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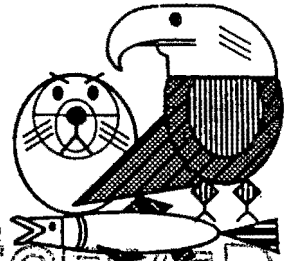
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Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 G Street, Suite 401, Anchorage, Alaska 99501-3451

Phone: (907) 278-8012 Fax: (907) 276-7178



TRUSTEE COUNCIL MEETING ACTIONS

December 6, 1996 @ 10 a.m.

FEB 10 1997

By Molly McCammon
Executive Director

RECEIVED
DRAFT
EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL
ADMINISTRATIVE RECORD

Trustee Council Members Present:

- Jim Wolfe, USFS
- Deborah Williams, USDO
- Bill Hines, NMFS

- Janet Kowalski, ADF&G
- Michele Brown, ADEC
- * • Craig Tillery, ADOL

* Chair

• Alternates:

Janet Kowalski served as an alternate for Frank Rue for the entire meeting.
Al Ewing served as an alternate for Michele Brown for a portion of the meeting.
Bill Hines served as an alternate for Steve Pennoyer for the entire meeting. Steve Pennoyer was present during the Executive Session.
Jim Wolfe served as an alternate for Phil Janik for the entire meeting. Phil Janik was present during the Executive Session.
Deborah Williams served as an alternate for George T. Frampton, Jr. for the entire meeting.
Craig Tillery served as an alternate for Bruce Botelho for the entire meeting.

1. Approval of the Agenda

APPROVED MOTION: Approved the Agenda. Motion by Williams, second by Brown.

2. Approval of the Meeting Minutes

APPROVED MOTION: Approved November 8, 1996 Trustee Council meeting notes. Motion by Williams, second by Hines.

3. Natural Resources Damage Assessment Reports

APPROVED MOTION: Adopted option number 4 - to address what to do with NRDA projects without a final report on a case by case basis and report back to the Trustee Council within six months on their status. Motion by Williams, second by Brown.

Trustee Agencies

State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation

United States: National Oceanic and Atmospheric Administration, Departments of Agriculture and Interior

4. Archaeology Planning Project

APPROVED MOTION: Approved \$12,100 to print additional Archaeology Planning Reports, postage for the distribution of the reports and for three staff members to travel to the communities to hold public meetings and develop further options for Council consideration. Motion by Williams, second by Brown.

5. Restoration Reserve Plan

APPROVED MOTION: Approved Executive Director's recommendation to begin public planning process on Restoration Reserve.

6. Public Comment Period

Eight members of the public testified from Anchorage and one individual testified from Homer.

7. Executive Session

APPROVED MOTION: Adjourn into Executive Session to discuss Habitat Protection, Public Advisory Group nominations, the Executive Director's evaluation, and the Exxon settlement re-opener clause. Motion by Wolfe, second by Brown.

(Off Record at 12:04 p.m.)

(On Record at 1:35 p.m.)

8. Public Advisory Group Nominations

APPROVED MOTION: Nominated the following individuals to sit on the Public Advisory Group for the 1997 - 1998 term:

Mary McBurney - Aquaculture
Torie Baker - Commercial Fishing
Eleanore Huffines - Commercial Tourism
Chip Dennerlein - Conservation
Pam Brodie - Environmental
Howard Valley - Forest Products
Dave Cobb - Local Government
Chuck Totemoff - Native Landowner
Stacey Studebaker - Recreation Users
Rupert Andrews - Sport Hunting and Fishing
Nancy Yeaton - Subsistence
Chuck Meacham - Science/Academic
Chris Beck - Public-at-Large
Vern McCorkle - Public-at-Large

Sheri Buretta - Public-at-Large
Jim King - Public-at-Large
Brenda Schwantes - Public-at-Large
Motion by Hines, second by Ewing.

DRAFT

9. Traditional Ecological Knowledge Protocols

APPROVED MOTION: Adopt the Executive Director's recommended guidelines for including indigenous knowledge in the restoration process. Motion by Williams, second by Hines.

10. Data Ownership and Archiving Policy

APPROVED MOTION: Deferred action on policy pending further review.

11. 1997 Deferred Project Proposals

APPROVED MOTION: Adopt the Executive Director's recommendations on the deferred project proposals for 1997 totaling \$609,200. Request additional information on Project 97254, Delight and Desire Lakes Fertilization. Motion by Williams, second by Ewing.

12. Tatitlek

APPROVED MOTION: Adopt the revised Tatitlek resolution accepting Tatitlek Corporation's counteroffer of \$33,800,000 (from \$33,000,000) for various interests in 66,000 acres plus a timber only conservation easement on the Sunny Bay parcel (approximately 2,445 additional acres). Motion by Wolfe, second by Williams.

13. Horseshoe Bay/PWS 11

APPROVED MOTION: Authorize the Alaska Department of Natural Resources to acquire the Horseshoe Bay parcel (PWS 11), consisting of 1,600 feet of Horseshoe Bay frontage and including the mouth of an anadromous stream, for the approved appraisal price of \$475,000. Motion by Wolfe, second by Kowalski.

14. Johnson Parcel KAP 114

APPROVED MOTION: Authorize the U.S. Fish and Wildlife Service to acquire the Johnson Parcel (KAP 114), consisting of 55 acres located within Uyak Bay for the approved appraisal price of \$154,000. Motion by Williams, second by Hines.

15. Kenai Natives Association Small Parcels

APPROVED MOTION: Adopt a motion clarifying that with the KNA acquisition, the state is to receive conservation easements only with respect to the Stephanka and Moose River patented tracts. Motion by Williams, second by Ewing.

16. Coordination with Native Groups at the Alaska SeaLife Center

APPROVED MOTION: Encourage the Executive Director of the Alaska SeaLife Center "to work closely with the local Native community on the issues including, consideration of the request for formation of a committee, or other working group, for the purpose of assisting the SeaLife Center in producing a respectful and accurate representation of the traditional heritage of Alaskan Native Culture." Motion by Williams, second by Ewing.

Meeting adjourned at 3:17 p.m.

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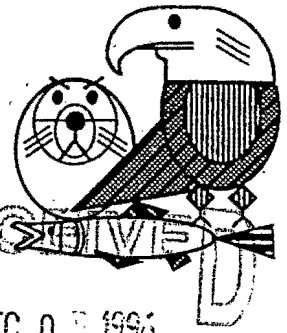
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Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 G Street, Suite 401, Anchorage, Alaska 99501-3451

Phone: (907) 278-8012 Fax: (907) 276-7178



TRUSTEE COUNCIL MEETING ACTIONS DEC 08 1996

November 8, 1996 @ 2:00 p.m.

By Molly McCammon
Executive Director

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL
ADMINISTRATIVE RECORD

DRAFT

Trustee Council Members Present:

- *• Jim Wolfe, USFS
- Barry Roth, USDOJ
- Bill Hines, NMFS

- Rob Bosworth, ADF&G
- Al Ewing, ADEC
- Craig Tillery, ADOL

* Chair

• Alternates:

Bill Hines served as an alternate for Steve Pennoyer for the entire meeting.
Al Ewing served as an alternate for Michele Brown for the entire meeting.
Jim Wolfe served as an alternate for Phil Janik for the entire meeting.
Barry Roth served as an alternate for George T. Frampton, Jr. for the entire meeting.
Rob Bosworth served as an alternate for Frank Rue for the entire meeting.
Craig Tillery served as an alternate for Bruce Botelho for the entire meeting.

1. Approval of the Agenda

APPROVED MOTION: Approved the Agenda. Motion by Ewing, second by Hines.

APPROVED MOTION: Approved October 15, 1996 Trustee Council meeting notes. Motion by Roth, second by Hines.

2. Small Parcel

APPROVED MOTION: Authorized the purchase of the 160 acre Abston Parcel, KAP 1055 for the fair market value of \$281,300. Motion by Tillery, second by Roth.

Trustee Agencies

State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation
United States: National Oceanic and Atmospheric Administration, Departments of Agriculture and Interior

3. Executive Session

APPROVED MOTION: Adjourn into Executive Session for the purpose of discussing the Public Advisory Group Nominations and Habitat Protection. Motion by Tillery, second by Roth.

(Off Record 2:26 p.m.)

(On Record 3:33 p.m.)

Meeting recessed at 3:45 p.m.

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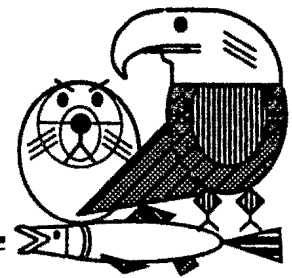
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TRUSTEE COUNCIL MEETING ACTIONS

October 15, 1996 @ 2:00 p.m.

**By Molly McCammon
Executive Director**

DRAFT

Trustee Council Members Present:

- *● Jim Wolfe, USFS
- Deborah Williams, USDOJ
- Bill Hines, NMFS

- Rob Bosworth, ADF&G
- Michele Brown, ADEC
- Alex Swiderski, ADOL

* Chair

● Alternates:

Jim Wolfe served as an alternate for Phil Janik for the entire meeting.

Deborah Williams served as an alternate for George T. Frampton, Jr. for the entire meeting.

Bill Hines served as an alternate for Steve Pennoyer for the entire meeting.

Rob Bosworth served as an alternate for Frank Rue for the entire meeting.

Alex Swiderski served as an alternate for Bruce Botelho for the entire meeting.

1. Approval of the Agenda

APPROVED MOTION: Approved the Agenda. Motion by Williams, second by Swiderski.

APPROVED MOTION: Approved August 29, 1996 Trustee Council meeting notes. Motion by Williams, second by Brown.

2. Executive Session

APPROVED MOTION: Adjourn into Executive Session for the purpose of discussing habitat protection and acquisition. Motion by Williams, second by Unidentified.

(Off record at 2:32 p.m.)

(On record at 3:35 p.m.)

Trustee Agencies

State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation

United States: National Oceanic and Atmospheric Administration, Departments of Agriculture and Interior

3. Habitat Protection

APPROVED MOTION: Authorized negotiators to offer approved appraisal price for KEN 1049, KAP 103, KAP 98, KAP 132, KAP 101, and KAP 131. Also, authorized designating as parcels meriting special consideration, allowing appraisals to be performed, KAP 114, KAP 1055, KEN 1051, and KEN 1052. Motion by Williams, second by Brown.

Meeting recessed at 4:03 p.m.

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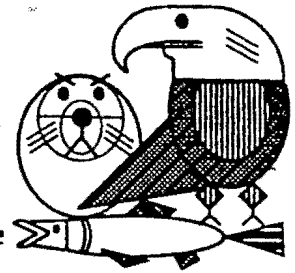
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TRUSTEE COUNCIL MEETING ACTIONS

August 29, 1996 @ 8:00 a.m.

By Molly McCammon
Executive Director

RECORDED
OCT 09 1996

Trustee Council Members Present:

Phil Janik, USFS
• Deborah Williams, USDOJ
Steve Pennoyer, NMFS

Frank Rue, ADF&G
• Ernie Piper, ADEC
* • Craig Tillery, ADOL

* Chair

• Alternates:

Deborah Williams served as an alternate for George T. Frampton, Jr. for the entire meeting.

Ernie Piper served as an alternate for Michele Brown for the entire meeting.

Craig Tillery served as an alternate for Bruce Botelho for the entire meeting.

1. Approval of the Agenda

APPROVED MOTION: Approved the Agenda. Motion by Williams, second by Piper.

APPROVED MOTION: Approved June 28, 1996, Trustee Council meeting notes. Motion by Rue, second by Pennoyer.

2. Public Advisory Group

APPROVED MOTION: Approved a change to the number of Public Advisory Group members required to make a quorum from 12 to 10. Motion by Williams, second by Pennoyer.

3. Injured Resources and Services Revisions

APPROVED MOTION: Adopt April 1996 Draft Update on Injured Resources and Services, with oral changes noted in discussion. Motion by Williams, second by Pennoyer.

Trustee Agencies

State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation
United States: National Oceanic and Atmospheric Administration, Departments of Agriculture and Interior

4. Policies and Procedures

APPROVED MOTION: Adopt August 16, 1996 draft of Trustee Council Operating and Financial Procedures, with two amendments to the text. Motion by Pennoyer, second by Rue.

5. Executive Session

APPROVED MOTION: Adjourn into Executive Session to discuss habitat protection issues and Court Registry Investment System fees issue. Motion by Williams, second by Janik.

Off Record 12:05 p.m.

On Record 1:52 p.m.

6. Prince William Sound Science Center

APPROVED MOTION: Request that the Executive Director obtain additional information regarding the request for additional funds from the Prince William Sound Science Center and report back to the Trustee Council at their next meeting. Motion by Janik, second by Pennoyer.

7. Technical Budget Amendments

APPROVED MOTION: Authorize transfer of \$93,400 from Project 96320-N to 96320-J. Motion by Williams, second by Rue.

8. FY97 Work Plan

APPROVED MOTION: Adopt the FY97 Work Plan as recommended by the Executive Director. Motion by Williams, second by Piper.

9. Restoration Reserve

APPROVED MOTION: Approved an additional \$12 million deposit into the *Exxon Valdez* Restoration Reserve account. Motion by Janik, second by Williams.

10. Executive Session

APPROVED MOTION: Adjourn to go into Executive Session for the purpose of discussing Tatitlek habitat protection. Motion by Williams, second by Janik.

Off Record 4:40 p.m.

On Record 4:56 p.m.

11. General Habitat Acquisition Resolution

APPROVED MOTION: Adopt a resolution reaffirming the Council's ongoing commitment to complete agreements with Afognak Joint Venture, English Bay Corporation, Eyak Corporation, Chenega Corporation, Koniag Inc., Port Graham and Tatitlek Corporation. Motion by Rue, second by Williams.

12. Tatitlek

APPROVED MOTION: Approved resolution to purchase approximately 66,600 acres for \$33 million, with \$23 million to come from Trustee Council funds. Motion by Williams, second by Rue.

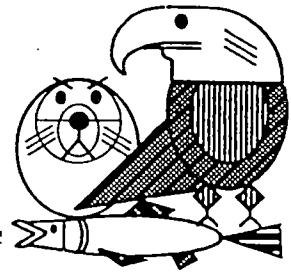
Meeting adjourned at 5:32 p.m.

Exxon Valdez Oil Spill Trustee Council

Restoration Office

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TRUSTEE COUNCIL MEETING ACTIONS

June 28, 1996 @ 8:30 a.m.

DRAFT

By Molly McCammon
Executive Director

Trustee Council Members Present:

Phil Janik, USFS
• Deborah Williams, USDO
* Steve Pennoyer, NMFS

Frank Rue, ADF&G
Michele Brown, ADEC
• Craig Tillery, ADOL

* Chair

• Alternates:

Deborah Williams served as an alternate for George T. Frampton, Jr. for the entire meeting.

Craig Tillery served as an alternate for Bruce Botelho for the entire meeting.

1. Approval of the Agenda

APPROVED MOTION: Approved the Agenda. Motion by Williams, second by Tillery. (Attachment A)

APPROVED MOTION: Approved May 2, 17 and 31, 1996, Trustee Council meeting notes. Motion by Williams, second by Tillery. (Attachment B)

2. Prince William Sound Residual Oil and Cleanup Proposal

APPROVED MOTION: Authorized funds not to exceed \$1.9 million for Phases 1 and 2 of the shoreline cleanup project. Phase 1 is the development of the remediation plan and Phase 2 is the cleanup itself with the actual funding contingent on what plan gets developed in Phase 1. Motion by Janik, second by Rue. (Attachment C)

3. Technical Budget Amendments

APPROVED MOTION: Authorize additional funds to the U.S. Department of the Interior as follows: \$11,400 for personnel costs on new Project 96326, \$5,300 in contractual costs for Project 96025, and \$6,300 in equipment costs for Project 96161. Motion by Williams, second by Brown. (Attachment D)

Trustee Agencies

State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation

United States: National Oceanic and Atmospheric Administration, Departments of Agriculture and Interior

DRAFT

4. Executive Session

APPROVED MOTION: Adjourn into Executive Session for the purpose of discussion on Habitat Protection of Large and Small Parcels. Motion by Williams, second by Rue.

Off Record at 9:00 a.m.

On Record at 9:52 a.m.

5. Small Parcel

APPROVED MOTION: Authorized negotiators to offer approved appraisal price for KAP 99, KAP 115, KAP 135, and KEN 1034. Motion by Williams, second by Brown.

6. Amend November 20, 1995 Tulin Resolution

APPROVED MOTION: Authorized amendment on the November 20, 1995 Tulin Parcel (KEN 29) Resolution to include on the last sentence on page three: "As one of the conditions for acquisition of a number of small parcels that a satisfactory title search is completed by the acquiring government and the seller is willing and able to convey fee simple title by warranty deed except that with respect to Parcel KEN 29, the sellers may reserve certain oil and gas rights that will not affect the restoration rights of the property and provided that sellers will make their best efforts to insure that in no event may the surface of the property be used or altered in any way for purpose of oil and gas exploration or production." Motion by Tillery, second by Rue.

Meeting adjourned at 10:10 a.m.

81119

Exxon Valdez Oil Spill Trustee Council Public Hearing
in Kodiak, Alaska
June 15, 1996, Senior Citizens Center, 4:30 p.m.

Trustee Council members present:

DRAFT

STATE OF ALASKA - DEPARTMENT
OF FISH AND GAME:

MR. FRANK RUE
Commissioner

U.S. DEPARTMENT OF THE INTERIOR:

MS. DEBORAH WILLIAMS
Special Assistant to the
Assistant Secretary

STATE OF ALASKA -
DEPARTMENT OF LAW:

MR. CRAIG TILLERY (Chair)
Trustee Representative
for the Attorney General

U.S. DEPARTMENT OF AGRICULTURE -
U.S. FOREST SERVICE:

MR. JIM WOLFE
Trustee Representative
for the Regional Forester

STATE OF ALASKA - DEPARTMENT
OF ENVIRONMENTAL CONSERVATION:

MS. MICHELE BROWN
Commissioner

Members of the public present:

Stacy Studebaker
Mary Forbes
Brian Himelbloom
Barbara Rudio
Mike Sirofchuck
Hank Eaton
Mayor Selby
Brad Meiklejohn
Brenda Schwantes
Dan Busch
Claire Holland
Heidi Zemach
Bob Pfitzenreuter

Opening comments by Craig Tillery, chair. Trustees introduce themselves.

Note: The following are summations, not verbatim transcription.

Stacy Studebaker: Nominated Termination Point for Trustee Council acquisition three years ago, a 1,000 acre parcel at the end of the Kodiak road system. I want to encourage you, now that the Stratman lawsuit is nearly over, to pursue acquiring that property. That parcel is so important recreation-wise to the community because it's located right on the road system, and accessible to everybody. North Afognak and the Long Island parcel are important too, but for direct benefit to the people of Kodiak, the Termination Point parcel is really, really important. Acquiring land and setting it aside for generations to come is the best way to use the money we have and anything you can do to further that process to benefit Kodiak would be appreciated. You have heard from the people of Kodiak, how does the Termination Point fit into the Trustee's priorities?

Molly McCammon: The large parcel program is for parcels over 1,000 acres, the Small Parcel is for parcels under 1,000 acres. The Large Parcel transactions that the Trustees have completed in the Kodiak area include Seal Bay, Akhiok-Kaguyak, Koniag, Old Harbor, and Shuyak Island. We are stilling working on Afognak Joint Venture and details will be worked out over the next few years for permanent protection on those Koniag lands with a seven-year easement. The Small Parcel program went through a major nomination period and Termination Point was one of those nominated. It ranked highly, and was considered one the Council was interested in. It has commercial timber on it so it needs a timber appraisal which will add to the cost of the parcel because of the timber value. The cloud on the title made the Council hesitant to invest in an appraisal, but in the last six months the questions relating to the title have become a little less cloudy, so money has been put in the budget for the timber appraisal, scheduled for late this summer or early fall. Negotiations can begin when the appraisal is completed.

Deborah Williams: Do you have any thoughts on whom you think should manage the land? Should the Trustee Council purchase it?

Stacy Studebaker: State Parks because they do have other parcels on the road system that they manage well now, and I'd like to see an agency responsible for the land instead of local people.

Mary Forbes: Thank you for your past purchases in the Kodiak area and urge you to continue your efforts toward Afognak. Including Paul's and Laura's Lakes and Termination Point. (Submits 15 letters from individuals supporting habitat protection on northern Afognak Island.)

Brian Himelbloom: I'd like to address Paralytic Shellfish Poisoning. Last year we submitted a proposal thru Kodiak Tribal Council on PSP that didn't get funded. Is there

a possibility of getting this funded? We had a lot of problems with PSP last year, someone even died. Is there a way to having funding be made available to study PSP?

Molly McCammon: Two years ago this project was submitted and we did work with folks about how to answer some technical ways that would set up a new bioassay besides rats or mice. Who would take over the project? No state or federal agency was willing to take this project over, which is a major policy question. Another question was legal liability. If we were setting up a monitoring program, community based, who is liable for actually determining that things are safe? PSP is a big issue in Kodiak and in April while touring the six communities here on Kodiak Island, PSP was mentioned at almost every village. And I'd like to continue working on this proposal and seeing if there is some possibility of reaching a mutually acceptable project.

Brian Himelbloom: We didn't know how to answer the questions about the liability. We were going to work with DEC to coordinate our testing with theirs. We were looking for a quick screening method. The Governor is wanting something done for the subsistence users. A lot of shellfish are clean but you don't know that unless they are tested. Is this a project that can be revisited? Is it worth pursuing? Should we restructure this?

Jim Wolfe: This sounds like a great project of some sort. Are you proposing that this would be a replacement for some shellfish in the Kodiak area that were damaged during the spill? I wasn't aware of any shellfish that were damaged as a result of the spill in Kodiak.

Brian Himelbloom: There were some subtidal and shellfish resources that did get impacted. If we did get a project like this funded, I would expect that it would spread back to Prince William Sound since that area doesn't have this kind of testing either. Other oil impacted areas as well, where shellfish are harvested.

Molly McCammon: Subsistence users still don't have confidence that the resources are safe from the oil impact and from PSP.

Jim Wolfe: A lot of testing has been done by NOAA and ADEC of the fisheries and shellfish which indicated residual oil was affecting only mussels. It sounds like a good project. It sounds like a good project with potential.

Deborah Williams: Was there an increase in PSP after the oil spill?

Brian Himelbloom: 1994 was the year we had the highest incidents of poisoning and record levels of PSP. But there has not been a monitoring program because it takes a lot of resources to do this type of program. I can't say if it's gotten worse, but people's awareness has risen.

Craig Tillery: The message you should probably get from this meeting is that you should be encouraged to look at the issues that created the problems last time. Molly and the staff may be able to help you.

Brian Himelbloom: I just really didn't know if there was an answer to some of these questions. I didn't know if three years down the line some group was going to take over the monitoring or if we can re-tool it in some way. And for the legal liability, we'd have to address that to ADEC. The legal responsibility there is if the product is tested and it's tested wrong there must be some retribution to whoever tested it. Thank you for your time. I appreciate it.

Bob Pfutzenreuter: Two things, I support the Termination Point acquisition. Over the years, the trail has developed, meaning it's gotten deeper, because it's so popular. It's one of the most popular, if not the most popular hike in Kodiak. It would be a tragedy if it were logged. It is a community asset and it would be a crime if something happened to it. The other thing is the Paul's Lake area. Many people have fished this area year after year. It's a beautiful area, big trees with undergrowth and it's another one of the areas that if logged, it will impact severely the silver salmon fishery and productivity of that ecosystem. A very worthwhile area to acquire. As time goes by more people will use this area, which isn't necessarily good, but it's a place people want to return to and I'd hate to see it change in any way.

Deborah Williams: What kind of habitat is in the area?

Bob Pfutzenreuter: Over the years at Termination Point I haven't seen bears, but there are signs of bears. I've seen marbled murrelets, they nest in the area, along with deer, birds, rabbits. I don't think there are any salmon streams in the area, maybe some trout in the lake systems. There are some really big trees that if you peel the moss off them you can see the ash from the Katmai volcano which blew in 1912. Lots of undergrowth, and still fairly pristine. There are active beaver ponds. It's 15 minutes from town, but you feel you are further out than that because you sometimes don't see anyone on the trail. It's tough to find trails in Kodiak because of the undergrowth. Kids to folks in the 70s can hike the trail because of it's easy access and easy trail. Like I said, it's a tremendous asset to the community.

Michele Brown: If the property was acquired who do you think should manage it?

Bob Pfutzenreuter: State Parks I think, I don't know about budget problems, or the number of people they could allocate to that area to manage it. Claire (Holland) may be able to address it.

Deborah Williams: Do you think the community would be willing to do clean up projects?

Several folks speak at once: We already do. Most people who go out there come back with a bag of trash.

Barbara Rudio: I'm currently chairman of the Kodiak State Parks Advisory Board. We'd like to express our appreciation for the purchase of the Shuyak Island lands. On a personal note, I'd like to echo the people who have encouraged the Termination Point acquisition. I'd like to point out that we can access that area all year round. I'd like to add my name to the list of people in favor of purchasing Termination Point. Thank you.

Mike Sirofchuck: I'm a member of the Kodiak State Parks Advisory Board, but I'm speaking as a private citizen. The first thing I'd like to say is thank you for coming to Kodiak, and thank you very much in your work in acquisition habitat and funding research projects. I think the way the money is being used in the Exxon Settlement is the right way and we've seen plenty of examples of that today. As someone who has spent a lot of time on Shuyak Island and the Pillar Lake area on Afognak, I know they are good additions to the State Parks system. We hear a lot of talk about locking up land, but when they become public and a part of the state I think they become more available to the citizens of the state. A lot of the lands are used not only for recreation but for subsistence. I'd like to express my support for the acquisition of the Paul's Lake area. I've spent some time there fishing and it has a strong sockeye and silver run so it's important for habitat that was damaged by the spill. It's also an important recreation area. Some mention has been made about the Long Island parcel which is a valuable recreation area. People get to it by kayak and skiff so a number of people use that area, as I have. It also has a sea lion haul out there along with lots of sea birds. I'd like to add my vote to the Termination Point acquisition. I appreciate that the Trustees have stuck with that. It's been confusing, but I hope resolution is near. I think it's an important parcel and I hope you continue to pursue it. The Near Island habitat pull is mainly the sea lions. There is a place where you can view the sea lions from above and they don't know you're there. There are sea birds out there too, along with deer. It's a good recreational parcel.

Hank Eaton: I'd like to talk about PSP. I followed up on this after our trip to the villages in April. I wrote to the Governor who wrote back and said there was no money for it but there was a facility in Palmer that could do the PSP testing. I talked to John French at the Fish Tech Center, and they said yeah they could do it in Palmer but it takes a week to 10 days to get the results back. If we had a facility here for a minimum amount of money we could take the samples in here on one day and have an answer back in 24 hours. I don't remember from the old days having any problems with PSP. I've eaten clams and dug around here for most of my life. It's been within the 10-12 years that we've had a problem with clams. Clams are a major source of subsistence for the Natives around the Island. The clam beaches on Long Island would have to be cleaned up by the military. The Coast Guard was posted there all throughout the war and you can still see the barracks and facilities. Once it's cleaned up, I think it would be fine for a park. Just keep the three-wheelers off it and Termination Point. I think

with a little pressure the Governor would see his way clear to allocating a few bucks to set-up a PSP facility here at our Tech Center. We then would be able to get results to folks within 24 hours. The Palmer facility won't work for us because PSP can set in fairly quickly and you may get a reading that says the beach is ok, but by that time PSP may have set in.

Deborah Williams: Do you know if the Military has been asked to clean up Long Island?

Hank Eaton: Yes, they were asked to clean up their debris on the whole island. But they have only cleaned up Chiniak.

Mayor Selby: There is a Corp of Engineers Project that is funded to clean up Long Island this summer or next summer. Along with the sea lion rookery on Long Island, there is a large lagoon that is used heavily as a recreational area. There is lots of timber and the south end has a nice lake with fish in it. There are beaches where people picnic. If Long Island was added to Ambercrombie and Termination Point, that would give you a real nice park situation with many different opportunities to recreate. Also, the Borough lands adjacent to Termination Point are already designated as a park area. Monies from the State Criminal Settlement will develop that park. Development was held up until we found out if Termination Point was going to become part of the State Park system. The rest of the Borough's land there at Termination Point is watershed and permanently designated as such.

Brad Meiklejohn: Alaska representative of the Conservation Fund. Let's finish the job in Kodiak. Thank you for all you have done in Kodiak.

Brenda Schwantes: A member of the Trustee Council's Public Advisory Group. The local villages have a big concern about PSP. I encourage testing support. Folks have stopped using these resources as much as they did in the past. Regarding the Afognak Joint Venture land acquisition, please keep negotiating with them. Also, I'm concerned about crab and shrimp stocks, this is a significant issue. I'm concerned about our response to future oil spills.

Dan and Randy Busch: My wife and I are owners and operators of Kodiak Island River Camps. Since 1989 we've used land around Paul's Lake every August and September, through an agreement with Afognak Native Corporation. We think all our guests would endorse the Trustee's acquisition of this land, as we do.

Brian Himelbloom: I want to clarify that we are not asking to build a new PSP testing facility here, but to do some research.

Hank Eaton: Why isn't there a Native Trustee? This is the most important group with a big concern about future oil spills with the oil export ban lifted.

Gale Smith: Kodiak State Parks Advisory Board member. I support Shuyak and Afognak Island acquisitions. I'd like to see the purchase of Termination Point and to add to the facilities.

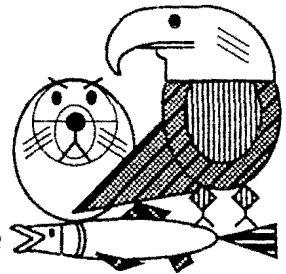
DRAFT

Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 G Street, Suite 401, Anchorage, Alaska 99501-3451

Phone: (907) 278-8012 Fax: (907) 276-7178



TRUSTEE COUNCIL MEETING ACTIONS

May 31, 1996 @ 1 p.m.

By Molly McCammon
Executive Director

RECEIVED
DRAFT
JUL 25 1996

Trustee Council Members Present: ALASKA VALDEZ OIL SPILL
TRUSTEE COUNCIL
ADMINISTRATIVE RECORD

Phil Janik, USFS
•Deborah Williams, USDOJ
Steve Pennoyer, NMFS

*Frank Rue, ADF&G
Ernie Piper, ADEC
•Craig Tillery, ADOL

* Chair

• Alternates:

Ernie Piper served as an alternate for Michele Brown for the entire meeting.

Deborah Williams served as an alternate for George T. Frampton, Jr., for the entire meeting.

Craig Tillery served as an alternate for Bruce Botelho for the entire meeting.

1. Approval of the Agenda

APPROVED MOTION: Approved the Agenda. Motion by Williams, second by Pennoyer.
(Attachment A)

2. Chenega

APPROVED MOTION: Adopt the recommended resolution to purchase Chenega lands consisting of approximately 60,635 acres, that include Eshamy and Jackpot Bays, for the total sum of \$34 million in one payment or \$36 million over two years. Motion by Williams, second by Janik.
(Attachment B)

3. Residual Oiling

APPROVED MOTION: Executive Director to work with the Alaska Department of Environmental Conservation, U.S. Forest Service and residents of Chenega to prepare a budget and work plan for clean up of the high-priority sites identified in the residual oiling workshop report and report back to the Trustee Council with a recommended course of action. Motion by Piper, second by Williams.

Meeting adjourned.

raw

Trustee Agencies

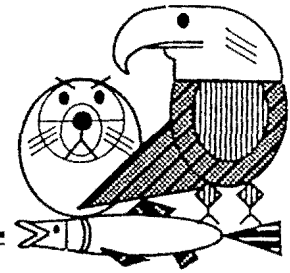
State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation
United States: National Oceanic and Atmospheric Administration, Departments of Agriculture and Interior

Exxon Valdez Oil Spill Trustee Council

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**DRAFT**

AGENDA
 EXXON VALDEZ OIL SPILL SETTLEMENT
 TRUSTEE COUNCIL MEETING
 MAY 31, 1996 @ 1 P.M.
 645 G STREET, ANCHORAGE

5/31/96

8:16 am

DRAFT

Trustee Council Members:

BRUCE BOTELHO/CRAIG TILLERY
 Attorney General/Trustee
 State of Alaska/Representative

MICHELE BROWN
 Commissioner
 Alaska Department of Environmental
 Conservation

GEORGE T. FRAMPTON, JR./DEBORAH WILLIAMS
 Assistant Secretary/Trustee Representative
 for Fish & Wildlife & Parks
 U.S. Department of the Interior

PHIL JANIK
 Regional Forester - Alaska Region
 U.S. Department of Agriculture
 Forest Service

STEVE PENNOYER
 Director, Alaska Region
 National Marine Fisheries Service

FRANK RUE
 Commissioner
 Alaska Department of Fish & Game

Teleconferenced in Juneau, Forest Service Conference Room 541A

FRANK RUE, Chair
 Continuation Meeting

1. Call to Order 1 p.m.
 - Approval of Agenda
2. Report from Chenega Negotiators
3. Public Comment Period
4. Chenega Acquisition*
5. Prince William Sound Beach Cleanup
6. ~~Executive~~ Executive Session on Habitat Protection and Budget --

* indicates possible action item

Adjourn - 4 p.m.

Trustee Agencies

State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation

United States: National Oceanic and Atmospheric Administration, Departments of Agriculture and Interior

Page 1
MAY 31, 1996

RESOLUTION OF THE
EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL

We, the undersigned, duly authorized members of the *Exxon Valdez* Oil Spill Trustee Council, after extensive review and after consideration of the views of the public, find as follows:

1. The Chenega Corporation ("Chenega"), an Alaska Native Village Corporation, either owns or is entitled to receive title to the surface estate of certain lands and has expressed a willingness to sell land or interests in lands located along the southwest side of Prince William Sound, consisting of approximately 60,635 acres. These lands were selected and conveyed, or are to be conveyed, pursuant to the Alaska Native Claims Settlement Act ("ANCSA"). The subsurface rights associated with these lands are held by Chugach Alaska Corporation.

2. Chenega desires to sell certain interests in these lands to the United States or the State of Alaska as part of the Trustee Council's program for restoration of the natural resources and services that were injured or reduced as a result of the *Exxon Valdez* Oil Spill ("EVOS"). These land interests are specifically described in Exhibit A ("the Lands").

3. The Lands are within the oil spill area as defined by the Trustee Council in the Final Restoration Plan. The Lands are located within the area of Prince William Sound that generally sustained the highest level of injury, with residual oil still persisting on beaches. The natural resources used by the residents of this area suffered significant injuries as a result of the EVOS and some of these resources have yet to recover.

4. The Lands include important habitat for various species of fish and wildlife for which significant injury resulting from the spill has been documented. Based on the comprehensive habitat review process utilized by the Trustee Council, two parcels included within the Lands, Eshamy Bay and Jackpot Bay parcels, are among the highest ranked parcels in the entire oil spill area for restoration of injured resources and reduced services. The Jackpot Bay parcel would be the highest ranked parcel acquired to date as part of the Trustee Council's habitat protection program. Eshamy and Jackpot Bays, located adjacent to the Port Nellie Juan Wilderness Study Area, have the largest populations of wild pink salmon in the Prince William Sound region and together contain twenty-two anadromous streams. Eshamy Bay is also the highest sockeye producing system in western Prince William Sound. Both ~~Jackpot~~ and Eshamy Bays represent the northwestern most range for cutthroat trout. The area has important wintering lakes for, and supports strong populations of, Dolly Varden. The area is an important wintering habitat for harlequin ducks and pigeon

guillemots. Eshamy Bay has also been documented as having high concentrations of river otters. The remaining Chenega lands, although determined by the comprehensive habitat protection analysis to provide a moderate overall benefit for restoration, still provide high potential benefit for the following key individual injured species and reduced services: pink salmon, black oystercatchers, harbor seals, harlequin ducks, marbled murrelets, pigeon guillemots, sea otters, cultural resources, and subsistence uses. These resources and uses will benefit from acquisition of the Lands by preventing the loss of nesting habitat, maintaining water quality and riparian habitats, and by preventing disturbances to nearshore and intertidal habitat use. The Lands have high scenic value and also support high-value, wilderness-based recreation, including sport hunting and fishing, hiking, and camping. Overall, the Lands were analyzed by the comprehensive habitat protection review process as having nearly the highest benefit for the recovery of resources and associated services injured or reduced by the spill. The Lands provide some of the highest valued habitat for twelve injured resources and four associated services. Of the twelve injured resources found on the Lands, five are still not recovering including: (1) harbor seals; (2) harlequin ducks; (3) marbled murrelets; (4) pigeon guillemots; and (5) sea otters. Further discussion of the benefits from the acquisition of interests in the Lands is described in the attached Restoration Benefits Report.

5. Existing laws and regulations, including but not limited to the Alaska Forest Practices Act, the Anadromous Fish Protection Act, the Clean Water Act, the Alaska Coastal Management Act, the Bald Eagle Protection Act, and the Marine Mammal Protection Act, are intended, under normal circumstances, to protect resources from serious adverse effects from logging and other developmental activities on private land. However, restoration, replacement, and enhancement of natural resources, and acquisition of equivalent resources and services injured, lost or reduced as a result of the EVOS present a unique situation. Without passing judgment on the adequacy or inadequacy of existing law and regulations to protect resources, biologists, other scientists, and other resource specialists agree that, in their best professional judgment, protection of habitat in the spill-affected area to levels above and beyond those provided by existing law and regulations will have a beneficial effect on recovery of injured resources and lost or diminished services provided by these resources.

6. There is widespread public support for the acquisition of the Lands.

7. The purchase of the interests in the Lands offered by ~~Chenega~~ is an appropriate means to restore a portion of the injured resources and reduced services in the oil spill area. Acquisition of the interests in the Lands is consistent with the Restoration Plan and Final Environmental Impact Statement.

8. A resolution was passed by the Trustee Council on December 2, 1994 authorizing funding for an offer to purchase a combination of fee simple and conservation easement interests in the Lands. The purchase price authorized for those interests was the final, approved appraised fair market value of the interests plus twenty percent (20%) of the final, approved appraised fair market value, so long as this price did not exceed \$48,000,000. The additional twenty percent was offered to provide Chenega a benefit for selling its interests in the Lands by means of a six year deferred payment schedule.

9. An approved appraisal completed for the Trustee Council determined that the fair market value of the fee and conservation easement interests in the Lands to be acquired is \$8,854,400. This value is based upon the highest and best use of the Lands as recreational use. Although the appraisal estimated a value for the timber inventory located on the Lands as \$56,000,000, the appraiser concluded the total production costs to remove the timber could amount to as much as \$53,000,000. Based on this analysis, it is unlikely that an independent party would currently bid on this timber. Accordingly, the appraisal did not consider the sale of commercial timber rights to be the highest and best use of the Lands and it does not reflect any commodity value for the timber located on the Lands.

10. Although not reflected in the appraisal, the timber located on the Lands represents a significant economic value to Chenega. As is appropriate, the appraisal was based on an analysis of a disinterested buyer and seller and did not consider or reflect economic values that Chenega as the owner might reasonably expect to receive from its timber assets. For instance, it was found by the Forest Service review appraiser from the timber data compiled for the appraisal that, as the landowner, Chenega could take advantage of peak market periods and harvest conditions, as well as selective cutting methods, to realize an economic value of up to \$6 million from the harvest and sale of its timber.

11. In addition, Chenega is a joint venture partner of Koncor Forest Products Company, a Native-owned timber company in Alaska. Chenega has generally pledged its timber assets located on the Lands to the partnership in return for a percentage ownership of Koncor. This ownership interest has, and continues to, generate substantial net income and cash flow to Chenega. In order to sell the Lands and the timber located on the Lands as part of the Trustee Council habitat protection program, the Koncor partnership agreement requires Chenega to withdraw from the partnership, thus requiring Chenega to forego this stream of income and the potential value increase in Koncor.

12. For the Trustee Council's restoration and recovery objectives to be met as expeditiously as possible in the most

heavily impacted oil spill area it is appropriate to preclude even a selective harvest on the Lands. Chenega has indicated that it can only justify a sale to its shareholders if they are fully compensated for all the economic values associated with its timber assets that Chenega would forego as a result of the sale. Chenega has also asserted that the appraised fair market value does not fairly compensate it for the Lands, which represent the majority of the land selections it received pursuant to ANCSA. Because the purposes of ANCSA include providing local residents both the opportunity to maintain their traditional way of life and their economic viability and self-sufficiency from the lands conveyed, Chenega has indicated it will only sell the Lands if these objectives are maintained and achieved.

13. It is ordinarily the Federal and State Governments' practice to acquire land interests at appraised fair market value. However, Chenega has rejected the Trustee Council's offer to acquire the Lands at the appraised value. Lacking the means to otherwise acquire the Lands in the absence of a mutually agreed to price, the Trustee Council is faced with the choice of foregoing this acquisition or negotiating an acquisition price in excess of the appraised value. Recognizing the above discussed benefits for restoration as well as the substantial public support that has been expressed regarding this acquisition, we conclude that the latter option is preferable. Accordingly, the Trustee Council has negotiated with Chenega in an attempt to reach a mutually agreed

upon purchase price in excess of the appraised value that is reasonable.

14. Based on these negotiations, the Trustee Council hereby resolves to offer to purchase the Lands from Chenega, subject to the terms and conditions stated below, for a total sum of \$34 million in one lump sum payment or, alternatively, for a total sum of \$36 million paid as follows: \$20 million at closing, \$3 million one year after closing, \$13 million two years after closing. The Trustee Council finds that this offer represents a reasonable price given the substantial benefits for the restoration of the injured natural resources and related services to be achieved by this acquisition; the scope and pervasiveness of the EVOS; the need for protection and restoration of the Prince William Sound ecosystem in general, and this portion of the Sound, which was hardest hit by the oil spill; and the priority of this acquisition to other expenditures of the settlement funds for restoration activities.

THEREFORE, we resolve to provide the funds for the United States, acting through the Forest Service, and for the State of Alaska, to offer to purchase and, if the offer is accepted, to purchase the combination of fee simple and conservation easement interests in the Lands, as described in Exhibit A, pursuant to the following conditions:

(a) receipt by the United States District Court for the District of Alaska ("District Court") of the annual settlement payments due from Exxon Corporation, et al;

(b) disbursement of these funds by the District Court to the United States and/or to the State for the purpose of this acquisition;

(c) completion of a satisfactory title search ensuring that Chenega is able to convey fee simple title or other interests in a manner that complies with the United States Department of Justice title standards;

(d) the absence of timber harvesting or other development on the Lands prior to closing;

(e) completion of a purchase agreement(s) and all other documents necessary for conveyance of the interests in the Lands to the United States and/or the State in the form and substance satisfactory to the United States Department of Justice and the Alaska Department of Law;

By unanimous consent and upon execution of the purchase agreement(s) and written notice from the State of Alaska, the United States, and the Executive Director of the EVOS Restoration Program that the terms and conditions set forth herein and in the purchase agreement(s) have been satisfied, we request the Alaska

Department of Law and the Assistant Attorney General of the Environment and Natural Resources Division of the U.S. Department of Justice to petition the District Court for withdrawal from the District Court Registry account the sum of \$34 million at the time of closing or, if the alternative payment schedule is accepted by Chenega, that the sum of \$20 million be paid at the time of closing, and thereafter, to petition the District Court as follows:

\$3 million one year after the date of closing;

\$13 million two years after the date of closing.

These amounts represent the only amounts due under this resolution to Chenega from the EVOS joint settlement funds in the District Court Registry and no additional amounts are herein authorized to be paid to Chenega from such joint funds.

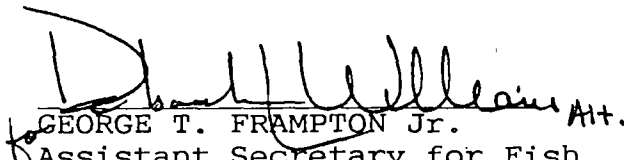


Dated this 31 day of May, 1996 at Juneau, Alaska.



PHIL JANIK
Regional Forester
Alaska Region
USDA Forest Service



BRUCE M. HOTELHO
Attorney General
State of Alaska


Att.
GEORGE T. FRAMPTON Jr.
Assistant Secretary for Fish,
Wildlife and Parks
STEVEN PENNOYER
Director, Alaska Region
National Marine Fisheries Service

FRANK RUE
Commissioner
Alaska Department of Fish
and Game



MICHELLE BROWN
Commissioner
Alaska Department of
Environmental Conservation

EXHIBIT A

GENERAL DESCRIPTION OF CHENEGA LANDS

The following description of interests to be acquired is approximate. The exact description and location of interests acquired and interests retained by Chenega will be determined by the the United States, State of Alaska and Chenega prior to the execution of any purchase agreement and will include the results of any necessary surveys.

FEE SIMPLE

All Chenega lands north of Dangerous Passage, approximately 37,093 acres, which excludes three development sites retained by Chenega. One development site not to exceed thirty acres will be located in Eshamy Bay, one site not to exceed five acres will be located in Jackpot Bay, and one site not to exceed five acres will be located in Paddy Bay.

All Chenega lands located on Knight Island in T1N., R10E., SMD., Sections 5 and 8, approximately 775 acres.

A conservation easement in the State of Alaska or the United States authorizing the State or the United States to enforce in a court of competent jurisdiction the restoration and conservation purposes for which this acquisition is made as set forth in this Resolution and in any implementing purchase agreements. Language to implement this intent shall be developed in form and substance that is satisfactory to the U.S. Department of Justice and the Alaska Department of Law.

Total Fee Simple Interests to be acquired: 37,868 acres.

CONSERVATION EASEMENT

Unless otherwise noted, the terms of the conservation easement will address timber and other natural resources uses, limits on development, and public access. All development sites will be limited to uses consistent with restoration objectives.

All remaining Chenega lands on Knight Island, approximately 4,205 acres, excluding a five acre site for development in Thumb Bay and specific one and one-half acre shareholder homesites to be identified by Chenega.

All Chenega lands on Chenega Island in T3N., R8E.; T3N., R7E; T4N., R8E., approximately 12,030 acres, excluding specific one and one-half acre shareholder homesites to be identified by Chenega and three development sites on south Chenega Island not to exceed a total of thirty acres. All remaining Chenega interests on Chenega Island, approximately 3330 acres, to be acquired as a conservation easement for timber only in T2N., R8E., excluding E1/2 of section 8, and the W1/2 of section 9.

All Chenega lands on Pleaides Islands, Whale Bay, and Fleming Island, approximately 3202 acres, excluding a five acre development site at Whale Bay on Flemming Island.

Total Chenega Lands encumbered by the Conservation Easement: 19,437 acres, with an additional 3330 acres constituting a timber only conservation easement.

Exhibit B

Restoration Benefits Report Chenega Lands

REGION

Southeast Prince William Sound.

PROPOSED ACQUISITION DESCRIPTION

The Chenega Corporation lands identified to provide habitat protection through fee simple and partial interest acquisition are composed of approximately 70,000 acres along the southwest side of Prince William Sound. Included are Chenega Island and parts of Evans, Latouche, Flemming, and Knight Islands as well as significant areas on the mainland on the west side of Dangerous Passage. Chenega lands have some of the highest ranked parcels in the Comprehensive Habitat Evaluation Process and have been identified as providing potential habitat protection for damaged resources and services linked to the spill.

The area is characterized by mountains with elevations to 2,500 feet. The lower slopes adjacent to lakes, streams and bays are forested with old growth Sitka spruce and western hemlock. Until recently, western Prince William Sound was glaciated and still remains very remote and wild. In the Eshamy and Jackpot area there are 22 anadromous streams of which two (Jackpot and Eshamy) are major producers of pink and sockeye salmon. The area is very important for commercial, sport, and subsistence fishing, with the village of Chenega being the major user. The area is also an important destination point for recreation users.

All lands being considered for acquisition from Chenega Corporation have a split estate with the subsurface ownership with the regional corporation, Chugach Incorporated.

Section 704 of the Alaska National Interest Lands Conservation Act required that within three years (by December 2, 1983), a study with recommendations as to the suitability or unsuitability of wilderness within the Prince William Sound area of the Chugach National Forest be completed and submitted to Congress. The report recommended that some lands be classified as wilderness. The lands recommended for wilderness are contiguous to Chenega lands as shown on the enclosed map. Congress has never acted on the report as submitted. However, all land within the proposed study area is being managed as wilderness area pending action on the study.

RESTORATION BENEFITS

Western Prince William Sound is one of the areas most impacted by the 1989 Exxon Valdez Oil Spill. All resources and services in the area were injured and will benefit from habitat protection.

In the fall of 1993, Chenega Corporation indicated a willingness to consider selling fee simple title to two of their high ranked parcels, Jackpot Bay and Eshamy Bay (CHEO1 and CHEO2). These two parcels are being appraised for fee simple acquisition and consist of approximately 7,900 acres in CHEO1 AND 12,000 acres in CHEO2, for a total of 19,900 acres. On the remainder of the Chenega lands the corporation has proposed selling all timber harvest rights with possible consideration for additional partial interests. The remaining Chenega lands considered available (approximately 36,000 acres) are presently being appraised for timber interests. The lands being appraised for timber include

15,000 acres of moderately ranked lands and 21,000 acres of low ranked lands as evaluated in the Comprehensive Habitat Protection Process.

High value resources and services in the Eshamy/Jackpot area are: pink salmon, sockeye salmon, cutthroat trout, Dolly Varden, bald eagles, black oystercatchers, harbor seals, harlequin ducks, pigeon guillemots, river otters, recreation/tourism, wilderness, and subsistence.

Of the high value resource and services identified on this parcel, sockeye salmon, pink salmon, cutthroat trout, and Dolly Varden susceptible to water quality and potential over-harvest impacts. Bald eagles are generally considered to be more tolerant of development impacts if there is no loss of nesting habitat. Impacts to bald eagles may be mitigated by proper planning and adherence to existing regulations. River otters are considered to be generally tolerant of development if denning habitat is protected. Increasing development has a high potential for user group conflicts if harvest and access are restricted or the numbers of users increase. Subsistence, recreation, and wilderness are all sensitive to development because of the concentrated nature of the resources and topography that support these services. Harlequin ducks are sensitive to disturbance and are highly likely to be impacted by possible developments. Pigeon guillemot colonies require special protection from habitat loss and disturbance.

High Benefits in the Eshamy/Jackpot area:

Eshamy and Jackpot Bays have the highest number of wild pink salmon in the region with 22 anadromous streams. Eshamy Bay is also the highest sockeye producing system in western Prince William Sound. Both Jackpot and Eshamy represent the northwestern most range for cutthroat trout. The area has important wintering lakes and supports strong populations of Dolly Varden as well as fourteen documented bald eagle nest and important feeding areas. The area is an important breeding area (although lingering damage from the spill is still apparent) and important overwintering area for harlequin ducks. A large colony of pigeon guillemots is located adjacent to the parcel. Eshamy has high concentrations (based on pre-spill documentation) of river otters. The area is a destination for sport fishing from population centers, and it has a high level of recreation with a potential for significantly more. The parcel is an inholding in a wilderness area within the preferred alternative for the Nellie Juan Wilderness Study Area. The parcel also has high value for the village of Chenega.

The remainder of Chenega lands (CHE03) to CHE09) have the following high value resources and services: pink salmon, bald eagles, black oystercatchers, harbor seals, harelequin ducks, marbled murrelets, pigeon guillemonts, sea otters, wilderness, cultural resources and subsistence.

On the remainder of Chenega, habitat was rated as high value for eleven resource and services in the comprehensive habitat evaluation process. Acquisition of timber rights for these land would benefit the injured resource and services. Pink salmon are susceptible to water quality and timber harvest impacts. Bald eagles are generally tolerant of development impacts if there is no loss of nesting habitat. Black oystercatchers are sensitive to loss of nesting habitat and disturbance during nesting. Harlequin ducks are highly sensitive to disturbance and loss of nesting habitat. Impacts to harbor seals are not know. Marbled murrelets are sensitive to loss of nesting habitat and disturbance during nesting. Sea otters are sensitive to disturbance during pupping which occurs in May and June. Pigion guillemot colonies require special protection from habitat loss and disturbance. Subsistence, cultural resources and wilderness are all sensitive to development because of the

concentrated nature of the resources/services and the topography that support them.

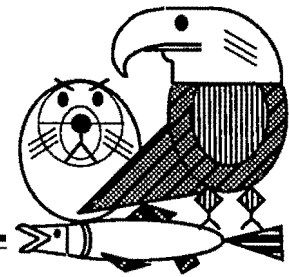
The two fee simple parcels are among the most popular recreation destinations in Prince William Sound. They are important sport fish and hunting areas, and have excellent anchorages. They would be managed to maintain and restore habitat and for recreational use. Recreational uses allowed within the area would be those non-developed recreational uses consistent with wilderness.

Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 G Street, Suite 401, Anchorage, Alaska 99501-3451

Phone: (907) 278-8012 Fax: (907) 276-7178



TRUSTEE COUNCIL MEETING ACTIONS

May 17, 1996 @ 3:00 P.M.

By Molly McCammon
Executive Director

DRAFT

Trustee Council Members Present:

Phil Janik, USFS

• Deborah Williams, USDOl

Steve Pennoyer, NMFS

Frank Rue, ADF&G

Michele Brown, ADEC

• Craig Tillery, ADOL

* Chair

• Alternates:

Deborah Williams served as an alternate for George T. Frampton, Jr., USDOl, for the entire meeting.

Craig Tillery served as an alternate for Bruce Botelho for the entire meeting.

1. Executive Session

Off Record at 3:00 p.m.

On Record at 4:26 p.m.

2. Salamatof

APPROVED MOTION: Approved Executive Director and U.S. Department of the Interior making an offer to the Salamatof Native Association for the Salamatof property offered within the Kenai National Wildlife Refuge to be structured on a multi-year payout such that the discounted value does not exceed the fair market appraised value. Motion by Williams, second by Brown.

Meeting recessed at 4:28 p.m.

raw

Trustee Agencies

State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation

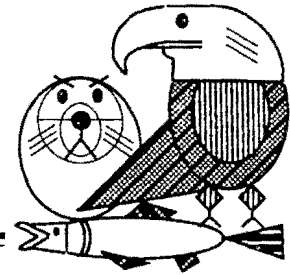
United States: National Oceanic and Atmospheric Administration, Departments of Agriculture and Interior

Exxon Valdez Oil Spill Trustee Council

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Phone: (907) 278-8012 Fax: (907) 276-7178



TRUSTEE COUNCIL MEETING ACTIONS

May 2, 1996 @ 10:00 A.M.

By Molly McCammon
Executive Director

REDRAFT
JUN 25 1996

Trustee Council Members Present:

Phil Janik, USFS

• George T. Frampton, Jr., USDO

Steve Pennoyer, NMFS

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL
ADMINISTRATIVE RECORD
Michele Brown, ADEC
• Craig Tillery, ADOL

* Chair

• Alternates:

Deborah Williams served as an alternate for George T. Frampton, Jr., for the entire meeting.

Joe Sullivan served as an alternate for Frank Rue from 12:15 to 12:45 p.m.

Ernie Piper served as an alternate for Michele Brown from 4:40 to 5:16 p.m.

Craig Tillery served as an alternate for Bruce Botelho for the entire meeting.

1. Approval of the Agenda

APPROVED MOTION: Approved an amended Agenda that includes adding consideration of four small parcels as Parcels Meriting Special Consideration. Motion by Williams, second by Janik. (Attachment A)

APPROVED MOTION: Approved the December 11, 1995, January 12, February 23, February 28, and April 15, 1996, Trustee Council meeting notes. Motion by Pennoyer, second by Brown. (Attachment B)

2. Budget Amendments

APPROVED MOTION: Approved a past carry forward of \$1.5 million for costs associated with habitat protection and acquisition support from FY 1994 to FY 1995. Recognized the 1995 payment of prior year obligations incurred by the U.S. Department of the Interior, Fish and Wildlife Service in the amount of \$102,000 and subsequent transfer of \$105,000. Ratified a number of

Trustee Agencies

State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation

United States: National Oceanic and Atmospheric Administration, Departments of Agriculture and Interior

budget transfers that exceeded the \$25,000 or 10 percent agency transfer limitations as currently provided in the financial operating procedures. Authorized National Oceanic and Atmospheric Administration to transfer authority in excess of the \$25,000 or 10% limitation between three projects. Approved \$277 to Alaska Department of Environmental Conservation to pay an expenditure relating to FY92. Approved an increase of \$21,897 to U.S. Forest Service for Project 95259 - Restoration of Coghill Lake Salmon Stocks. Motion by Pennoyer, second by Brown.

DRAFT

3. Survey of Small Parcels

APPROVED MOTION: Approved \$15,200 for the survey of 58 small parcels along Uyak Bay by U.S. Department of the Interior, Bureau of Land Management surveyors. Motion by Pennoyer, second by Janik.

4. Executive Session

APPROVED MOTION: Adjourn into Executive Session for the purpose of discussing the Tatitlek and Chenega land acquisitions. Motion by Tillery, second by Pennoyer.

Off Record at 12:55 p.m.

On Record at 4:43 p.m.

5. Small Parcels

APPROVED MOTION: Approved addition of fifteen small parcels to be included in the Parcels Considering Special Merit category, allowing appraisals and preliminary negotiations to go forward. The process of nominating parcels to this category will be reviewed at the time these parcels are brought to the Trustee Council again. Motion by Tillery, second by Williams. In addition, the Executive Director shall present an overall plan for the small parcel program the next time small parcels are again on the agenda.

6. KNA Moose River Selective

APPROVED MOTION: Approved adding KNA Moose River Selection tract to the list of parcels for which waiver of the commensurate conservation easement can occur if the lead negotiator

certifies that execution of such a conservation easement would jeopardize completion of the acquisition. Motion by Williams, second by Pennoyer.

Meeting recessed.

raw

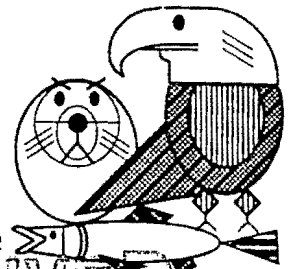
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Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 G Street, Suite 401, Anchorage, Alaska 99501-3451

Phone: (907) 278-8012 Fax: (907) 276-7178



RECEIVED

AGENDA

EXXON VALDEZ OIL SPILL SETTLEMENT NOV 26 1996

TRUSTEE COUNCIL MEETING

MAY 2, 1996 @ 10 A.M. EXXON VALDEZ OIL SPILL

Federal Building, Room 541A, JUNEAU

4/25/96

11:07 am

TRUSTEE COUNCIL
ADMINISTRATIVE RECORD

DRAFT

DRAFT

Trustee Council Members:

BRUCE BOTELHO/CRAIG TILLERY
Attorney General/Trustee
State of Alaska/Representative

MICHELE BROWN
Commissioner
Alaska Department of Environmental
Conservation

GEORGE T. FRAMPTON, JR./DEBORAH WILLIAMS
Assistant Secretary/Trustee Representative
for Fish & Wildlife & Parks
U.S. Department of the Interior

PHIL JANIK
Regional Forester - Alaska Region
U.S. Department of Agriculture
Forest Service

STEVE PENNOYER
Director, Alaska Region
National Marine Fisheries Service

FRANK RUE
Commissioner
Alaska Department of Fish & Game

Continuation Meeting
Frank Rue, Chair

1. Call to Order 10 a.m.
 - Approval of Agenda
 - Approval of December 11, 1995, January 12, February 23, and February 28, and April 15, 1996 meeting notes.
2. Public Advisory Group Report - Vern McCorkle, Chair
3. Executive Director's Report - Molly McCammon
 - Administrative Issues
 - Financial Report
 - Communication/Outreach
 - Radio Program.
 - Kodiak Trip
 - Dr. Spies' Wales Trip
 - 1997 Work Plan
 - Habitat Protection Status Report

Trustee Agencies

State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation
United States: National Oceanic and Atmospheric Administration, Departments of Agriculture and Interior

DRAFT

4. Presentation on Audit by Elgee, Rehfeld and Funk
5. Report on Residual Oiling Conference
6. Presentation on Sound Waste Management Plan - George Keeney, Cordova
 - Bill Wilcox, Valdez
 - Chris Overbeck, Whittier
 - Chuck Totemoff, Chenega
7. Public Comment Period 11:30 a.m.
8. Miscellaneous Technical Budget Amendments
9. Executive Session to Discuss Habitat Protection
10. Tatitlek Acquisition*
11. Chenega Acquisition*

* indicates tentative action item

Adjourn - 5 p.m.

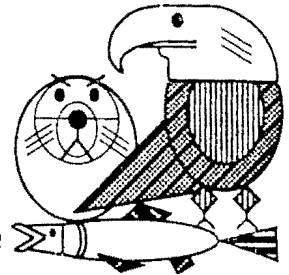
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Exxon Valdez Oil Spill Trustee Council

Restoration Office

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Phone: (907) 278-8012 Fax: (907) 276-7178



TRUSTEE COUNCIL MEETING ACTIONS

December 11, 1995 @ 9:00 a.m.
Continuation Meeting From November 20, 1995

By Molly McCammon
Executive Director

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL
ADMINISTRATIVE

DRAFT

Trustee Council Members Present:

Jim Wolfe, USFS
*•Deborah Williams, USDO
Steve Pennoyer, NMFS

Frank Rue, ADF&G
•Ernie Piper, ADEC
•Craig Tillery, ADOL

* Chair

• Alternates:

Deborah Williams served as an alternate for George T. Frampton, Jr. for the entire meeting.

Ernie Piper served as an alternate for Gene Burden for the entire meeting.

Jim Wolfe served as an alternate for Phil Janik for the entire meeting.

Craig Tillery served as an alternate for Bruce Botelho for the entire meeting.

1. Approval of the Agenda

APPROVED MOTION: Approved the Agenda. (Attachment A)

APPROVED MOTION: Approved November 20, 1995 Trustee Council meeting notes. (Attachment B)

2. Executive Session

APPROVED MOTION: Adjourn into Executive Session for the purpose of discussions on the small parcel habitat protection program, the Shuyak acquisition, other habitat negotiations, and the Executive Director's Evaluation.

4. Small Parcel Habitat Protection

APPROVED MOTION: Approved the recommendation to offer to purchase, at appraised value, KAP 220, KAP 226, PWS 17A, PWS 17B, PWS 17C, and PWS 17D, totaling 88.9 acres, at a total

Trustee Agencies

State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation
United States: National Oceanic and Atmospheric Administration, Departments of Agriculture and Interior

appraised value of \$704,500. Motion by Rue, second by Pennoyer.

3. Policy on Habitat Acquisition

APPROVED MOTION: Approved Executive Director's recommendations on Habitat Acquisition Costs, Logistics, and Processes (Attachment C).

4. Shuyak Resolution & Purchase Agreement

APPROVED MOTION: Approved resolution to offer \$42 million, payable over seven years, to purchase approximately 26,665.62 acres on Shuyak Island from the Kodiak Island Borough (Attachment D).

5. Deferred FY96 Work Plan Projects

APPROVED MOTION: Approved Executive Director's Recommendations on funding Deferred FY96 Work Plan Projects (Attachment E) for a total of \$5,502,000 with \$3,222,224 to the United States of America and \$1,968,898 to the State of Alaska.

Meeting recessed.

DRAFT

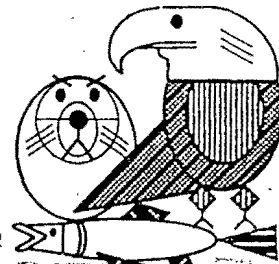
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Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 G Street, Suite 401, Anchorage, Alaska 99501-3451

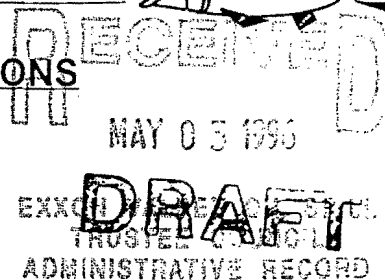
Phone: (907) 278-8012 Fax: (907) 276-7178



TRUSTEE COUNCIL MEETING ACTIONS

April 15, 1996 @ 2:00 p.m.

By Molly McCammon
Executive Director



Trustee Council Members Present:

- Jim Wolfe, USFS
- Deborah Williams, USDOJ
- Steve Pennoyer, NMFS

- * Frank Rue, ADF&G
- Michele Brown, ADEC
- Craig Tillery, ADOL

* Chair

• Alternates:

Deborah Williams served as an alternate for George T. Frampton, Jr., for the entire meeting.

Jim Wolfe served as an alternate for Phil Janik for the entire meeting.

Craig Tillery served as an alternate for Bruce Botelho for the entire meeting.

1. Approval of the Agenda

APPROVED MOTION: Approved the Agenda. (Attachment A)

2. Additional Authorization for Appraisals

APPROVED MOTION: Authorized additional \$478,000 to the U.S. Forest Service to cover additional appraisal costs for habitat protection activities for the remainder of Fiscal Year 1996. Motion by Pennoyer, second by Brown. (Attachment B)

APPROVED MOTION: Authorized additional \$500,000 for Project 96126 if complete appraisal for Afognak Joint Venture acquisition is required. Motion by Williams, second by Wolfe.

3. Small Parcel Conservation Easements

APPROVED MOTION: The Executive Director will certify that small parcels will be subject to a conservation easement adequate to protect the conservation values of each parcel including injured natural resources and services. to be held by the nonacquiring

Trustee Agencies

State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation

United States: National Oceanic and Atmospheric Administration, Departments of Agriculture and Interior

government, except that the following parcels may be acquired without being subject to a conservation easement if the lead negotiator certifies that such an easement would jeopardize the acquisition: Three Saints Bay, Grouse Lake, Coal Creek, Tulin, Ellamar, and Horseshoe parcels. Motion by Wolfe, second by Pennoyer.

Meeting recessed at 2:15 p.m.

DRAFT

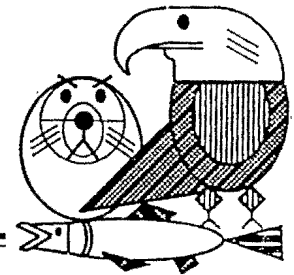
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Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 G Street, Suite 401, Anchorage, Alaska 99501-3451

Phone: (907) 278-8012 Fax: (907) 276-7178



AGENDA

EXXON VALDEZ OIL SPILL SETTLEMENT

TRUSTEE COUNCIL MEETING

APRIL 15, 1996 @ 2 P.M.

645 G STREET, ANCHORAGE

4/24/96

10:11 am

DRAFT

Trustee Council Members:

BRUCE BOTELHO/CRAIG TILLERY

Attorney General/Trustee

State of Alaska/Representative

MICHELE BROWN

Commissioner

Alaska Department of Environmental
Conservation

GEORGE T. FRAMPTON, JR./DEBORAH WILLIAMS PHIL JANIK

Assistant Secretary/Trustee Representative

for Fish & Wildlife & Parks

U.S. Department of the Interior

Regional Forester - Alaska Region

U.S. Department of Agriculture

Forest Service

STEVE PENNOYER

Director, Alaska Region

National Marine Fisheries Service

FRANK RUE

Commissioner

Alaska Department of Fish & Game

Teleconferenced in Juneau, Fish and Game Conference Room

1. Call to Order 2 p.m.
- Approval of Agenda
2. Additional Authorization for Appraisals*
(See attached memos from Phil Janik and Molly McCammon)
3. Small Parcel Conservation Easements*
(See attached draft motion)

* indicates action item

Adjourn - 2:30 p.m.

Trustee Agencies

State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation
United States: National Oceanic and Atmospheric Administration, Departments of Agriculture and Interior

ATTACHMENT B



United States
Department of
Agriculture

Forest
Service

Alaska Region

P.O. Box 21628
Juneau, AK 99802-1628

File Code: 1590

Date: APR 11 1996

Molly McCammon, Executive Director
EVOS Restoration Program
645 G Street, Suite 401
Anchorage, AK 99501-3451

Dear Ms. McCammon:

Enclosed is an updated estimate of appraisal costs for the Exxon Valdez habitat protection activities for the remainder of Fiscal Year 1996. We are requesting authorization from the Trustee Council to proceed with these activities. If you have any questions, please call Jim Wolfe at (907) 586-7957 or Dave Gibbons at (907) 586-8784.

Sincerely,

James A. Wolfe
for PHIL JANIK
Regional Forester

Enclosures 2



Caring for the Land and Serving People



ESTIMATED ADDITIONAL APPRAISAL FUNDING NEEDS FOR FISCAL YEAR 1996**TIMBER VALUATIONS**

1. Tatitlek: Timber valuation costs by Cascade Appraisal Services, Inc., (CASI) were estimated by CASI to be \$830,000 on December 12, 1995 and authorized by the Trustee Council on January 12, 1996. Additional charges above this authorized amount have been billed by CASI for \$243,672. A meeting was held with representatives from CASI, the Forest Service, and the Executive Director on April 1, and documentation and justification for the additional charges was presented. A letter from CASI was received on April 7, 1996, detailing the final billing statement. The total requested to complete this contract is \$260,252 and is detailed below:

1. \$243,672 to complete timber valuation;
2. \$11,500 to cover remaining negotiations, meetings and discussions with private and government timber reviewers; and
3. \$5,080 general administration.

2. Shuyak: Final timber valuation billing from CASI totalling \$30,600 (covering charges billed in October and November 1995, for which the documentation was requested in November 1995, and January and March 1996, and just received).

3. Eyak: Funding estimated at \$40,000 to complete opinion of timber value for Sheep Bay and Port Gravina using past timber cruise data and transaction evidence with limited field check cruise.

APPRAISALS

1. Chenega: Additional appraisal costs by Black-Smith & Richards (BSR) to revised interim approved appraisal to reflect new Chenega Corporation proposal of February 29, 1996. Estimated cost \$9,500 (\$9,300 + \$200 GA).

2. Tatitlek: Draft interim appraisal preparation cost of \$56,100 (\$55,000 + \$1,100 GA) by BSR.

3. Eyak: Draft interim appraisal preparation cost of \$15,300 (\$15,000 + \$300 GA) by BSR.

4. Eyak Core Parcel: Draft interim appraisal preparation cost of \$7,200 (\$7,060 + \$140 GA).

5. Horseshoe and Jack Bays: Estimated costs to complete two small parcel appraisals for \$15,360 (\$15,060 + \$300). The previous two appraisals have both been rejected by State and Federal review appraisers.

TOTAL ESTIMATED ADDITIONAL COST FOR APPRAISALS IN FY96.....\$434,312
 TOTAL WITH 10% CONTINGENCY.....\$478,000

APPPRAISAL PROGRESS/COST SUMMARY

COMPLETED APPRAISALS

AKHIQK KAGUYAK (AKI): An appraisal completed by the landowner was reviewed and rejected as not meeting UASFLA by Alaska and Washington D.C. reviewer appraisers. An approved appraisal was completed by the Trustee Council contract appraiser and forwarded to the landowner on October 21, 1994. This offer of fair market value was subsequently rejected by the landowner.

TRUSTEE COUNCIL AUTHORIZED FUNDING.....	\$63,401
FINAL PAYMENT MADE AS OF 1/27/95.....	<u>\$58,901</u>
TOTAL COST.....	\$58,901
FINAL BALANCE.....	<u>\$4,500</u>

OLD HARBOR (OLD): An appraisal completed by the landowner was reviewed and rejected as not meeting UASFLA by Alaska and Washington D.C. reviewer appraisers. An approved appraisal was completed by the Trustee Council contract appraiser and forwarded to the landowner on October 21, 1994. This offer of fair market value was subsequently rejected by the landowner.

TRUSTEE COUNCIL AUTHORIZED FUNDING.....	\$27,291
FINAL PAYMENT MADE AS OF 1/27/95.....	<u>\$24,541</u>
TOTAL COST.....	\$24,541
FINAL BALANCE.....	\$2,750

KONIAG (KON): An approved appraisal was completed by the Trustee Council contract appraiser and forwarded to the landowner on October 21, 1994. An offer was made at the approved fair market value on a portion of the Koniag holdings and was rejected. Negotiations are continuing.

TRUSTEE COUNCIL AUTHORIZED FUNDING.....	\$35,000
FINAL PAYMENT MADE AS OF 1/27/95.....	<u>\$60,789</u>
TOTAL COST.....	\$60,789
FINAL BALANCE.....	-\$25,789

EYAK ORCA NARROWS SUB-PARCEL (BOMB POINT): A final approved appraisal was accepted by Eyak and Sherstone Corporations on December 31, 1994. Final closing was completed on January 13, 1995 for a cost of \$3.450 million.

TRUSTEE COUNCIL AUTHORIZED FUNDING.....	\$60,320
CONTRACT PAYMENTS MADE AS OF 2/15/95.....	\$75,105
TIMBER REVIEW BY CASCADE APPRAISAL (purchase order).....	\$30,760
TIMBER EXCHANGE TIMBER DATA PURCHASED FROM KONCOR (purchase order)...	\$22,000
TIMBER EXCHANGE REVIEW BY CASCADE APPRAISAL (purchase order).....	\$22,739
MEDIATION COSTS.....	<u>\$1,920</u>
TOTAL COST.....	\$152,524
FINAL BALANCE.....	\$-92,204

SHUYAK ISLAND (KIB): Approved appraisal report sent to landowner on November 29, 1994. Landowner submitted final comments to appraiser on January 11, 1995 and a response to these comments was completed on January 26, 1995 and forwarded back to the landowner. An independent timber review was completed by Cascade Appraisal Inc. on June 9. An independent field check cruise by CASI was be completed during July, 1995. Required appraisal update completed by Blacksmith & Richards October, 1995. Offer accepted by landowner on November 20, 1995 for \$42 million.

TRUSTEE COUNCIL AUTHORIZED FUNDING.....	\$391,603
PAYMENTS MADE AS OF 5/96	\$553,249
ESTIMATED BALANCE.....	\$-161,646

AFOGNAK JOINT VENTURE (AJV): A legal description of the land considered for possible acquisition was completed in March, 1995. A task order for the appraisal was initially authorized to Pacific Forest Consultants whom collected most of the timber data from AJV which is now transferred to Cascade Appraisal Services, Inc., for completion of the timber appraisal proposal. The appraisal methodology report from CASI was received on March 7, 1996. Future appraisal costs will be handled by the State of Alaska.

TRUSTEE COUNCIL AUTHORIZED FUNDING.....	\$200,000
PAYMENTS MADE AS OF 1/27/95.....	\$7,070
PROPOSAL DEVELOPMENT COST (4/5/96).....	<u>\$1,497</u>
REMAINING BALANCE.....	\$191,433

APPRAISALS TO BE COMPLETED

CHENEGA (CHE): An approved interim appraisal was completed on February 2, 1995 and forwarded to the landowner. Landowner comments received March 21, 1995 and response to landowner comments completed by contract appraisers on April 17, 1995 and additional responses completed June 19. Field review by State and Federal timber reviewers completed during late July and early August, 1995. An independent timber review was completed by Cascade Appraisal Inc., in October, 1995. An appraisal update was completed by Blacksmith & Richards in December, 1995. An interim approved appraisal was completed on February 8, 1996 and given to landowner.

TRUSTEE COUNCIL AUTHORIZED FUNDING.....	\$450,000
FEDERAL CRIMINAL FUNDS AUTHORIZED.....	\$53,043
TOTAL FUNDING AUTHORIZED.....	\$503,043
PAYMENTS MADE AS OF (1/22/96).....	\$775,987
ESTIMATED TOTAL COST.....	\$785,487
ESTIMATED BALANCE.....	\$-282,444

TATITLEK (TAT): Authorization to conduct an appraisal received on August 16, 1994. Office planning and mapping for field timber survey was initiated by Pacific Forest Consultants and will be forward to Cascade Appraisal Service, Inc., for completion. The field timber survey was initiated during the summer of 1995. The original timber valuation cost estimate on June 23, 1995 by CASI was \$570,000, a revised estimate of \$680,000 received in November, 1995 and additional estimate in December, 1995 for \$830,000, this amount was authorized by the Trustee Council on January 12, 1996. A final not to exceed estimate by CASI was received on April 7, 1996 for \$1,085,172.

TRUSTEE COUNCIL AUTHORIZED FUNDING (7/18/94).....	\$200,000
TIMBER COST BY CASCADE APPRAISAL SERVICES, INC (4/7/96).....	\$1,085,172
NON-TIMBER APPRAISAL COST ESTIMATE.....	\$75,000
PAYMENTS MADE AS OF (5/96).....	\$1,117,710
ESTIMATED TOTAL COST.....	\$1,172,710
ESTIMATED BALANCE.....	\$-972,710

EYAK LARGE PARCEL (EYA): Negotiations are continuing. An appraisal was initially authorized on June 17, 1994 but withdrawn by landowner on August 31, 1994 on all but field timber inventory portion of the appraisal work. Field timber inventory work was completed on October 5, 1994. Appraisal was reauthorized on November 26, 1994 by the landowner. Interim draft appraisal for the Core Parcel was completed March 13, 1996 and is undergoing State and Federal review.

TRUSTEE COUNCIL AUTHORIZED FUNDING.....	\$600,000
PAYMENTS FOR CORE PARCEL APPRAISAL 3/96.....	\$7,060
PAYMENTS MADE AS OF 3/96.....	\$538,854
REMAINING BALANCE.....	\$54,086

SUMMARY OF EXPENDITURES

4

AUTHORIZED FUNDING

TRUSTEE COUNCIL AUTHORIZED FUNDS 1/31/94.....	\$515,000
TRUSTEE COUNCIL AUTHORIZED FUNDS 7/18/94.....	\$1,500,000
TRUSTEE COUNCIL AUTHORIZED FUNDS 10/1/94.....	\$200,000
TRUSTEE COUNCIL AUTHORIZED FUNDS 12/11/95.....	\$643,000
TRUSTEE COUNCIL AUTHORIZED FUNDS 1/12/96.....	\$150,000
FEDERAL RESTITUTION FUNDS AUTHORIZED.....	\$53,043

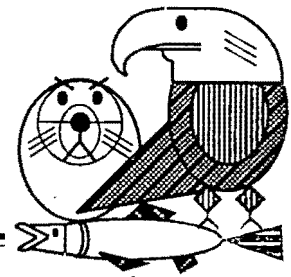
TOTAL FUNDS AUTHORIZED.....	\$3,061,043
PAYMENTS AS OF 4/8/96	\$3,061,043
EXPECTED TOTAL COST AS OF 4/9/96	<u>\$3,539,211</u>

Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 G Street, Suite 401, Anchorage, Alaska 99501-3451

Phone: (907) 278-8012 Fax: (907) 276-7178



TRUSTEE COUNCIL MEETING ACTIONS

February 28, 1996 @ 3:30 p.m.

By Molly McCammon
Executive Director

MAY 03 1996

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EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL
ADMINISTRATIVE RECORD

Trustee Council Members Present

Phil Janik, USFS
*•Deborah Williams, USDO
Steve Pennoyer, NMFS

•Janet Kowalski, ADF&G
Michele Brown, ADEC
•Craig Tillery, ADOL

* Chair

• Alternates:

Deborah Williams served as an alternate for George T. Frampton, Jr., for the entire meeting.

Janet Kowalski served as an alternate for Frank Rue for the entire meeting.

Craig Tillery served as an alternate for Bruce Botelho for the entire meeting.

1. Approval of the Agenda

APPROVED MOTION: Approved the Agenda. (Attachment A) Motion by Pennoyer, second by Janik.

2. Executive Session

APPROVED MOTION: Adjourn into Executive Session for the purposes of discussions on Habitat Protection negotiations and Eyak Core Lands. Motion by Janik, second by Pennoyer.

Off record at 3:40 p.m.

On record at 4:45 p.m.

3. Eyak Core Lands

APPROVED MOTION: Authorized the U.S. Forest Service to offer \$7 million for the purchase of 11,200 acres, in fee simple, known as Eyak Core Lands. This offer does not include the areas of exemption as detailed on map, see attached. Motion by Janik, second by Tillery.

Trustee Agencies

State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation

United States: National Oceanic and Atmospheric Administration, Departments of Agriculture and Interior

4. Technical Amendment to Project 96115

APPROVED MOTION: Transfer \$21,400 from Project 96100 to Project 96115 within the Alaska Department of Environmental Conservation for the Sound Waste Management Plan to be invoiced according to the actual work performed. (Attachment B)
Motion by Pennoyer, second by Brown.

Meeting adjourned.

raw

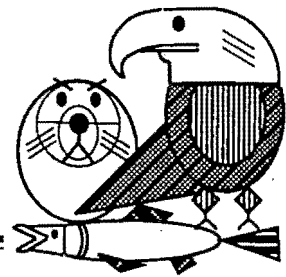
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Exxon Valdez Oil Spill Trustee Council

Restoration Office

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Phone: (907) 278-8012 Fax: (907) 276-7178



AGENDA

EXXON VALDEZ OIL SPILL SETTLEMENT
TRUSTEE COUNCIL TELECONFERENCED MEETING
FEBRUARY 28, 1996 @ 3:30 P.M.
ANCHORAGE

2/28/96

8:50 am

DRAFT

Trustee Council Members:

BRUCE BOTELHO/CRAIG TILLERY
Attorney General/Trustee
State of Alaska/Representative

MICHELE BROWN
Commissioner
Alaska Department of Environmental
Conservation

GEORGE T. FRAMPTON, JR./DEBORAH WILLIAMS
Assistant Secretary/Trustee Representative
for Fish & Wildlife & Parks
U.S. Department of the Interior

PHIL JANIK
Regional Forester - Alaska Region
U.S. Department of Agriculture
Forest Service

STEVE PENNOYER
Director, Alaska Region
National Marine Fisheries Service

FRANK RUE
Commissioner
Alaska Department of Fish & Game

Deborah Williams, Chair
Continuation Meeting

1. Call to Order 3:30 p.m.
- Approval of Agenda
2. Quarterly Project Status Summary (no action)
Monthly Financial Statement
3. Executive Session to discuss Habitat Protection Negotiations including Eyak Core Lands
4. Eyak Core Lands*
5. Technical Amendment to Project 96115*

Adjourn 4:30 p.m.

* Action Items

raw

Trustee Agencies

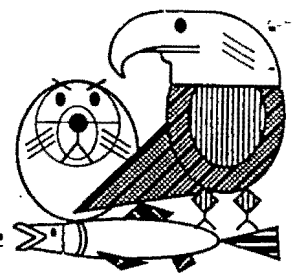
State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation
United States: National Oceanic and Atmospheric Administration, Departments of Agriculture and Interior

Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 G Street, Suite 401, Anchorage, Alaska 99501-3451

Phone: (907) 278-8012 Fax: (907) 276-7178



MEMORANDUM

To: Trustee Council Members

From: Molly McCammon
Executive Director

Date: February 28, 1996

Subj: Reallocation of Project Funds

The Prince William Sound Economic Development Council has requested an additional \$20,000 for Project 96115, the Sound Waste Management Plan. With the additional funds, the contractor, Ross and Associates, would do additional planning and project development based on earlier findings from this planning effort. The work would be invoiced according to actual work performed, and is consistent with the current contract.

To fund this increment, I recommend the Trustee Council adopt a motion to transfer \$20,000 from Project 96100 to Project 96115, plus \$1,400 for general administration. The funds in Project 96100 were originally allocated to the Alaska Department of Environmental Conservation for a staff member of the Anchorage Restoration Office who has recently resigned.

RECOMMENDED MOTION: Transfer \$21,400 from Project 96100 to 96115 within the Alaska Department of Environmental Conservation.

mm/rsw

Trustee Agencies

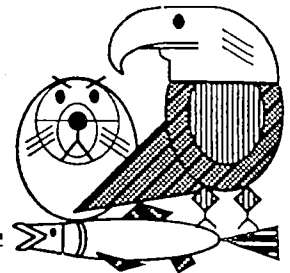
State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation
United States: National Oceanic and Atmospheric Administration, Departments of Agriculture and Interior

Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 G Street, Suite 401, Anchorage, Alaska 99501-3451

Phone: (907) 278-8012 Fax: (907) 276-7178



TRUSTEE COUNCIL MEETING ACTIONS

February 23, 1996 @ 1:30 p.m.

By Molly McCammon
Executive Director

RECEIVED
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MAY 03 1996

Trustee Council Members Present:

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL
ADMINISTRATIVE RECORD

Phil Janik, USFS
*•Deborah Williams, USDO
Steve Pennoyer, NMFS

Frank Rue, ADF&G
Michele Brown, ADEC
•Craig Tillery, ADOL

* Chair

• Alternates:

Deborah Williams served as an alternate for George T. Frampton, Jr. for the entire meeting.

Craig Tillery served as an alternate for Bruce Botelho for the entire meeting.

1. Approval of the Agenda

APPROVED MOTION: Approved the Agenda. (Attachment A) Motion by Pennoyer, second by Rue.

2. Executive Session

APPROVED MOTION: Adjourn into Executive Session for the purpose of discussions on Habitat Protection Negotiations. Motion by Janik, second by Brown.

Off record at 1:35 p.m.

On record at 2:30 p.m.

3. Small Parcels

APPROVED MOTION: For the U.S. Department of the Interior to offer the appraised value of \$168,000 to purchase two allotments in Three Saints Bay, KAP 105 and 142. Motion by Rue, second by Tillery.

Trustee Agencies

State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation
United States: National Oceanic and Atmospheric Administration, Departments of Agriculture and Interior

APPROVED MOTION: To offer the owners of the Salamatof parcel \$2.54 million (up \$220,000 from the original appraisal) due to a revised appraisal which was reviewed and accepted by Trustee Council staff. Motion by Pennoyer, second by Rue.

APPROVED MOTION: To designate the Patson Parcel, KEN 1034 a Parcel Meriting Special Consideration, and have it appraised. Motion by Brown, second by Rue.

4. Habitat Management

DRAFT

APPROVED MOTION: That a mechanism be in place for each small parcel acquired by the Trustee Council if possible, that will ensure the parcels are maintained for the purpose of restoration. Motion by Rue, second by Brown.

5. Amended Shuyak Resolution

APPROVED MOTION: To amend the December 11, 1995 Shuyak resolution to allow for funds to be requested from the Court and placed in the State of Alaska *Exxon Valdez* Oil Spill fund to be readily accessible at closing. Motion by Tillery, second by Brown.

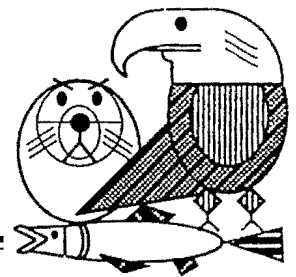
Meeting recessed.

Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 G Street, Suite 401, Anchorage, Alaska 99501-3451

Phone: (907) 278-8012 Fax: (907) 276-7178



AGENDA
EXXON VALDEZ OIL SPILL SETTLEMENT
TRUSTEE COUNCIL TELECONFERENCED MEETING
FEBRUARY 23, 1996 @ 1:30 P.M.
U.S. Department of the Interior
1689 C STREET, SUITE 220
ANCHORAGE

4/24/96

9:59 am

DRAFT

Trustee Council Members:

BRUCE BOTELHO/CRAIG TILLERY
Attorney General/Trustee
State of Alaska/Representative

GENE BURDEN/MICHELE BROWN
Commissioner/Trustee Representative
Alaska Department of Environmental
Conservation

GEORGE T. FRAMPTON, JR./DEBORAH WILLIAMS
Assistant Secretary/Trustee Representative
for Fish & Wildlife & Parks
U.S. Department of the Interior

PHIL JANIK
Regional Forester - Alaska Region
U.S. Department of Agriculture
Forest Service

STEVE PENNOYER
Director, Alaska Region
National Marine Fisheries Service

FRANK RUE
Commissioner
Alaska Department of Fish & Game

Deborah Williams, Chair
Continuation Meeting

1. Call to Order 1:30 p.m.
- Approval of Agenda
2. Executive Session to discuss Habitat Protection Negotiations
3. Small Parcels
4. Eyak Core Lands
5. Technical Amendment to Shuyak Resolution

Adjourn 3:00 p.m.

raw

Trustee Agencies

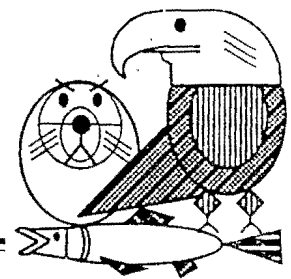
State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation
United States: National Oceanic and Atmospheric Administration, Departments of Agriculture and Interior

Exxon Valdez Oil Spill Trustee Council

Restoration Office

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TRUSTEE COUNCIL MEETING ACTIONS

January 12, 1996 @ 2:00 p.m.

Continuation Meeting from December 11, 1995

By Molly McCammon
Executive Director

RECEIVED
MAY 05 1996
EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL
ADMINISTRATIVE RECORDS

Trustee Council Members Present:

Phil Janik, USFS

*•Deborah Williams, USDOJ

•Bill Hines, NMFS

Frank Rue, ADF&G

•Ernie Piper, ADEC

•Craig Tillery, ADOL

* Chair

• Alternates:

Deborah Williams served as an alternate for George T. Frampton, Jr. for the entire meeting.

Bill Hines served as an alternate for Steve Pennoyer for the entire meeting.

Ernie Piper served as an alternate for Gene Burden for the entire meeting.

Craig Tillery served as an alternate for Bruce Botelho for the entire meeting.

1. Approval of the Agenda

APPROVED MOTION: Approved the Agenda. (Attachment A) Motion by Janik, second by Tillery.

2. Executive Session

APPROVED MOTION: Adjourn into Executive Session for the purpose of discussing Chenega habitat negotiation, other habitat negotiations, and appointments to the Public Advisory Group. Motion by Piper, second by Janik.

Off Record at 2:22 p.m.

On Record at 3:40 p.m.

3. Public Advisory Group Nominations

APPROVED MOTION: Nominate Mary McBurney to Aquaculture seat and Sheri Buretta to Public at Large seat on Public Advisory Group. Motion by Janik, second by Hines.

Trustee Agencies

State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation

United States: National Oceanic and Atmospheric Administration, Departments of Agriculture and Interior

APPROVED MOTION: Nominate Elanore Huffines as alternate for Commercial Tourism seat and Nicole Evans as alternate to Environmental seat. Motion by Piper, second by Rue.

4. Habitat Protection

APPROVED MOTION: Approve \$150,000 in additional funds for the Tatitlek appraisal. Motion by Hines, second by Janik.

Meeting recessed.

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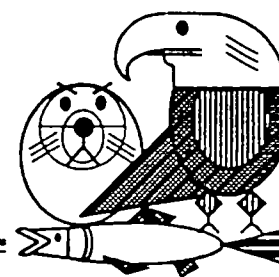
DRAFT

Exxon Valdez Oil Spill Trustee Council

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AGENDA

EXXON VALDEZ OIL SPILL SETTLEMENT

TRUSTEE COUNCIL MEETING

January 12, 1996 @ 2 P.M.

645 G STREET, ANCHORAGE

1/12/96

9:20 am

DRAFT

Trustee Council Members:

BRUCE BOTELHO/CRAIG TILLERY

Attorney General/Trustee

State of Alaska/Representative

GENE BURDEN/MICHELE BROWN

Commissioner/Trustee Representative

**Alaska Department of Environmental
Conservation**

GEORGE T. FRAMPTON, JR./

DEBORAH WILLIAMS

Assistant Secretary/Trustee Representative

for Fish & Wildlife & Parks

U.S. Department of the Interior

PHIL JANIK

Regional Forester - Alaska Region

U.S. Department of Agriculture

Forest Service

STEVE PENNOYER

Director, Alaska Region

National Marine Fisheries Service

FRANK RUE

Commissioner

Alaska Department of Fish & Game

Teleconference

Deborah Williams, Chair

Continuation Meeting

1. Executive Session on Chenega habitat acquisition, other habitat negotiations, Public Advisory Group appointments
2. Replacement of two Public Advisory Group members*
3. Additional \$150,000 for Tatitlek appraisal*

***Indicates Action Items**

MM/yy

Trustee Agencies

State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation

United States: National Oceanic and Atmospheric Administration, Departments of Agriculture and Interior