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CHARTER

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL
ADMINISTRATIVE RECORD

EXXON VALDEZ OIL SPILL PUBLIC ADVISORY GROUP

1. Official Designation: Exxon Valdez Oil Spill Public Advisory Group.
2. Objectives and Scope:

In accordance with and pursuant to Paragraph V.A.4 of the Memorandum of Agreement and Consent Decree entered into by the United States of America, through the Department of Justice, and the State of Alaska, through the Attorney General, on August 27, 1991 and approved by the United States District Court for the District of Alaska in settlement of United States of America v. State of Alaska, Civil Action No. A91-081 CV, hereinafter referred to as the MOA, the Public Advisory Group shall advise the Trustees (State of Alaska Department of Law, State of Alaska Department of Fish and Game, State of Alaska Department of Environmental Conservation, U.S. Department of Agriculture, the National Oceanic and Atmospheric Administration of the U.S. Department of Commerce and the U.S. Department of the Interior) through the Trustee Council with respect to the following matters:

All decisions relating to injury assessment, restoration activities, or other use of natural resource damage recoveries obtained by the Governments, including all decisions regarding:

- a. Planning, evaluation, and allocation of available funds;
- b. Planning, evaluation, and conduct of injury assessments;
- c. Planning, evaluation and conduct of restoration activities.
- d. Coordination of a, b and c.

3. Period of Time Necessary for the Group's Activities:

By order of the District Court for the District of Alaska, the Public Advisory Group is to advise the Trustees, appointed to administer the fund established in settlement of United States v. Exxon Corporation, Civil Action No. A91-082, and State of Alaska v. Exxon Corporation, Civil Action No. A91-083, both in the United States District Court for the District of Alaska, in all matters described in paragraph V.A.1 of the MOA referenced above. Final payment into the fund is scheduled for September 1, 2001. It is expected that the need for the Public Advisory Group will

continue until approximately January 1, 2002. Extension of the Group beyond such date is subject to the unanimous written consent of the designated trustees.

4. Official to Whom the Public Advisory Group Reports:

The Public Advisory Group shall report to the Exxon Valdez Settlement Trustee Council through the Chair of the Public Advisory Group at Trustee Council meetings. Other members of the group may report with the chair, as appropriate. The Trustee Council's regular agenda shall include a period during which the Public Advisory Group representative(s) may report on its activities, ask questions of the Trustee Council, and be available for questioning by the Trustee Council. The U.S. Department of the Interior is the designated federal agency to which the Public Advisory Group reports to ensure compliance with the Federal Advisory Committee Act, including the responsibility of ensuring the necessary support for the Public Advisory Group. The designated Federal Official is the Alaska Office of Environmental Affairs' Environmental Assistant, or the Environmental Assistant's designee.

5. Administrative Support:

Administrative support for the Public Advisory Group shall be provided by the Trustee Council's Restoration Team Administrative Director. The Trustee Council shall prepare an annual budget for the Public Advisory Group. The budget shall provide the Public Advisory Group such funds as the Trustee Council deems appropriate for administrative support for the Public Advisory Group, from the joint fund established in the registry of the United States District Court for the District of Alaska in settlement of United States v. Exxon Corporation and State of Alaska v. Exxon Corporation.

6. Public Advisory Group Membership, Selection, and Service:

The Public Advisory Group shall consist of 15 members, including a chair and vice-chair.

a. Qualifications for Service - Members shall be appointed to represent the following interests: aquaculture; commercial fishing; commercial tourism; conservation; environmental; forest products; local government; Native landowner; recreation users; science/academic; sport hunting & fishing; subsistence; public-at-large (3).

Representatives shall be chosen based on their demonstrated knowledge of the region, peoples, or principal economic and social activities of the area

affected by the Exxon Valdez oil spill, or by demonstrated expertise in public lands and resource management as it relates to restoration, as applicable.

b. **Nomination and Selection** - Nominations for membership may be submitted by any source. From these nominations the Trustee Council will recommend membership to the Trustees, and following selection by the Trustees, the Secretary of the Interior appoints those selected by the Trustees.

c. **Minimum Term** - Each member may serve two years from the date of appointment. Members are eligible for renomination and reappointment at the close of their terms. The Trustees may remove a member or officer of the Public Advisory Group for reasons of malfeasance, incompetence, or failure to attend to membership responsibilities.

d. **Officers** - The Public Advisory Group shall have a chair and a vice-chair selected from the membership and approved by the Trustee Council in consultation with the members of the Public Advisory Group.

7. Expenses:

Travel, per diem and administrative support shall be borne by the Trustee Council using funds from the joint fund established in settlement of United States v. Exxon Corporation and State of Alaska v. Exxon Corporation. While away from home or regular place of business in performance of business of the Public Advisory Group, members shall receive travel expenses, including per diem in lieu of subsistence, at the applicable federal government rate. The estimated annual operating cost for the Group is \$106,000 including an estimated .5 staff-years.

8. Public Advisory Group Meetings and Records:

The Public Advisory Group shall meet no less than four times per year.

a. All Public Advisory Group meetings will be open to the public. Any member of the public is permitted to file a written statement with the Public Advisory Group and any member of the public may speak at a Public Advisory Group meeting.

b. Detailed minutes of all meetings, including the time, date and place of the meeting, names of the Public Advisory group members and other staff of the Trustee Council present, names of the public who presented oral or written statements, an estimate of the number of

other public present, an accurate description of each matter discussed and each matter resolved, if any, by the Public Advisory Group, shall be prepared and made available to the public through the Administrative Director. The Chair shall certify to the accuracy of all minutes of the Public Advisory Group.

c. Meetings of the Public Advisory Group shall be held at a reasonable time and in a place reasonably accessible to the public. Notice of meetings shall be published in accordance with AS 44.62.310(e), AS 44.62.175 and 41 C.F.R. 101-6.1015(b).

d. All accounts and records of the activities and transactions of the Public Advisory Group shall be kept and maintained by the staff of the Administrative Director and, subject to the provisions of 5 U.S.C. § 552, such accounts and records shall be available for public inspection at the offices of the Administrative Director.

e. All rules and procedures governing the proceedings of the Public Advisory Group must be approved by the Trustee Council.

9. Administrative Authority:

The Public Advisory Group functions are advisory only, and its officers shall have no administrative authority by virtue of their membership, except to recommend the Public Advisory Group budget needs to the Administrative Director. The Trustee Council, through the Administrative Director, shall procure all needed space, supplies, equipment and support for the Public Advisory Group. Any office space of the Public Advisory Group shall be located with the Office of the Administrative Director.

10. Termination Date:

The Federal Advisory Committee Act, 5 U.S.C. App., requires that the Public Advisory Group shall terminate two years from the date of filing of this charter unless the Group is renewed before that date in accordance with the requirements of that Act.

11. Authority:

This Public Advisory Group is established as mandated by paragraph V.A.4 of the MOA and shall be located in Alaska. Additional authority for its creation is found in the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, 42 U.S.C. § 9601 et seq.



Secretary of the Interior

JUN 22 1992

Date Signed: _____

AUG 12 1992

Date Charter Filed: _____

4/27/92 as amended by the TC

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APR 27 1992

CHARTER

EXXON VALDEZ OIL SPILL PUBLIC ADVISORY GROUP

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL
ADMINISTRATIVE RECORD

1. Official Designation: Exxon Valdez Oil Spill Public Advisory Group.
2. Objectives and Scope: In accordance with and pursuant to Paragraph V.A.4 of the Memorandum of Agreement and Consent Decree entered into by the United States of America, through the Department of Justice, and the State of Alaska, through the Attorney General, on August 27, 1991 and approved by the United States District Court for the District of Alaska in settlement of United States of America v. State of Alaska, Civil Action No. A91-081 CV, hereinafter referred to as the MOA, the Public Advisory Group shall advise the Trustees (State of Alaska Department of Law, State of Alaska Department of Fish and Game, State of Alaska Department of Environmental Conservation, U.S. Department of Agriculture, the National Oceanic and Atmospheric Administration of the U.S. Department of Commerce and U.S. Department of the Interior) through the Trustee Council with respect to the following matters:

All decisions relating to injury assessment, restoration activities, or other use of natural resource damage recoveries obtained by the Governments, including all decisions regarding

- (1) the planning, evaluation and allocation of available funds;

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(2) the planning, evaluation, and conduct of injury assessments;

(3) the planning, evaluation and conduct of restoration activities;

(4) the coordination of (1), (2) and (3).

3. Period of Time Necessary for the Group's Activities:

By order of the District Court for the District of Alaska, the Public Advisory Group is to advise the Trustees, appointed to administer the fund established in settlement of United States v. Exxon Corporation, Civil Action No. A91-082, and State of Alaska v. Exxon Corporation, Civil Action No. A91-083, both in the United States District Court for the District of Alaska, in all matters described in paragraph V.A.1 of the MOA referenced above. Final payment into the fund is scheduled for September 1, 2001. This Public Advisory Group shall terminate ten years from January 1, 1992 unless extended in writing by unanimous action of the designated Trustees by July 1, 2001.

4. Officials to whom the Public Advisory Group Reports:

The Public Advisory Group shall report to the Exxon Valdez Settlement Trustee Council through the Chair of the Public Advisory Group at Trustee Council meetings. Other members of the group may report with the chair, as appropriate. The Trustee Council's regular agenda shall include a period during which the Public Advisory Group representative(s) may report on its activities, ask questions of the Trustee Council, and be available for questioning by the Trustee

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Council. The U.S. Department of the Interior is the designated federal agency to whom the Public Advisory Group reports to ensure compliance with the Federal Advisory Committee Act, including the responsibility of ensuring the necessary support for the Public Advisory Group. The designated Federal Official is the Alaska Office of Environmental Affairs' Environmental Assistant.

5. Administrative Support: Administrative support for the Public Advisory Group shall be provided by the Administrative Director. The Trustee Council shall provide funds as deemed appropriate for administrative support for the Public Advisory Group, from the joint fund established in the registry of the United States District Court for the District of Alaska in settlement of United States v. Exxon Corporation and State of Alaska v. Exxon Corporation.

6. Public Advisory Group Composition, Selection, and Service: The Public Advisory Group shall consist of fifteen members, including a chair and a vice-chair.

A. Qualifications for service -- Members shall be appointed based on their demonstrated knowledge of the region, peoples, or principal economic and social activities of the area affected by the Exxon Valdez oil spill, or by demonstrated expertise in public lands and resource management as it relates to restoration.

B. Nomination and Selection -- Candidates for membership will be nominated by the public. From these nominations the Trustee Council will recommend

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membership to the Trustees and following selection by the Trustees, the Secretary of the Interior selects those selected by the Trustees.

C. Minimum term -- Each member may serve two years from the date of appointment. Members are eligible for renomination and reappointment at the close of their terms. The Trustees may remove a member of the advisory group for reasons of malfeasance or incompetence.

D. Officers -- The Public Advisory Group shall have a chair and a vice-chair approved by the Trustee Council in consultation with members of the Public Advisory Group.

7. Expenses: Travel, per diem and administrative support, shall be borne by the Trustee Council from the joint fund established in settlement of United States v. Exxon Corporation and State of Alaska v. Exxon Corporation. While away from home or regular place of business in performance of the business of the Advisory Group, travel expenses, including per diem in lieu of subsistence, shall be allowed at the applicable federal government rates. The estimated annual operating cost is \$106,000 and the estimated man-years for the group is 0.5.

8. Council Meetings and Records. The Public Advisory Group shall meet no less than four times per year.

A. All Public Advisory Group meetings will be open to the public. Any member of the public is permitted

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to file a written statement with the Public Advisory Group and any member of the public may speak at a Public Advisory Group meeting.

- B. Detailed minutes of all meetings, including the time, date and place of the meeting, names of the Public Advisory Group members and other staff of the Trustee Council present, names of the public who presented oral or written statements, an estimate of the number of other public present, an accurate description of each matter discussed and the resolution, if any, made by the Public Advisory Group, and copies of each report or other document received, issued or approved by the Public Advisory Group, shall be prepared and made available to the public through the Administrative Director. The Chair shall certify to the accuracy of all minutes of the Advisory Group.
- C. Meetings of the Public Advisory Group shall be held at a reasonable time and place reasonably accessible to the public. Notice of meetings shall be published in accordance with AS 44.62.310(e), AS 44.62.175 and 41 C.F.R. 101-6.1015(b).
- D. All accounts and records of the activities and transactions of the Public Advisory Group shall be kept and maintained by the staff of the Administrative Director and shall be available for

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public inspection at the offices of the
Administrative Director.

E. All rules and procedures governing the proceedings
of the Public Advisory Group must be approved by
the Trustee Council.

9. Administrative Authority: The Public Advisory Group
and its officers shall have no administrative authority,
except to recommend budget needs to the Administrative
Director. The Trustee Council through the Administrative
Director shall procure all needed space, supplies, equipment
and support. Any office space of the Public Advisory Group
shall be located with the office of the Administrative
Director of the Restoration Team.

10. Termination Date: The Public Advisory Group shall
terminate on January 1, 2002 unless extended as provided in
paragraph 4.

11, Authority: This Public Advisory Group is established
as mandated by paragraph V.A.4 of the MOA and shall be
located in Alaska.

12. The charter of the Public Advisory Group is filed on
_____.