Motion to approve \$2,725,000, which includes GA, for reauthorization of the Kenai Peninsula Aquatic Ecosystem Restoration Project, 15150123. Release of any funding for each individual project is conditioned upon the EVOSTC Executive Director determining there are commitments for full funding of the individual project, including any leveraging, as detailed in the August 2016 Update of the Kenai Peninsula Restoration projects table. This authorization is valid until May 1, 2018.

Motion by Hartig, second by Marceron

7. Approval of State Parks Riverbank Restoration and Protection, Project 17170116

APPROVED MOTION: Motion to approve \$2,214,444, which includes GA, for the State Parks Riverbank Restoration and Protection project, 17170116, dated August 15, 2016. This approval is for the funding requested by the Project, except for the Kenai River Flats Project, for which the Council is approving up to \$327,000, which includes GA, as that Project potentially may receive federal funds. This authorization is valid until May 1, 2018.

Motion by Hartig, second by Rogers

8. Approval of Habitat Parcels

APPROVED MOTION: Motion to approve funding for the protection of the following parcels with purchases of interests in land to be at the fair market value established by an approved appraisal and the total cost of which, including due diligence and closing costs, does not exceed the amount noted for each parcel:

- A. Parcel KAP 4000, Portage Lake, Afognak Island: \$8,500,000;
- B. Parcel KEN 4001, Gull Island, China Poot Bay Spit & Barrier Islands, and 3 sections – Rocky River, Kachemak Bay: \$1,500,000;
- C. Parcel KAP 4002, Thorsheim Drainage parcels, Afognak Island: \$7,000,000;
- D. Parcel KAP 4003, Chief Cove, Kodiak: \$620,000; and
- E. Parcels KEN 4004 and KEN 4005 on the Kasilof River, Kenai Peninsula: \$165,000.

These purchases are further conditioned upon:

- 1. due diligence reports, which are acceptable to the Alaska Department of Natural Resources, U.S. Department of Interior Solicitor's Office and the Alaska Department of Law; and
- 2. provided that the EVOSTC Executive Director, in consultation with the Alaska Department of Natural Resources, U.S. Department of Interior Solicitor's Office and Alaska Department of Law, determines that it is in the interest of the

Council to move forward with purchase of the interests in the Parcels.

Authorization for funding for the purchase of interests in the Parcels shall terminate if purchase agreements are not executed by May 1, 2018.

Motion by Johnson, second by Marceron

9. Approval of PWS Herring Research and Monitoring Program, Herring Research and Monitoring, Project 17120111

APPROVED MOTION: Motion to approve funding of \$1,252,900, which includes GA, for FY17 funding of the Herring Research and Monitoring Project 17120111, dated August 12, 2016.

Motion by Rogers, second by Marceron

10. Approval of EVOSTC Long-Term Monitoring Program (Gulf Watch Alaska), Long-Term Monitoring of Marine Conditions and Injured Resources and Services, Project 17120114

APPROVED MOTION: Motion to approve funding of \$2,278,750, which includes GA, for FY17 funding of the Long-Term Monitoring of Marine Conditions and Injured Resources and Services Project 17120114, dated August 24, 2016.

Motion by Hartig, second by Rogers

11. Approval of Data for Long-Term Programs, Project 17120113

APPROVED MOTION: Motion to approve \$218,000 for FY17 for Project 17120113.

Motion by Johnson, second by Marceron

12. Approval of Pigeon Guillemot Restoration Research in Prince William Sound, Project 17100853

APPROVED MOTION: Motion to approve funding of \$149,778, which includes GA, for FY17 funding of the Pigeon Guillemot Restoration Research in Prince William Sound, Alaska Project 17100853, dated April 6, 2016 and as requested in the amended budget dated August 24,

2016.

Motion by Marceron, second by Mulder

13. Approval of Lingering Oil - Immunological Expressions of PAH Exposure in Fish, Project 17170115

APPROVED MOTION: Motion to approve \$217,968, which includes GA, for FY17 funding of the Lingering Oil Proposal Immunological Expressions of PAH Exposure in Fish, 17170115, dated August 24, 2016.

Motion by Rogers, second by Johnson

Adjourn at 2:55

Unanimous consent, no motion.