

**RESOLUTION 21-03 OF THE EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL TO
AMEND THE 1994 RESTORATION PLAN TO INCORPORATE AN ECOSYSTEM
APPROACH TO THE OIL SPILL BOUNDARY WITH RESPECT TO THE COPPER
RIVER DELTA/BERING RIVER AREAS EAST OF THE EXISTING BOUNDARY**

The *Exxon Valdez* Oil Spill Trustee Council ("Trustee Council" or "Council") approved a Restoration Plan in 1994 that sets forth a process for the Council to consider and approve proposed expenditures of the *Exxon Valdez* Oil Spill joint trust funds ("joint trust funds") to restore, replace, enhance, rehabilitate, or acquire the equivalent of natural resources and natural resource services lost or injured as a result of the oil spill.

The 1994 Restoration Plan, among other things, sets forth a list of policies to guide the Trustee Council's decisions and give direction to the restoration program, while allowing flexibility so the Council can respond to changing restoration needs. One of the policies set forth in the Restoration Plan is that restoration activities should occur primarily within the spill area, defined as the area enclosed within the Oil Spill Area Boundary identified on the map attached to the Restoration Plan and to this Resolution as Appendix A. The Plan states that the Trustee Council may consider limited restoration activities outside the spill area, but within Alaska, only when certain conditions are met. Those conditions are: "when the most effective restoration actions for an injured population are in a part of its range outside the spill area, or when the information acquired from research and monitoring activities outside the spill area will be significant for restoration or understanding injuries within the spill area." The basis for this policy was to ensure that restoration be focused on the initial impact boundaries identified by the Trustees as the spill area, so that funds would be spent primarily where the most serious injury occurred and the need for restoration was greatest. But the Restoration Plan also recognized the need for flexibility to restore and monitor outside the defined spill area under some circumstances, including to monitor and take action to restore injured species, such as migratory seabirds and marine mammals, whose habitat ranges extend beyond (and in some cases far beyond) the spill area.

The Council, having spent considerable effort to successfully address the direct impacts of the 1989 oil spill, is now in a position to address the broader spectrum of ecological impacts, including the adverse effects to ecosystem services and mobile fish and wildlife populations whose ranges overlap or intersect with the spill area. The available science has consistently pointed to a broader ecological footprint attributable to the spill than is represented by the currently defined spill area. For example, the Alaska Department of Fish and Game has shown red salmon in Prince William Sound are derived from natal streams as far away as the Copper and Bering Rivers, and many of the 90 species of sea birds that were injured by the spill move significant distances (i.e., well outside the designated spill area) throughout the year, especially during the reproductive season.

After having sought public comment on a draft of this Resolution and having considered all the public comments received, the Council hereby approves a limited extension of the oil spill area boundary eastward to incorporate the Copper River Delta and the Bering River, including its headwaters. Within this expanded spill area, restoration activities will continue to be carried out under the Restoration Plan policies applicable within the spill area boundaries. For all other areas beyond this expanded oil spill area, the limiting conditions described in the Restoration Plan for out of spill area restoration, which are restated herein, shall continue to apply.

THEREFORE, BE IT RESOLVED THAT the Council, after having sought public comment on a draft of this Resolution and having considered all public comments received, unanimously agrees to amend the Restoration Plan as set forth in this Resolution.

BE IT FURTHER RESOLVED THAT the Executive Director shall amend the Restoration Plan and any other Council documents as necessary to make them consistent with this Resolution.

//////

//////

Approved by the Council at its meeting of January 19, 2021 held in Anchorage, Alaska, as affirmed by our signatures affixed below.



DOUGLAS VINCENT-LANG

Commissioner

Alaska Department of Fish and Game

JAMES BALSIGER

Administrator, Alaska Region

National Marine Fisheries

STEVEN MULDER

Alternate for Attorney General

Alaska Department of Law

DAVID E. SCHMID

Regional Forester

Forest Service, Alaska Region

U.S. Department of Agriculture

JASON BRUNE

Commissioner

Alaska Department of Environmental

Conservation

SARA TAYLOR

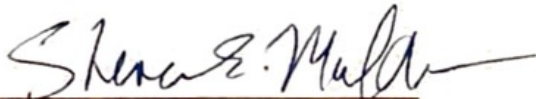
Policy Advisor (Alaska)

Office of the Secretary

U.S. Department of the Interior

Approved by the Council at its meeting of January 19, 2021, held in Anchorage, Alaska, as affirmed by our signatures affixed below:

DOUGLAS VINCENT-LANG
Commissioner
Alaska Department of Fish and Game



STEVEN MULDER
Alternate for Attorney General
Alaska Department of Law

JASON BRUNE
Commissioner
Alaska Department of Environmental
Conservation

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

DAVID E. SCHMID
Regional Forester
Forest Service, Alaska Region
U.S. Department of Agriculture

SARA TAYLOR
Policy Advisor (Alaska)
Office of the Secretary
U.S. Department of the Interior

Approved by the Council at its meeting of January 19, 2021 held in Anchorage, Alaska, as affirmed by our signatures affixed below.

DOUGLAS VINCENT-LANG

Commissioner

Alaska Department of Fish and Game

JAMES BALSIGER

Administrator, Alaska Region

National Marine Fisheries

STEVEN MULDER

Alternate for Attorney General

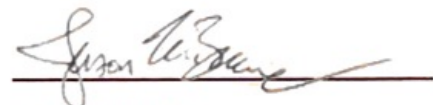
Alaska Department of Law

DAVID E. SCHMID

Regional Forester

Forest Service, Alaska Region

U.S. Department of Agriculture



JASON BRUNE

Commissioner

Alaska Department of Environmental
Conservation

SARA TAYLOR

Policy Advisor (Alaska)

Office of the Secretary

U.S. Department of the Interior

Approved by the Council at its meeting of January 19, 2021 held in Anchorage, Alaska, as affirmed by our signatures affixed below.

DOUGLAS VINCENT-LANG

Commissioner

Alaska Department of Fish and Game



JAMES BALSIGER

Administrator, Alaska Region

National Marine Fisheries

STEVEN MULDER

Alternate for Attorney General

Alaska Department of Law

DAVID E. SCHMID

Regional Forester

Forest Service, Alaska Region

U.S. Department of Agriculture

JASON BRUNE

Commissioner

Alaska Department of Environmental

Conservation

SARA TAYLOR

Policy Advisor (Alaska)

Office of the Secretary

U.S. Department of the Interior

Approved by the Council at its meeting of January 19, 2021 held in Anchorage, Alaska, as affirmed by our signatures affixed below.

DOUGLAS VINCENT-LANG

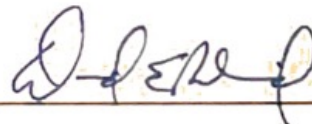
Commissioner

Alaska Department of Fish and Game

JAMES BALSIGER

Administrator, Alaska Region

National Marine Fisheries



STEVEN MULDER

Alternate for Attorney General

Alaska Department of Law

DAVID E. SCHMID

Regional Forester

Forest Service, Alaska Region

U.S. Department of Agriculture

JASON BRUNE

Commissioner

Alaska Department of Environmental

Conservation

SARA TAYLOR

Policy Advisor (Alaska)

Office of the Secretary

U.S. Department of the Interior

Approved by the Council at its meeting of January 19, 2021 held in Anchorage, Alaska, as affirmed by our signatures affixed below.

DOUGLAS VINCENT-LANG

Commissioner

Alaska Department of Fish and Game

JAMES BALSIGER

Administrator, Alaska Region

National Marine Fisheries

STEVEN MULDER

Alternate for Attorney General

Alaska Department of Law

DAVID E. SCHMID

Regional Forester

Forest Service, Alaska Region

U.S. Department of Agriculture

SARA TAYLOR Digitally signed by SARA TAYLOR
Date: 2021.02.22 19:04:18 -09'00'

JASON BRUNE

Commissioner

Alaska Department of Environmental
Conservation

SARA TAYLOR

Policy Advisor (Alaska)

Office of the Secretary

U.S. Department of the Interior

Appendix A.

