

AGREEMENT BETWEEN THE STATE OF ALASKA
AND THE *EXXON VALDEZ* OIL SPILL TRUSTEE COUNCIL REGARDING
AN EXECUTIVE DIRECTOR FOR THE TRUSTEE COUNCIL

This agreement is entered into between the State of Alaska ("State") and the *Exxon Valdez* Oil Spill Trustee Council, ("Trustee Council"), the latter being that group of federal and state officials assigned the responsibility of administering the trust established under the Memorandum of Agreement and Consent Decree entered into by the State and the United States in Civil Action No. A 91-081 CV in settlement of claims to money received for the injury, loss or destruction of the natural resources affected by the March 24, 1989, *Exxon Valdez* oil spill.

In order to facilitate the employment by the Trustee Council of an Executive Director, the State and the Trustee Council agree as follows:

1. The State shall create and assign an exempt position from the state service to be responsible to the Trustee Council as the Trustee Council's Executive Director. The position shall be designated Executive Director of the *Exxon Valdez* Oil Spill Trustee Council (the "Executive Director"). The State shall further create and assign exempt positions from the State service to be responsible to the Executive Director for such senior staff positions under the Executive Director as are approved by the Trustee Council.

2. The appointment of a person to fill the Executive Director position is not final until the appointment is approved unanimously by the Trustee Council. The appointment of persons to fill senior staff positions under the Executive Director shall be made by the Executive Director subject to approval by the Trustee Council.

3. Any person appointed to the position of Executive Director to the Trustee Council shall serve at the pleasure of the Trustee Council and may be removed from the position only upon a unanimous vote of all the members of the Council. Any person appointed to a

senior staff position by the Executive Director shall serve at the pleasure of the Executive Director. Removal of any of these individuals, including the Executive Director, need not be based on cause and no property or other interest in continued employment is or may be created.

4. The Trustee Council agrees to pay the State on a periodic basis for all costs incurred by the State in the execution of this agreement including the salary paid to the Executive Director and other senior staff of the Trustee Council by the State and any contributions made by the State to any employee benefit plan or program on behalf of the Executive Director or other senior staff members. On-going supervision of the Executive Director position will be carried out by one state trustee council member and by one federal trustee council member. There shall be at least one annual performance evaluation meeting of the Executive Director with all trustee council members. This performance evaluation process will provide the basis for extending the employment and adjusting the salary of the Executive Director.

5. The duties of the Executive Director are as described in the Position Description Questionnaire for the position and as otherwise determined by the Trustee Council. All other terms and conditions of employment of the Executive Director, so long as they are not in conflict with the terms of this agreement, shall be determined by the Trustee Council. The scope and extent of the Executive Director's authority to act on behalf of the Trustee Council shall be determined by the Trustee Council.

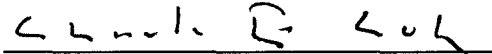
6. This agreement may be modified or amended by mutual agreement of the parties, but only if such agreement is in writing and properly executed.

DATE: 12-23-93



WALTER J. HICKEL
Governor
State of Alaska

DATE: 12.20.93



CHARLES E. COLE
Attorney General
State of Alaska

DATE: 12-22-93



PAUL GATES
Regional Environmental Officer
for Alaska
U.S. Department of the Interior

DATE: 12/20/93



MICHAEL A. BARTON
Regional Forester
Alaska Region
USDA Forest Service

DATE: 12/20/93



STEVEN PENNOYER
Director, Alaska Region
National Marine
Fisheries Service

DATE: 2/20/93



CARL L. ROSIER
Commissioner
Alaska Department of
Fish and Game

DATE: 12/19/93



JOHN A. SANDOR
Commissioner
Alaska Department of
Environmental Conservation