

**RESOLUTION 20-03 OF THE EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL
REGARDING FY21 ANNUAL FUNDING**

INCLUDING THE FY21 WORK PLAN OF EVOSTC RESTORATION, RESEARCH, AND MONITORING PROJECTS; FY21 EVOSTC ANNUAL BUDGET; REAUTHORIZATIONS OF HABITAT PARCEL KEN-4018 & HABITAT ENHANCEMENT PROJECTS 20180119 & 20200135; USFWS GEOSPATIAL PROJECT 212101029; AND ALASKA SEALIFE CENTER PROJECT 212101130

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: FY21 Work Plan of EVOSTC: Restoration, Research, and Monitoring Projects, FY21 EVOSTC Annual Budget, and Alaska SeaLife Center

The total amount of funding approved in Section I is \$6,966,150 This funding is approved for February 1, 2021 through January 31, 2022, except where otherwise noted in the documents referenced herein, including within the FY21 EVOSTC Annual Budget, dated August 28, 2020. 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.

This funding must be spent in accordance with the FY21 Annual Funding Overview (AFO), dated October 23, 2020, and the documents referenced therein including and as described by the FY21 EVOSTC Annual Budget, dated August 28, 2020.

Alaska SeaLife Center - Project 21210130:

Funding of up to **\$545,000**, which includes GA, is approved for facility improvements as described in the Alaska SeaLife Center's proposal dated December 9, 2019. Funds are conditional on the Alaska SeaLife Center securing equivalent matching funds from alternative funding sources by May 1, 2022 for the activities as described within this. The Center must, in consultation with the EVOSTC office, identify which of the projects listed in its proposal will be completed with the funds and are appropriate to these conditions. The Center shall provide written documentation acceptable to the Executive Director that the conditions of this funding have been satisfied prior to the release of funds. Any required NEPA review and project management will be the responsibility of the Center.

SECTION II: HABITAT PARCEL AND HABITAT ENHANCEMENT PROJECTS

A. Funding Reauthorized in Section II

The total amount of funding approved in Section II is **\$1,798,100** of new funding and **\$8,768,110** of previously approved funding that is reauthorized. Authorization for funding for the purchase of interests in the parcel noted in Section II (B) shall terminate if a purchase agreement is not executed by May 1, 2022. This funding must be spent in accordance with the activities, requirements, conditions, and information as described in Section II (B & C).

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 reauthorizing funding for the acquisition of the Parcel **KEN 4018**, with the purchase 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 shall not exceed \$2,300,000.

The purchase above is further conditioned upon:

1. the provision 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 Parcel; and
2. 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.
3. Authorization of funding for the purchase of interests in this Parcel shall terminate if a purchase agreement is not executed by May 1, 2022.

C: Habitat Enhancement Projects

1) ADNR-DPOR Eagle Rock Facility Improvements (Bookey) - Project 20200135: Funding of **\$6,419,010**, which includes GA, is reauthorized for the ADNR State Parks Eagle Rock Facility Improvements Project on the Bookey Parcel, once acquired. This funding approval is reauthorized until May 1, 2022.

2) ADNR/DPOR Outreach – Project 20180119: Funding of **\$49,100**, which includes GA, is reauthorized for the ADNR State Parks Outreach Project. This funding approval is reauthorized until May 1, 2022.

3) USFWS Geospatial Project - Project 21210129: Funding of **\$1,798,500**, which includes GA, is approved for FY21 funding of the Standardized High-Resolution Wetlands and Hydrography Data across the EVOS Region, Project 21210129.

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:

FY21 Annual Funding Overview (AFO), dated October 23, 2020

FY21 EVOSTC Annual Budget, dated August 28, 2020

Benefits Report for Habitat Parcel: KEN 4018 Parcel, dated September 5, 2019

Alaska SeaLife Center Updated Proposal, dated December 9, 2019

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Approved by the Council at its meeting of October 14, 2020, 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 Services
U.S. Department of Commerce

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

GREGG D. RENKES
Chief of Staff/Senior Counselor
Office of the Secretary
U.S. Department of the Interior

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