

08.01.11



Exxon Valdez Oil Spill Trustee Council

441 W. 5th Ave., Suite 500 • Anchorage, Alaska 99501-2340 • 907/278-8012 • fax 907/276-7178

TRUSTEE COUNCIL MEETING NOTES

Anchorage, Alaska
December 11, 2001

By Molly McCammon
Executive Director

Trustee Council Members Present:

*Dave Gibbons, USFS
Drue Pearce, DOI
James Balsiger, NMFS

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

* Chair

In Anchorage: Gibbons, Pearce, Balsiger, Rue, Kent, Brown and Tillery.

● Alternates:

Lynn Kent served as an alternate for Michele Brown from 10:11 a.m. until 11:45 a.m.

Meeting convened at 10:11 a.m., December 11, 2001, in Anchorage.

1. Approval of the Agenda

APPROVED MOTION: Approved the December 11, 2001 agenda (Attachment A).

Motion by Tillery, second by Balsiger.

2. Approval of Meeting Notes

APPROVED MOTION: Approved August 6, 2001 meeting notes (Attachment B)

Motion by Rue, second by Kent.

3. NOAA budget adjustment

APPROVED MOTION: Approved the reprogramming of remaining FY 01 funds from EVOS project funds not obligated to cover a spending overage in Project 1543.

Motion by Rue, second by Tillery.

Federal Trustees
U.S. Department of the Interior
U.S. Department of Agriculture
National Oceanic and Atmospheric Administration

State Trustees
Alaska Department of Fish and Game
Alaska Department of Environmental Conservation
Alaska Department of Law

4. Investment/Payout policy

Discussion. No action taken.

Public comment period began at 11:00 a.m.

Public comments received telephonically from 1 individual in Cordova and from 6 in Anchorage.

Public comment period closed at 11:29 a.m.

BREAK INTO EXECUTIVE SESSION

Off the record at (12:15 p.m.)

5. Executive Session:

APPROVED MOTION: Adjourn into executive session to discuss Executive Director evaluation and legal issues.

Motion by Tillery, second by Brown.

On the record at (1:25 p.m.)

6. FY 02 Work Plan - Deferred Projects

APPROVED MOTION: Adopted resolution 02-04 (Attachment C) to approve the FY 02 Work plan recommendations as outlined.

Motion by Tillery, second by Rue.

7. Kodiak three 10-acre parcels

APPROVED MOTION: Adopted resolution 02-01 (Attachment D) to provide funding for the United States Fish and Wildlife Service to offer, or purchase if an offer is accepted, all of each seller's rights and interest in the three 10-acre parcels (KAP 2071, KAP 2072, KAP 2073).

Motion by Rue, second by Brown.

8. Protection of land in Perenosa Bay

APPROVED MOTION: Adopted resolution 02-02 (Attachment E) supporting and encouraging the efforts underway by the Kodiak Brown Bear Trust, American Lands Conservancy, Rocky Mountain Elk Foundation and others to seek funds for protection of the coastal habitat in Perenosa Bay.

Motion by Rue, second by Brown.

BREAK

Off the record at (3:05 p.m.)

On the record at (3:20 p.m.)

9. Afognak Microwave station proposal

Discussion. No objection to the proposal. No formal action taken.

10. Jack Bay small parcel PWS 1010

APPROVED MOTION: Adopted resolution 02-03 (Attachment F) extending authorization for funding for small parcel PWS 1010 purchase to September 15, 2002. Amended by a contingency (Section I) that the U.S.F.S. provide a mineral study indicating low probability of mineral development.

Motion by Tillery, second by Rue.

11. Habitat grant priorities

Consultation with Conservancy and Conservation Fund. No action taken.

12. Proposed Scientific and Technical Advisory Committees

Discussion. Work group to be formed. Trustee Council to follow up with workgroup committee nominations. No formal action taken.

Meeting adjourned 5:08 p.m.

Motion by Rue, second by Tillery.

Exxon Valdez Oil Spill Trustee Council

441 W. 5th Ave., Suite 500 • Anchorage, Alaska 99501-2340 • 907/278-8012 • fax 907/276-7178



MEMORANDUM

TO: Trustee Council

FROM: Molly McGammon
Executive Director

RE: Corrections to Meeting Notes

DATE: April 4, 2003

TRammone
4-23-03

Three clerical errors in Trustee Council meeting notes have been brought to my attention. The Council approved the meeting notes before these errors were discovered. I am requesting your approval to amend the meeting notes as follows:

TC Mtng. Date	Language Currently in Meeting Notes	Date Mtng. Notes Were Approved	Corrected Language (all corrections are verified in meeting transcripts)
8/3/00	Project 01154 lapse date is stated as 9/30/00.	12/4/00	Lapse date for Project 01154 was specified as 9/30/02.
8/6/01	Motion to extend lapse date on Project 00154 and Project 01154 is not included.	12/11/01	Lapse date for Project 00154 and Project 01154 was extended to 9/30/03.
8/6/01	Resolution adopting FY 02 Work Plan is referenced (it allocated funds among Trustee agencies), but the motion addressing the Work Plan is not included.	12/11/01	Motion addressing Work Plan specified lapse date for Project 02154 as 9/30/03 and designated Tom Dean as a named recipient under Project 02395.

Sandra/Mtng Note Corrections.doc

DRAFT



Exxon Valdez Oil Spill Trustee Council

645 G Street, Suite 401, Anchorage, AK 99501-3451 907/278-8012 fax:907/276-7178

TRUSTEE COUNCIL MEETING NOTES

Anchorage, Alaska
August 6, 2001

By Molly McCammon
Executive Director

Trustee Council Members Present:

Dave Gibbons, USFS
● Dave Allen, USFWS
James Balsiger, NMFS

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

* Chair

In Anchorage: Gibbons, Toohey, Balsiger, Rue, See, and Tillery.
By teleconference in Juneau: Bosworth.

● Alternates:

Rob Bosworth served as an alternate for Frank Rue from 8:40 a.m. until 10:10 a.m.
Marianne See served as an alternate for Michele Brown for the entire meeting.
Cam Toohey served as an alternate for Dave Allen for the entire meeting.

Meeting convened at 8:40 a.m., August 6, 2001

1. Approval of the Agenda

APPROVED MOTION: Approved the August 6, 2001 agenda (Attachment A).

Motion by Gibbons, second by See.

2. Approval of the Meeting Notes

APPROVED MOTION: Approved May 3, 2001 meeting notes (Attachment B) with an amendment to section 6, first sentence, changing the wording from United States Fish and Wildlife Service to Alaska Department of Fish and Game.

Motion by Balsiger, second by See.

Federal Trustees
U.S. Department of the Interior
U.S. Department of Agriculture
National Oceanic and Atmospheric Administration

State Trustees
Alaska Department of Fish and Game
Alaska Department of Environmental Conservation
Alaska Department of Law

3. Project 01535

APPROVED MOTION: Approved the transfer of \$18,400.00 from the Data Management Project (01455) budget to the Final Report Project (01535).

Motion by See, second by Balsiger.

4. Office Move

APPROVED MOTION: Approved \$98,800 in additional funds to move the Restoration office, with \$37,600 for FY 01 and \$61,200 for FY 02.

Motion by Bosworth, second by See.

5. Status of Large and Small parcel programs

APPROVED MOTION: Approved combining the funds remaining in the two Kodiak 10-acre designations, with the intent the funds will be spent on either Larsen Bay Shareholder parcels or Kodiak Tax Parcels.

Motion by Balsiger, second by Gibbons.

6. UA Parcel - PWS 05

APPROVED MOTION: Adopted resolution 01-12 (Attachment C) to renew the authorization for funding the purchase agreement for small parcel PWS 05 until September 1, 2002.

Motion by Gibbons, second by Balsiger.

7. UA Parcel - PWS 06

APPROVED MOTION: Adopted resolution 01-13 (Attachment D) to renew the authorization for funding the purchase agreement for small parcel PWS 06 until September 1, 2002.

Motion by Gibbons, second by Balsiger.

8. GEM writing contract, Project 01630

APPROVED MOTION: Approved the transfer of \$10,700 from Project 01455 (GEM Data System) to Project 01630 (Planning for GEM) for the purpose of contracting for preparation of a human uses section for the GEM document. (\$10,000 for the contract and \$700 for ADNR general administration costs.)

Motion by Balsiger, second by See.

BREAK

Technical difficulties.

Off the record at (9:35 a.m.)

On the record at (9:53 a.m.)

Public comment period began at 10:08 a.m.

Public comments received telephonically from 2 individuals in Anchorage, and from 1 person in Anchorage.

Public comment period closed at 10:30 a.m.

9. GEM

APPROVED MOTION: Approved a motion to submit GEM draft to NRC Review Committee.

All signified by saying "aye".

BREAK

Off the record at (11:05 a.m.)

On the record at (11:10 a.m.)

BREAK INTO EXECUTIVE SESSION

10. Executive Session:

APPROVED MOTION: Adjourn into executive session to discuss legal issues and habitat.

Motion by Gibbons, second by See.

Off the record at (11:50 a.m.)

On the record at (1:10 p.m.)

11. FY 02 Work Plan

APPROVED MOTION: Adopted resolution 01-14 (Attachment E) to approve the FY 02 Work plan with the following amendments:

Project 02245 - Contingent on receipt of information from the Alaska Native Harbor Seal Commission on the availability of federal funds for the commission to undertake work related to harbor seals.

Project 02558 - Contingent on receipt of information from the proposer on the availability of federal funds for research on harbor seals at the Alaska SeaLife center.

Project 02395 - Provide for all project funds to go through ADF&G, but on the condition that the workshop and the development of resulting recommendations are to be a collaborative effort between the two proposers.

Motion by Balsiger, second by Rue.

12. NOAA's General Administration costs

APPROVED MOTION: Approved a motion to approve NOAA's expenditure of \$21,162 in General Administration (GA) costs, which resulted from NOAA recovering more than the allowable amount of GA based on actual direct project spending.

Motion by Balsiger, second by Rue.

Meeting adjourned 3:15 p.m.

Motion by Rue, second by Balsiger.

Exxon Valdez Oil Spill Trustee Council

645 G Street, Suite 401, Anchorage, AK 99501-3451 907/278-8012 fax:907/276-7178



AGENDA EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL MEETING

August 6, 2001 8:30 a.m.
645 G STREET, Suite 401, ANCHORAGE

DRAFT

Trustee Council Members:

CRAIG TILLERY
Assistant Attorney General
State of Alaska

MICHELE BROWN (Marianne See)
Commissioner
Alaska Department of Environmental
Conservation

DAVID ALLEN (Cam Toohey)
Director, Alaska Region
U.S. Fish and Wildlife Service

DAVE GIBBONS
U.S. Department of Agriculture
Forest Service

JAMES W. BALSIGER
Director, Alaska Region
National Marine Fisheries Service

FRANK RUE
Commissioner
Alaska Department of Fish & Game

Teleconferenced in Anchorage, Restoration Office, 645 G Street
State Chair

1. Call to Order - 8:30 a.m.
 - Approval of Agenda
 - Approval of Meeting notes
May 3, 2001

2. Executive Director's Report - Molly McCammon - 8:35 a.m.
 - Administrative Issues
 - Report to Congress
 - Draft MOA with other funding organizations
 - Investments
 - Final report (Project 01535)*
 - Office move*
 - Habitat
 - Status of large and small parcel programs*
 - Extend offer on UA parcels*
 - Habitat grant
 - Science/Work Plan
 - Oceans symposium
 - GEM writing contract*

Federal Trustees
U.S. Department of the Interior
U.S. Department of Agriculture
National Oceanic and Atmospheric Administration

State Trustees
Alaska Department of Fish and Game
Alaska Department of Environmental Conservation
Alaska Department of Law

3. Public Advisory Group Report - Chuck Meacham - 9:00 a.m.
4. Afognak Island habitat effort - Jerry Wells, Rocky Mountain Elk Foundation - 9:15 a.m.
5. Archaeology status report - Veronica Christman - 9:45 a.m.
6. Public comment period - 10:00 a.m.
7. Lingering oil status report - Jeff Short - 10:30 a.m.
8. GEM*
9. Executive Session (legal issues, possibly habitat) - Lunch provided
10. FY 02 Work Plan*

Adjourn 5:00 p.m.

* indicates tentative action items



Exxon Valdez Oil Spill Trustee Council

645 G Street, Suite 401, Anchorage, AK 99501-3451 907/278-8012 fax:907/276-7178

TRUSTEE COUNCIL MEETING ACTIONS

May 3, 2001

By Molly McCammon
Executive Director

Trustee Council Members Present:

- Dave Gibbons, USFS
- *Dave Allen, USFWS
- James Balsiger, NMFS

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

* Chair

In Anchorage: Allen, and Slater.
 By teleconference in Juneau: Balsiger, and Lisowski.
 By teleconference in Anchorage: Brown, and Tillery.

● Alternates:

Claudia Slater served as an alternate for Frank Rue for the entire meeting.
 Maria Lisowski served as an alternate for Dave Gibbons for the entire meeting.

Meeting convened at 10:08 a.m., May 3, 2001

1. Approval of the Agenda

APPROVED MOTION: Approved the Agenda.
 Motion by Tillery, second by Lisowski .

2. Approval of the Meeting Notes

APPROVED MOTION: Approved April 3, 2001 Trustee Council meeting notes.
 Motion by Tillery, second by Balsiger.

Public comment period began at 10:10 a.m.

Public comments received telephonically from 1 individual in Seward.

Public comment period closed at 10:15 a.m.

3. Project 01190

APPROVED MOTION: Approval of an additional \$4,300.00 for Project 01190, "Construction of a Linkage Map for the Pink Salmon Genome".

Motion by Balsiger, second by Lisowski.

4. Old Harbor Hydroelectric Project

APPROVED MOTION: Adopted resolution 01-11 (Attachment A). The Trustee Council supports an amendment to the conservation easement conveyed by Old Harbor Native Corporation to the State of Alaska solely to permit the construction, operation, and maintenance of the Project as licensed by FERC, so long as the hydroelectric project is constructed in accordance with the terms and conditions of the FERC license at the location on the attached map (Resolution 01-11- Attachment C), except that if a pond is necessary to equalize water temperatures, the location and size of the pond must be approved by the Alaska Department of Fish and Game.

Motion by Tillery, second by Balsiger.

5. Small parcel, KAP 2069

APPROVED MOTION: Adopted resolution 01-09 (Attachment B), providing \$12,000 for the United States Fish and Wildlife Service to offer to purchase and, if the offer is accepted, to purchase all of the seller's rights and interests in parcel KAP 2069; and to provide funds necessary for closing costs recommended by the Executive Director of the Trustee Council and approved by the Trustee Council and pursuant to the conditions as stated in the resolution.

Motion by Allen, second by Tillery.

6. Small parcel, KEN 294

APPROVED MOTION: Adopted resolution 01-10 (Attachment C), providing \$78,000 for the Alaska Department of Fish and Game to offer to purchase and, if the offer is accepted, to purchase all of the seller's rights and interests in parcel KEN 294; and to provide funds necessary for closing costs recommended by the Executive Director of the Trustee Council and approved by the Trustee Council and pursuant to the conditions as stated in the resolution.

Motion by Slater, second by Tillery.

7. Project 99514

APPROVED MOTION:

Approved a motion to designate the Chugach Regional Resources Commission to be the named recipient of a future grant for implementing the waste management plan for the lower Cook Inlet, because they will be the most efficient and effective entity to administer such grant. A detailed proposal of how the funds will be spent will be presented to the Trustee Council at a later date.

Motion by Balsiger, second by Lisowski.

Meeting adjourned 11:11 a.m.

**RESOLUTION OF THE
EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL
REGARDING
VALDEZ DUCK FLATS SMALL PARCEL PWS 05**

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

1. On December 4, 2000, the Council resolved to provide funds for the United States to purchase all of the seller's rights and interests in the small parcel PWS 05, consisting of 32.66 acres, and to provide funds necessary for closing costs recommended by the Executive Director of the Council (Executive Director) and approved by the Council, subject to certain conditions. One of the conditions was that a title search satisfactory to the State of Alaska and the United States must be completed and that the seller is willing and able to convey fee simple title by general warranty deed to the property. The seller is the University of Alaska (University).

2. The Forest Service, on behalf of the United States, has conducted a title search of the property and determined that the University is unwilling to convey fee simple title to the property by general warranty deed. The University was granted the property from the State of Alaska (State), which received the property as part of the State's land entitlement for the University and pursuant to the Alaska Statehood Act. A provision of the Statehood Act, Section 6(i), generally provides that land grants made to the State shall include mineral deposits and that any reconveyance of these lands by the State is subject to a State reservation of all the minerals in the lands conveyed. If lands are conveyed contrary to this provision, the United States may seek appropriate proceedings to forfeit the lands to the United States. When the University received the lands contained in PWS 05 from the State, the mineral estate was included in the grant. The

University has stated that a conveyance of PWS 05 to the United States is subject to Section 6(i) and therefore it is unwilling to convey fee simple title by general warranty deed.

3. For all of the reasons detailed in the Council's resolution of December 4, 2000, the Council continues to find that the purchase of PWS 05 is an appropriate means to restore a portion of the injured resources and services in the spill area.

THEREFORE, we resolve to provide funds for the United States to purchase all of the seller's rights and interests in the small parcel PWS 05 and to provide funds necessary for closing costs recommended by the Executive Director and approved by the Council, pursuant to the following conditions:

(A) the amount of funds to be provided by the Trustee Council to the United States shall be one hundred and twenty five thousand dollars (\$125,000) for small parcel PWS 05;

(B) authorization for funding for any acquisition described in the foregoing paragraph shall terminate if a purchase agreement is not executed by September 1, 2002;

(C) completion of a title search satisfactory to the State of Alaska and the United States and the seller is willing and able to convey fee simple title by a deed acceptable to the United States;

(D) no timber harvest, road development or alteration of the land will be initiated by the seller prior to the purchase without the express agreement of the State of Alaska and the United States;

(E) completion of a hazardous materials survey satisfactory to the State of Alaska and the United States;

(F) compliance with the National Environmental Policy Act; and

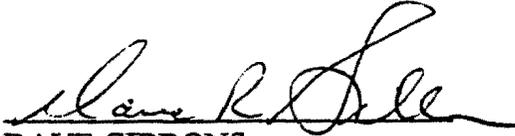
(G) a conservation easement on parcel PWS 05, satisfactory in form and substance to the United States and the State of Alaska Department of Law, shall be conveyed by the seller to the State of Alaska. It is the intent of the Council that, except as described below, any facilities or other development on the foregoing small parcel shall be of limited impact and in keeping with the goals of restoration and that there shall be no commercial timber harvest nor any other commercial use of the small parcel except such limited commercial use as may be consistent with applicable state or federal law and the goals of restoration to pre-spill conditions of any natural resource injured, lost or destroyed as a result of the EVOS and the services provided by that resource or replacement or substitution for the injured, lost or destroyed resources and affected resources as described in the Memorandum of Agreement and Consent Decree between the United States and the State of Alaska entered August 28, 1991 and the Restoration Plan approved by the Council. The conservation easement will allow for the continued operation and maintenance of the Crooked Creek Visitor Center and fish viewing area by the Forest Service and may provide for the improvement of these facilities consistent with local zoning and the protection of the natural resources and services provided by this parcel.

By unanimous consent, following execution of the purchase agreement between the seller and the United States and written notice from the Executive Director that the terms and conditions set forth herein and the purchase agreement have been satisfied, we request the Alaska Department of Law and the Assistant Attorney General of the Environment and Natural Resources Division of the United States Department of Justice to take such steps as may be necessary for withdrawal of the purchase price for the above-referenced parcel from the appropriate account designated by the Executive Director.

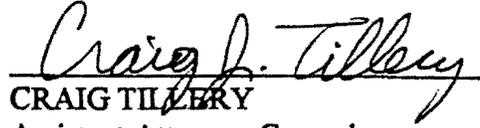
Such amount represents the only amount due under this resolution to the sellers by the United States to be funded from the joint trust funds, and no additional amounts or interest are herein authorized to be paid to the sellers from such joint funds.

Approved by the Council at its meeting of August 6, 2001 held in Anchorage, Alaska, as affirmed

by our signatures affixed below:



DAVE GIBBONS
Supervisor, Chugach National Forest
USDA Forest Service



CRAIG TILLEY
Assistant Attorney General
State of Alaska



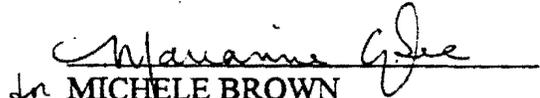
DAVID B. ALLEN
Alaska Regional Director,
U.S. Fish and Wildlife Service
U.S. Department of the Interior



JAMES BALSIGER
Director, Alaska Region
National Marine Fisheries Service



FRANK RUE
Commissioner
Alaska Department of
Fish and Game



MICHELE BROWN
Commissioner
Alaska Department of
Environmental Conservation

**RESOLUTION OF THE
EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL
REGARDING
VALDEZ DUCK FLATS SMALL PARCEL PWS 06**

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

1. On December 4, 2000, the Council resolved to provide funds for the State of Alaska to purchase all of the seller's rights and interests in the small parcel PWS 06, consisting of 24.68 acres, and to provide funds necessary for closing costs recommended by the Executive Director of the Council (Executive Director) and approved by the Council, subject to certain conditions. One of the conditions was that a purchase agreement had to be executed by June 21, 2001. The seller is the University of Alaska (University).

2. Although the University has agreed to sell the land to the State for the price in the Council's resolution of December 4, 2000 (\$100,000) and the State expects to be able to complete the acquisition, a purchase agreement was not executed prior to June 21, 2001 as required by the Council's December 4, 2000 resolution.

3. For all of the reasons detailed in the Council's resolution of December 4, 2000, the Council continues to find that the purchase of PWS 06 is an appropriate means to restore a portion of the injured resources and services in the spill area.

THEREFORE, we resolve to provide funds for the United States to purchase all of the seller's rights and interests in the small parcel PWS 06 and to provide funds necessary for closing costs recommended by the Executive Director and approved by the Council, pursuant to the following

conditions:

(A) the amount of funds to be provided by the Trustee Council to the State of Alaska or the United States shall be one hundred thousand dollars (\$100,000) for small parcel PWS 06;

(B) authorization for funding for any acquisition described in the foregoing paragraph shall terminate if a purchase agreement is not executed by September 1, 2002;

(C) completion of a title search satisfactory to the State of Alaska and the United States and the seller is willing and able to convey fee simple title by a deed acceptable to the State of Alaska;

(D) no timber harvest, road development or alteration of the land will be initiated by the seller prior to the purchase without the express agreement of the State of Alaska and the United States;

(E) completion of a hazardous materials survey satisfactory to the State of Alaska and the United States;

(F) compliance with the National Environmental Policy Act; and

(G) a conservation easement on parcel PWS 06, satisfactory in form and substance to the United States and the State of Alaska Department of Law, shall be conveyed by the seller to the United States.

It is the intent of the Council that, except as described below, any facilities or other development on the foregoing small parcel shall be of limited impact and in keeping with the goals of restoration and that there shall be no commercial timber harvest nor any other commercial use of the small parcel except such limited commercial use as may be consistent with applicable state or federal law and the goals of restoration to pre-spill conditions of any natural resource injured,

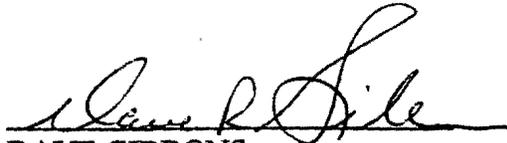
lost or destroyed as a result of the EVOS and the services provided by that resource or replacement or substitution for the injured, lost or destroyed resources and affected resources as described in the Memorandum of Agreement and Consent Decree between the United States and the State of Alaska entered August 28, 1991 and the Restoration Plan approved by the Council.

By unanimous consent, following execution of the purchase agreement between the seller and the State of Alaska and written notice from the Executive Director that the terms and conditions set forth herein and the purchase agreement have been satisfied, we request the Alaska Department of Law and the Assistant Attorney General of the Environment and Natural Resources Division of the United States Department of Justice to take such steps as may be necessary for withdrawal of the purchase price for the above-referenced parcel from the appropriate account designated by the Executive Director.

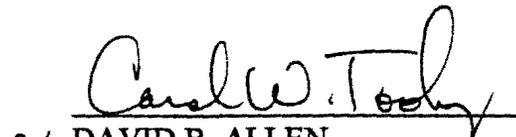
Such amount represents the only amount due under this resolution to the sellers by the State of Alaska to be funded from the joint trust funds, and no additional amounts or interest are herein authorized to be paid to the sellers from such joint funds.

Approved by the Council at its meeting of August 6, 2001 held in Anchorage, Alaska, as affirmed

by our signatures affixed below:

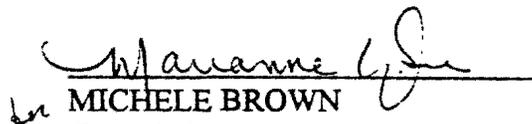

DAVE GIBBONS
Supervisor, Chugach National Forest
USDA Forest Service


CRAIG TILLERY
Assistant Attorney General
State of Alaska


DAVID B. ALLEN
Alaska Regional Director,
U.S. Fish and Wildlife Service
U.S. Department of the Interior


JAMES BALSIGER
Director, Alaska Region
National Marine Fisheries Service


FRANK RUE
Commissioner
Alaska Department of
Fish and Game


MICHELE BROWN
Commissioner
Alaska Department of
Environmental Conservation

**RESOLUTION OF THE
EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL
REGARDING THE FY 02 WORK PLAN**

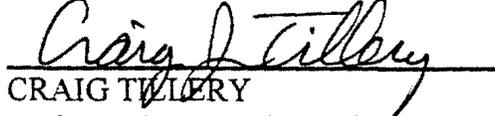
We, the undersigned, duly authorized members of the *Exxon Valdez* Oil Spill Trustee Council do hereby certify that, in accordance with the Memorandum of Agreement and Consent Decree entered as settlement of United States of America v. State of Alaska, No. A91-081 Civil, U.S. District Court for the District of Alaska, and after public meetings, unanimous agreement has been reached to expend funds received in settlement of State of Alaska v. Exxon Corporation, et al., No. A91-083 CIV, and United States of America v. Exxon Corporation, et al., No. A91-082 CIV, U.S. District Court for the District of Alaska, for necessary natural resource damage assessment and restoration activities. The Fiscal Year 2002 Work Plan is funded at \$4,804,500 as described in the attachment, and the monies are to be distributed according to the following schedule:

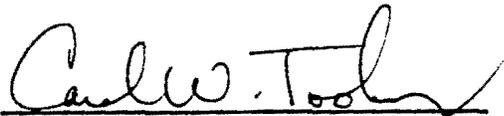
Alaska Department of Fish & Game	2,685,400
Alaska Department of Natural Resources	475,000
Alaska Department of Environmental Conservation	50,000
 SUBTOTAL TO STATE OF ALASKA	 \$3,210,400
 U.S. Department of Agriculture, Forest Service	 44,200
U.S. Department of the Interior	985,700
National Oceanic & Atmospheric Administration	564,200
 SUBTOTAL TO UNITED STATES OF AMERICA	 \$1,594,100
 TOTAL APPROVED	 \$4,804,500

By unanimous consent, we hereby request the Attorney General of the State of Alaska and the Assistant Attorney General of the Environmental and Natural Resources Division of the United States Department of Justice to take such steps as may be necessary for withdrawal of the Fiscal Year 2002 Work Plan amount (\$4,804,500) from the appropriate account recommended by the Executive Director.

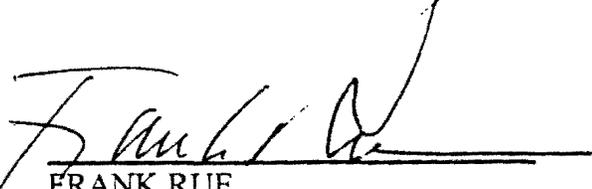
Approved by the Council at its meeting of August 6, 2001 held in Anchorage, Alaska, as affirmed by our signatures affixed below:


DAVE GIBBONS
Supervisor, Chugach National Forest
USDA Forest Service


CRAIG TILLEY
Assistant Attorney General
State of Alaska


DAVID B. ALLEN
Alaska Regional Director,
U.S. Fish and Wildlife Service
U.S. Department of the Interior


JAMES BALSIGER
Director, Alaska Regional
National Marine Fisheries Service


FRANK RUE
Commissioner
Alaska Department of
Fish and Game


MICHELE BROWN
Commissioner
Alaska Department of
Environmental Conservation

EXXON VALDEZ OIL TRUSTEE COUNCIL
 2002 Federal Fiscal Year Project Budget
 October 1, 2001 - September 30, 2002

Agency	Cooperating Agency(s)	Project Number	Project Title	First FY 02 Court Notification	Total
ADEC	All	02100	Public Information, Science Management and Administration	23.0	23.0
	All	02250	Project Management	10.3	10.3
		02667	Effectiveness of Citizens' Environmental Monitoring	16.7	16.7
	ADEC Total			50.0	50.0
ADF&G	All	02052	Community Involvement Planning for GEM	45.0	45.0
		02100	Public Information, Science Management and Administration	970.5	970.5
		02190	Construction of a Linkage Map for the Pink Salmon Genome	43.1	43.1
		02210	Youth Area Watch	106.1	106.1
		02245	Community-Based Harbor Seal Management and Biological Sampling	26.8	26.8
	All	02247	Kametolook River Coho Salmon Subsistence Project	30.8	30.8
		02250	Project Management	60.6	60.6
		02340	Toward Long-Term Oceanographic Monitoring of the Gulf of Alaska Ecosystem	77.8	77.8
		02395	Workshop on Nearshore/Intertidal Monitoring	63.6	63.6
	DOI-FWS/USGS	02407	Harlequin Duck Population Dynamics	68.7	68.7
		02423	Patterns and Processes of Population Change in Selected Nearshore Vertebrate Predators (Bench Fees Only)	128.7	128.7
		02441-CLO	Harbor Seal Recovery: Effects of Diet on Lipid Metabolism and Health	20.2	20.2
		02455	Gulf Ecosystem Monitoring and Research Program Data System	105.0	105.0
	NOAA	02462-CLO	Effect of Disease on Pacific Herring Population Recovery in Prince William Sound	77.4	77.4
		02535	EVOS Trustee Council Restoration Program Final Report	52.4	52.4
		02538	Evaluation of Two Methods to Discriminate Pacific Herring Stocks along the Northern Gulf of Alaska	22.7	22.7
		02550	Alaska Resources Library and Information Services	93.4	93.4
		02558	Harbor Seal Recovery: Application of New Technologies for Monitoring Health (including Bench Fees)	292.3	292.3
		02593	River Otter Synthesis	32.4	32.4
		02608	Archiving of Nearshore & Deep Benthic Specimens	61.6	61.6
		02610	Kodiak Archipelago Youth Area Watch	61.8	61.8
		02612	Marine-Terrestrial Linkages in Kenai River Watershed	44.6	44.6
		02614	Monitoring Program for Near-Surface Temperature, Salinity, and Fluorescence in the Northern Pacific Ocean	38.2	38.2
ADNR	02630	Planning for Long-Term Research and Monitoring Program	21.0	21.0	
	02649	Reconstructing Sockeye Populations in the Gulf of Alaska over the Last Several Thousand Years	88.1	88.1	
	02671-BAA	Coordinating Volunteer Vessels of Opportunity to Collect Oceanographic Data in Kachemak Bay and Lower Cook Inlet	34.8	34.8	

EXXON VALDEZ OIL TRUSTEE COUNCIL
2002 Federal Fiscal Year Project Budget
October 1, 2001 - September 30, 2002

Agency	Cooperating Agency(s)	Project Number	Project Title	First FY 02 Court Notification	Total
	NOAA	02674-BAA	Continuing Decline of Pigeon Guillemots in the Oiled Portion of Prince William Sound (Bench Fees Only)	17.8	17.8
			ADF&G Total	2,685.4	2,685.4
ADNR	All	02100	Public Information, Science Management and Administration	307.6	307.6
	USFWS	02126	Habitat Protection and Acquisition Support	86.9	86.9
		02154	Archaeological Repository & Local Display Facilities, and Exhibits for Prince William Sound and Lower Cook Inlet	29.1	29.1
	All	02250	Project Management	8.6	8.6
	ADFG	02630	Planning for Long-Term Research and Monitoring Program	42.8	42.8
			ADNR Total	475.0	475.0
USFS	All	02100	Public Information, Science Management and Administration	20.0	20.0
	All	02250	Project Management	8.7	8.7
		02256B	Sockeye Salmon Stocking at Solf Lake	15.5	15.5
			USFS Total	44.2	44.2
DOI-FWS	ADNR	02126	Habitat Protection and Acquisition Support	74.9	74.9
		02144	Common Murre Population Monitoring	14.8	14.8
	DOI-USGS/ADFG	02423	Patterns and Processes of Population Change in Selected Nearshore Vertebrate Predators	12.1	12.1
		02561	Evaluating the Feasibility of Developing a Community-Based Forage Fish Sampling Project for GEM	54.3	54.3
			DOI-FWS Subtotal	156.1	156.1
DOI-USGS		02100	Public Information, Science Management and Administration	112.5	112.5
		02163M	Alaska Predator Ecosystem Experiment in Prince William Sound and the Gulf of Alaska (APEX)	50.0	50.0
	All	02250	Project Management	36.2	36.2
		02404	Archival Tags for Tracking King Salmon at Sea: Migrations, Biology, and Oceanographic Preferences in Prince William Sound	104.6	104.6
	DOI-FWS/ADFG	02423	Patterns and Processes of Population Change in Selected Nearshore Vertebrate Predators	317.6	317.6
		02479	Effects of Food Stress on Survival and Reproductive Performance of Seabirds	55.0	55.0
	DOI-NPS	02656	Retrospective Analysis of Nearshore Marine Communities Based on Analysis of Archaeological Material and Isotopes	105.1	105.1
			DOI-USGS Subtotal	781.0	781.0

EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL
2002 Federal Fiscal Year Project Budget
October 1, 2001 - September 30, 2002

Agency	Cooperating Agency(s)	Project Number	Project Title	First FY 02 Court Notification	Total
DOI-NPS	USGS	02656	Retrospective Analysis of Nearshore Marine Communities Based on Analysis of Archaeological Material and Isotopes	4.8	4.8
			DOI-NPS Subtotal	4.8	4.8
DOI-O/S	All	02100	Public Information, Science Management and Administration	43.8	43.8
			DOI-O/S Subtotal	43.8	43.8
DOI Total				985.7	985.7
NOAA	All	02012-BAA	Photographic and Acoustic Monitoring of Killer Whales in Prince William Sound and Kenai Fjords	35.2	35.2
		02100	Public Information, Science Management and Administration	22.6	22.6
	All	02195	Pristane Monitoring in Mussels	20.0	20.0
		02250	Project Management	57.3	57.3
	ADFG	02290	Hydrocarbon Database and Interpretation Service	35.0	35.0
		02360-BAA	The <i>Exxon Valdez</i> Oil Spill: Guidance for Future Research Activities	90.1	90.1
		02396	Alaska Salmon Shark Assessment	28.8	28.8
		02401	Assessment of Spot Shrimp Abundance in Prince William Sound	25.5	25.5
		02476	Effects of Oiled Incubation Substrate on Pink Salmon Reproduction	39.8	39.8
		02492	Were Pink Salmon Embryo Studies in Prince William Sound Biased?	24.0	24.0
		02538	Evaluation of Two Methods to Discriminate Pacific Herring Stocks along the Northern Gulf of Alaska	30.2	30.2
	ADFG	02543	Evaluation of Oil Remaining in the Intertidal from the <i>Exxon Valdez</i> Oil Spill	113.1	113.1
		02674	Continuing Decline of Pigeon Guillemots in the Oiled Portion of Prince William Sound	42.6	42.6
NOAA Total				564.2	564.2
Total				4,804.5	4,804.5

DRAFT

Exxon Valdez Oil Spill Trustee Council

645 G Street, Suite 401, Anchorage, AK 99501-3451 907/278-8012 fax:907/276-7178



TRUSTEE COUNCIL MEETING ACTIONS

May 3, 2001

By Molly McCammon
Executive Director

Trustee Council Members Present:

● Dave Gibbons, USFS
*Dave Allen, USFWS
James Balsiger, NMFS

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

* Chair

In Anchorage: Allen, and Slater.

By teleconference in Juneau: Balsiger, and Lisowski.

By teleconference in Anchorage: Brown, and Tillery.

● Alternates:

Claudia Slater served as an alternate for Frank Rue for the entire meeting.

Maria Lisowski served as an alternate for Dave Gibbons for the entire meeting.

Meeting convened at 10:08 a.m., May 3, 2001

1. Approval of the Agenda

APPROVED MOTION: Approved the Agenda.

Motion by Tillery, second by Lisowski .

2. Approval of the Meeting Notes

APPROVED MOTION: Approved April 3, 2001 Trustee Council meeting notes.

Motion by Tillery, second by Balsiger.

Public comment period began at 10:10 a.m.

Public comments received telephonically from 1 individual in Seward.

Public comment period closed at 10:15 a.m.

Federal Trustees
U.S. Department of the Interior
U.S. Department of Agriculture
National Oceanic and Atmospheric Administration

State Trustees
Alaska Department of Fish and Game
Alaska Department of Environmental Conservation
Alaska Department of Law

3. Project 01190

APPROVED MOTION: Approval of an additional \$4,300.00 for Project 01190, "Construction of a Linkage Map for the Pink Salmon Genome".

Motion by Balsiger, second by Lisowski.

4. Old Harbor Hydroelectric Project

APPROVED MOTION: Adopted resolution 01-11 (Attachment A). The Trustee Council supports an amendment to the conservation easement conveyed by Old Harbor Native Corporation to the State of Alaska solely to permit the construction, operation, and maintenance of the Project as licensed by FERC, so long as the hydroelectric project is constructed in accordance with the terms and conditions of the FERC license at the location on the attached map (Resolution 01-11- Attachment C), except that if a pond is necessary to equalize water temperatures, the location and size of the pond must be approved by the Alaska Department of Fish and Game.

Motion by Tillery, second by Balsiger.

5. Small parcel, KAP 2069

APPROVED MOTION: Adopted resolution 01-09 (Attachment B), providing \$12,000 for the United States Fish and Wildlife Service to offer to purchase and, if the offer is accepted, to purchase all of the seller's rights and interests in parcel KAP 2069; and to provide funds necessary for closing costs recommended by the Executive Director of the Trustee Council and approved by the Trustee Council and pursuant to the conditions as stated in the resolution.

Motion by Allen, second by Tillery.

6. Small parcel, KEN 294

APPROVED MOTION: Adopted resolution 01-10 (Attachment C), providing \$78,000 for the United States Fish and Wildlife Service to offer to purchase and, if the offer is accepted, to purchase all of the seller's rights and interests in parcel KEN 294; and to provide funds necessary for closing costs recommended by the Executive Director of the Trustee Council and approved by the Trustee Council and pursuant to the conditions as stated in the resolution.

Motion by Slater, second by Tillery.

7. Project 99514

APPROVED MOTION: Approved a motion to designate the Chugach Regional Resources Commission to be the named recipient of a future grant for implementing the waste management plan for the lower Cook Inlet, because they will be the most efficient and effective entity to administer such grant. A detailed proposal of how the funds will be spent will be presented to the Trustee Council at a later date.

Motion by Balsiger, second by Lisowski.

Meeting adjourned 11:11a.m.

Exxon Valdez Oil Spill Trustee Council

645 G Street, Suite 401, Anchorage, AK 99501-3451 907/278-8012 fax:907/276-7178



TRUSTEE COUNCIL MEETING ACTIONS

April 3, 2001

By Molly McCammon
Executive Director

Trustee Council Members Present:

Dave Gibbons, USFS
Dave Allen, USFWS
*James Balsiger, NMFS

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

* Chair

In Anchorage: Gibbons, Allen, Balsiger, See, Brown, Tillery, Rue.

● Alternates:

Marianne See served as an alternate for Michele Brown from 10:04 a.m. until 1:23 p.m.

Meeting convened at 10:04 a.m., April 3, 2001

1. Approval of the Agenda

APPROVED MOTION: Approved the Agenda with a change by removing small parcels as a possible action item under the habitat issues.

Motion by Rue, second by Tillery.

2. Approval of the Meeting Notes

APPROVED MOTION: Approved January 16, 2001 Trustee Council meeting notes.

Motion by Rue, second by Tillery.

3. Investments

Off record 10:15 a.m. (Technical difficulties)

On record 10:20 a.m.

APPROVED MOTION: Approved a motion to participate in the Department of Revenue's securities lending program.

Motion by Rue, second by See.

Federal Trustees
U.S. Department of the Interior
U.S. Department of Agriculture
National Oceanic and Atmospheric Administration

State Trustees
Alaska Department of Fish and Game
Alaska Department of Environmental Conservation
Alaska Department of Law

4. Habitat issues

Discussion of Karluk IRA proposal.

Public comment period began at 11:00 a.m.

Public comments received from 10 individuals in Anchorage. Public comments received telephonically from 9 individuals in Kodiak, 1 individual in Cordova and 1 individual in Juneau.

Public comment period closed at 12:10 p.m.

Adjourned to lunch 12:40 p.m.

Off record at 12:43 p.m.

On record at 1:13 p.m.

4. GEM - Discussion with Public Advisory Group

National Research Council's interim report on the Gulf Ecosystem Monitoring program by Mike Roman, Chairman, and Don Bowen, review committee members.

BREAK

Off record 2:40 p.m.

On record 2:57 p.m.

Meeting adjourned 4:20 p.m.

Motion by Rue, Second by Gibbons.

Exxon Valdez Oil Spill Trustee Council

645 G Street, Suite 401, Anchorage, AK 99501-3451 907/278-8012 fax:907/276-7178



TRUSTEE COUNCIL MEETING ACTIONS

January 16, 2001

By Molly McCammon
Executive Director

DRAFT

Trustee Council Members Present:

Dave Gibbons, USFS
●Marilyn Heiman, USDOJ
James Balsiger, NMFS

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

* Chair

In Anchorage: Gibbons, Heiman, Balsiger, See, Brown, Tillery, Slater

● Alternates:

Barry Roth served as an alternate for Marilyn Heiman from 9:44 a.m. to 9:50 a.m.
Marianne See served as an alternate for Michele Brown from 9:44 a.m. to 9:45 a.m.
Claudia Slater served as an alternate for Frank Rue for the entire meeting.

Meeting convened at 9:44 a.m., January 16, 2001

1. Approval of the Agenda

APPROVED MOTION: Approved the Revised Agenda.

Motion by Balsiger, second by Heiman .

2. Approval of the Meeting Notes

APPROVED MOTION: Approved December 4th, 5th, 8th, 2000 and January 4th, 2001
Trustee Council meeting notes.

Motion by Balsiger, second by Gibbons.

Public comment period began at 9:47 a.m.

Public comments received telephonically from 1 individual in Anchorage.

Public comment period closed at 9:48 a.m.

Federal Trustees
U.S. Department of the Interior
U.S. Department of Agriculture

State Trustees
Alaska Department of Fish and Game
Alaska Department of Environmental Conservation

3. Deferred Projects

APPROVED MOTION: Approved funding for Project 01538 (\$10,100) and recommendations for FY 01 deferred projects as outlined in Spreadsheet A (Attachment A), dated January 10, 2001, with the following conditions: (1) If a Principal Investigator has an overdue report or manuscript from a previous year, no funds may be expended on a project involving the Principle Investigator unless the report is submitted or a schedule for submission is approved by the Executive Director, and (2) a project's lead agency must demonstrate to the Executive Director that requirements of NEPA are met before any project funds may be expended (with the exception of funds spent to prepare NEPA documentation).

Motion by Balsiger, second by Brown.

4. GEM

APPROVED MOTION: Approved the conceptual approach to developing the draft GEM Research and Monitoring Plan, as presented by the Executive Director.

Motion by Balsiger, second by Brown.

5. Small Parcel Habitat Grant

APPROVED MOTION: Adopted resolution 01-07 signed January 16, 2001 (Attachment B) that provides for \$1,000,000, less Trustee agency costs, to be awarded as a grant to The Conservation Fund and The Nature Conservancy for a habitat protection effort in the *Exxon Valdez* oil spill-area ecosystem on behalf of the Trustee Council; the grant funds will reside in the Alaska Department of Revenue's *Exxon Valdez* Oil Spill Investment Fund and be disbursed per the terms of the Draft Grant Agreement.

Motion by Heiman, second by Brown.

BREAK INTO EXECUTIVE SESSION

6. Executive Session:

APPROVED MOTION: Adjourn into executive session to discuss habitat protection related to Koniag and two 10-acre parcels.

Motion by Gibbons, second by Heiman.

Off the record at (10:59 a.m.)

On the record at (11:50 a.m.)

APPROVED MOTION: Adopted resolution 01-08 (Attachment C) which rescinds and replaces resolution 01-05 adopted on January 4, 2001 and provides funds for the United States and the State to enter into an Agreement (Attachment D) with Koniag for the protection of 57,900 acres of Koniag lands. This resolution adopts the prior agreement with the following changes: 1) revises Section I of the conservation easement to clarify that unguided public use is a purpose of the conservation easement and the Master Agreement; 2) revises Section X dealing with enforcement language; 3) fixes some typographical errors in the Special Account description and; 4) provides that the Special Account be increased by \$250,000 in order to cover the addition to the conservation easement of the Koniag lands on the east side of Uyak and Zachar Bays, unless Koniag chooses the option of exchanging for these lands owned by the U.S. Department of Interior on the south side of the Village of Larsen Bay.

Motion by Heiman, second by Brown.

8. Two Kodiak 10-acre parcels

APPROVED MOTION: Adopted resolution 01-06 (Attachment E) to provide \$36,000 in funds for the United States Fish and Wildlife Service to offer to purchase and, if the offer is accepted, to purchase all of each seller's rights and interest in two 10-acre parcels described as KAP 2067 and KAP 2068 and to provide funds necessary for closing costs recommended by the Executive Director and approved by the Trustee Council.

Motion by Heiman, second by Brown

Meeting adjourned 12:14 p.m.

Exxon Valdez Oil Spill Trustee Council

645 G Street, Suite 401, Anchorage, AK 99501-3451 907/278-8012 fax:907/276-7178



TRUSTEE COUNCIL MEETING ACTIONS

January 4, 2001

By Molly McCammon
Executive Director

Trustee Council Members Present:

*Dave Gibbons, USFS
Marilyn Heiman, USDOJ
James Balsiger, NMFS

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

* Chair

In Anchorage: Gibbons, Heiman, Balsiger, See, Tillery, Slater

● Alternates:

Marianne See served as an alternate for Michele Brown for the entire meeting.
Claudia Slater served as an alternate for Frank Rue for the entire meeting.

Meeting convened at 9:35 a.m., January 4, 2001

1. Approval of the Agenda as amended

APPROVED MOTION: Amended the agenda by adding Project 01404 and 01126 to the agenda. Approved the amended agenda. Motion by Balsiger, second by Heiman .

Public comment period began at 10:03 a.m.

Public comments received telephonically from 1 individual in Anchorage and 1 in Kodiak, and from 7 individuals present in Anchorage.

Public Comment period closed at 10:43 a.m

BREAK: Off the record at (10:44 a.m.)
On the record at (10:55 a.m.)

2. Koniag conservation easement proposal

APPROVED MOTION: Adopted resolution 01-05 (attachment A) providing funds for the United States and the State to enter into an Agreement with Koniag, Inc., for the protection of 57,900 acres of Koniag lands, including:

- 1.) \$300,000 to be paid to Koniag by December 15, 2001, for the extension of the existing Non-Development Easements and the State Access and Use Easement until October 15, 2002. For purposes of the March 1, 1999 Trustee Council Resolution concerning the Restoration Reserve, the foregoing \$300,000 payment and any interest attributable to that amount between December 1, 2001 (or such other date on which these funds are transferred from the Investment Fund) and October 1, 2002 shall reduce the \$55 million available for habitat protection on October 1, 2002.
- 2.) The Trustee Council, will cause to be established and fund as of October 15, 2002, a special account in the amount of \$29,550,000 ("Special Account"). The Special Account shall be established by the United States and the State, acting through the Trustee Council or its successors in function (the "Governments"), with the State of Alaska investment system in accordance with the authority provided by Congress in Section 350 of P.L. 106-113, 113 Stat.1501 (1999). The Governments will manage the Special Account and are solely responsible for its investment. Notwithstanding the foregoing, over the life of this Agreement, the Governments shall (a) consult with Koniag concerning the investment strategy for the Special Account and (b) establish an initial investment target of a projected average annual return of 5.75% above inflation when considered over a ten year period, unless after consultation with Koniag, the Governments determine that such investment targets would be imprudent and would require an investment strategy relying on undue risk of principal of these joint governmental funds. Koniag shall be provided a financial report on the Special Account at least quarterly, which report shall identify the investments held therein, their value and all transactions made with respect to the Special Account during the reporting period. Such reports shall be provided within thirty (30) days of the close of the reporting period.
- 3.) Investment management fees shall be paid from the Special Account in accordance with the provisions set forth below:
 - (a) If the Special Account is held in the State of Alaska's Treasury, the management fees for the account shall be the actual fees assessed by, and commensurate with other management fee charges of, the Alaska Department of Revenue, Division of Treasury for an account of this nature.
 - (b) If the Special Account is held in an entity other than that of the State of Alaska, the fees to be charged shall be the actual fees assessed by, and commensurate with, the management fees charged for an account of this nature.

- (c) For each entire year that the Conservation Easement is in effect, an annual payment from the Special Account shall be made to Koniag as follows:

Year 1	\$372,100, paid on October 15, 2003
Year 2	\$405,589, paid on October 15, 2004
Year 3	\$439,078, paid on October 15, 2005
Year 4	\$472,567, paid on October 15, 2006
Year 5	\$506,056, paid on October 15, 2007
Year 6	\$539,545, paid on October 15, 2008
Year 7	\$573,034, paid on October 15, 2009
Year 8	\$606,012, paid on October 15, 2010
Year 9	\$640,102, paid on October 15, 2011
Year 10	\$673,501, paid on October 15, 2012
Year 11	\$706,990, paid on October 15, 2013
Year 12	\$744,200, paid on October 15, 2014
Year 13	\$744,200, paid on October 15, 2015
Year 14	\$744,200, paid on October 15, 2016
Year 15	\$744,200, paid on October 15, 2017
Year 16	\$744,200, paid on October 15, 2018
Year 17	\$744,200, paid on October 15, 2019
Year 18	\$744,200, paid on October 15, 2020
Year 19	\$744,200, paid on October 15, 2021
Year 20	\$744,200, paid on October 15, 2022

- (d) If Koniag elects in accordance with the Agreement not to subsequently sell the lands to the United States in fee, and otherwise allows the easements to terminate, Koniag shall cease to have any right or claim with respect to any amounts in the Special Account, and the balance thereof shall be subject to use by the Governments in accordance with the consent decrees applicable to the use of the proceeds from the EVOS settlement and other applicable law. If Koniag elects to sell the lands covered by the Conservation Easement in fee to the United States, then it shall receive the balance in the Special Account in accordance with the terms of the Agreement.
- (e) So long as the Conservation Easement and the Camp Island Limited Development Easement are in effect, no funds in the Special Account may be withdrawn therefrom except in accordance with the terms of the Agreement. The funds in such Special Account may not otherwise be transferred to another account without the prior written consent of Koniag.

Motion by Heiman, second by Tillery.

3. Amendment to Project 01126

APPROVED MOTION: Approved a motion to amend approved project 01126, "Habitat Protection and Acquisition Support," to add funds in the amount of \$11,700 for the US Fish and Wildlife Service to cover costs associated with the Koniag acquisition as outlined in the attached memo (attachment B).

Motion by Heiman, second by Balsiger.

4. Revisions to Project 01404

APPROVED MOTION: Approved a motion to make two revisions to the approved project 01404, "Archival Tags for Tracking King Salmon at Sea Migrations, Biology and Oceanographic Preferences in Prince William Sound": 1) test the tags on coho instead of chinook salmon, 2) release the fish at Ship Creek in Cook Inlet rather than at the Ester Island hatchery in Prince William Sound.

Motion by Heiman, second by Slater.

Meeting adjourned at 11:08 a.m.

Motion by Balsiger, second by See.

pdh