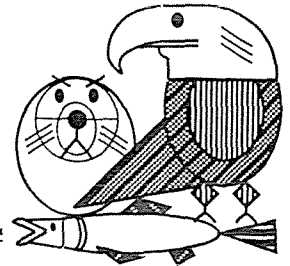


# Exxon Valdez Oil Spill Trustee Council

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 22, 1996

Subj: February 23 Trustee Council Teleconference

RECEIVED  
JUN 24 1996

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL  
ADMINISTRATIVE RECORD

Enclosed is an agenda for Friday's 1:30 p.m. Trustee Council teleconference. Please note the meeting will not originate from the Restoration Office in Anchorage but the Department of Interior's conference room 220, located at 1689 C Street. If you will be participating by telephone please dial into the bridge at 907-271-6044.

At this time, I have no backup materials for any of these items. I will get them to you as soon as I can.

mm/aw

### Trustee Agencies

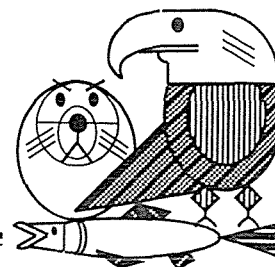
State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation  
United States: National Oceanic and Atmospheric Administration, Departments of Agriculture and Interior

# 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



## AGENDA

EXXON VALDEZ OIL SPILL SETTLEMENT  
TRUSTEE COUNCIL TELECONFERENCED MEETING

2/22/96

FEBRUARY 23, 1996 @ 1:30 P.M.

12:59 pm

U.S. Department of the Interior

1689 C STREET, SUITE 220

ANCHORAGE

RECEIVED

JUN 24 1996

DRAFT

Trustee Council Members: EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL  
ADMINISTRATIVE RECORD

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

GENE BURDEN/MICHELLE 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.

15-11

## Trustee Agencies

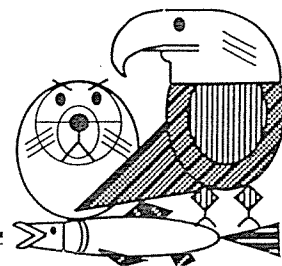
State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation  
United States: National Oceanic and Atmospheric Administration, Departments of Agriculture and Interior

# 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

**From:** Molly McCammon, Executive Director

**Date:** February 22, 1996

**Subj:** Small Parcel Habitat Protection Program Status Report

RECEIVED  
JUN 24 1996

Last year you authorized acquisition of several small parcels of land and directed me to continue preliminary negotiations on additional parcels. The purpose of this memorandum is to inform you of the progress that has been made on these two fronts and to report on recent nominations.

Two action items related to small parcels will be on the agenda for your February 23 meeting:

1. A request for authorization for the Department of the Interior to offer to purchase two Native allotments in Three Saints Bay (KAP 105/142) at the appraised value of \$168,000.
2. Designation of a recently nominated parcel, the Patson parcel (KEN 1934) on the Kenai River, as a Parcel Meriting Special Consideration at the request of the Alaska Department of Natural Resources. (See attached memorandum.)

## ACQUISITIONS

In November and December 1995, you authorized offers to purchase 22 small parcels at appraised value and the contribution of \$4 million to the Kenai Natives Association Package. Table 1 summarizes the status of each of the offers.

Owners of 11 parcels have accepted the offers. Owners of the six parcels in Prince William Sound (five parcels in Ellamar Subdivision, and the Hayward parcel) have agreed to sell their parcels at appraised value. Owners of five parcels on the Kenai Peninsula (Kobylarz Subdivision, Coal Creek Moorage, the Tulin parcel, the Girves parcel, and the Grouse Lake parcel) have also accepted the offers. Purchase agreements and deeds have been prepared for all 11 parcels.

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

Offers on 10 parcels and the Kenai Natives Association Package are under review. The owners of River Ranch and Lowell Point are reviewing the appraisals of these parcels. The owners of the Overlook Park parcel and the Cone parcel have responded to the appraisals of these parcels; the responses have been submitted to federal and state review appraisers for their assessment.

The owner of the Salamatof parcel, the Salamatof Native Association, Inc., questioned certain aspects of the appraisal. Federal and state review appraisers thought the owner's concerns had merit and therefore had the initial appraisal revised. The revised appraisal is being reviewed. If the revised appraisal results in an increased price or changes in the acreage, the matter will be brought before the Trustee Council.

Negotiators from the U.S. Department of the Interior have been meeting regularly with the owners of the Kenai Natives Association Package, a large and complex acquisition of land in the Kenai River drainage. The owners of the parcel at the mouth of the Ayakulik River and the Karluk Lagoon parcel have expressed their willingness to sell these two parcels as part of a larger package that would include other parcels on Kodiak Island. The Conservation Fund is participating in these negotiations along with the State and the Department of the Interior.

The owner of the Cooper parcel has asked questions about the appraisal. The questions have been answered, but no response has been received from the owner.

The owners of three parcels have rejected the offers. The Baycrest Investment Corporation has rejected the offer to purchase the Baycrest parcel at the appraised value of \$450,000 and has made a counteroffer to sell the parcel for \$720,000. The Ninilchik Native Association has submitted a counteroffer to sell the Ninilchik parcel for \$60,000 (appraised value is \$50,000) on condition that lot owners in Chinook Estates adjacent to the southern boundary of the parcel be granted an easement that allows them access to Ninilchik River. The Ninilchik Native Association also has said that it is not ready to sell the Deep Creek parcel at this time.

Table 1. Status of Small Parcel Acquisitions  
February 22, 1996

Parcel ID	Description	Acres	Value	Status
<b>Offer Accepted</b>				
PWS 17	Ellamar Subdivision	22.0	\$310,000	
PWS 17A-D	Ellamar Subdivision	11.4	\$345,500	
PWS 52	Hayward Parcel (Zook)	9.5	\$150,000	
KEN 10	Kobylarz Subdivision	20.0	\$320,000	
KEN 19	Coal Creek Moorage	53.0	\$260,000	
KEN 29	Tulin Parcel	220.0	\$1,200,000	
KEN 1006	Girves Parcel	110.0	\$1,835,000	
KEN 1014	Grouse Lake	64.0	\$211,000	
<b>Subtotal:</b>		<b>509.9</b>	<b>\$4,631,500</b>	
<b>Offer Under Review</b>				
KEN 34	Cone Parcel	100.0	\$600,000	Seller's response to appraisal is under review
KEN 54	Salamatof Parcel	1,377.0	\$2,320,000	Revised appraisal is under review
KEN 55	Overlook Park	97.0	\$244,000	Seller's response to appraisal is under review
KEN 148	River Ranch	146.0	\$1,650,000	Seller is reviewing appraisal
KEN 1009	Cooper Parcel	30.0	\$48,000	No response has been received
KEN 1015	Lowell Point	19.4	\$531,000	Seller is reviewing appraisal
KAP 220	Mouth of Ayakulik River	56.0	\$213,000	Willing to sell as part of larger package
KAP 226	Karluk River Lagoon	21.5	\$146,000	Willing to sell as part of larger package
<i>Kenai Natives Association Package</i>		15,091.0	\$4,000,000	Negotiations continue
<b>Subtotal:</b>		<b>16,937.9</b>	<b>\$9,752,000</b>	
<b>Offer Rejected</b>				
KEN 12	Baycrest	90.0	\$450,000	Counteroffer of \$720,000
KEN 1001	Deep Creek	91.0	\$672,000	Not ready to sell at this time
KEN 1005	Ninilchik	16.0	\$50,000	Counteroffer of \$60,000
<b>Subtotal:</b>		<b>197.0</b>	<b>\$1,172,000</b>	

**PARCELS UNDER CONSIDERATION**

In November 1995, the Trustee Council deferred action on 11 parcels until appraisals are approved. Table 2 summarizes the status of negotiations on each parcel.

State and federal review appraisers have approved appraisals of the Triplets and two Native allotments adjacent to Three Saints Bay. The U.S. Fish and Wildlife Service would like to make an offer on the Three Saints Bay parcels as soon as possible.

Federal review appraisers have rejected revised appraisals on Horseshoe Bay and Jack Bay. The U.S. Forest Service has commissioned Blacksmith and Richards to conduct a third appraisal of these parcels.

The U.S. Forest Service intends to purchase the Valdez Duck Flats parcel with federal restitution funds, as recommended by the Trustee Council. Little has changed in the status of the other parcels.

The State would like to move forward with the appraisal of the Termination Point parcel notwithstanding the uncertainties of title. The first step would be for the Alaska Department of Natural Resources to appraise the property. Once the property has been appraised, the State would make an offer to purchase fee simple title to it at the appraised fair market value. If the offer is accepted, funds for the purchase would be held in an escrow account subject to a condition that the transaction would not close and funds be transferred to Lesnoi unless and until the title dispute is resolved and Lesnoi is shown to have clear title to the property.

Table 2. Parcels Under Consideration  
February 22, 1996

Parcel ID	Description	Acres	Value	Status
PWS 05	Valdez Duck Flats	33.0		Buy with federal restitution funds.
PWS 11	Horseshoe Bay	315.0		Second appraisal rejected; third appraisal underway
PWS 1010	Jack Bay	942.0		Second appraisal rejected; third appraisal underway
PWS 1027	Fleming Spit	5.4		Restoration benefits under review
KEN 149	Perl Island	156.0		New appraisal needed
KAP 22	The Triplets	60.0		Appraisal approved but not yet presented to owner
KAP 105/142	Three Saints Bay	88.0	\$168,000	Appraisal approved
KAP 145	Termination Point	1,028.0		With Trustee Council consent, the State will appraise this parcel
KAP 150	Karluk	5.0		Appraisal not complete
Total:		2,632.4		

### NOMINATIONS

The Restoration Office has received 10 additional nominations since mid-July 1995, when the latest supplement to the *Small Parcel Evaluation and Ranking Report* was published. On December 11, the Trustee Council approved two of these parcels, PWS 1031 and PWS 1033, as part of the second phase of acquisitions in the Ellamar Subdivision. The U.S. Forest Service has authorization to purchase two other nominated parcels, USS 349 on the Valdez Duck Flats and the Darling parcel in the Upper Kenai River watershed, at fair market value with federal restitution funds. The remaining six nominations are listed in Table 3. The Habitat Work Group ranked four of these parcels low and have not yet evaluated the remaining two parcels.

The Alaska Department of Natural Resources has nominated the Patson parcel as a Parcel Meriting Special Consideration. The Patson parcel is the highest ranked of the recently nominated parcels, having received 18 points in the evaluation.

Table 3. Small Parcel Nominations  
July 1995 to February 1996

Parcel ID	Description	Acres	Rank	Sponsor
KEN 1030	Anchor River	127.8	Low	Not identified
KEN 1032	Matson Parcel (Ninilchik River)	7.4	Low	ADFG
KEN 1034	Patson Parcel (Kenai River near Soldotna)	76.3	Low	ADNR/ADFG
KEN 1035	Mullen Parcel (Soldotna Creek, Kenai River)	8.5	Low	ADNR/ADFG
KEN 1036	Weilbacher Parcel (Kenai River)	28.7	Not yet evaluated	Not identified
KEN 1037	Coyle Parcel (Kenai City Boat Dock)	26.0	Not yet evaluated	Not identified
Total:		274.7		

Attachment

# STATE OF ALASKA

## DEPARTMENT OF NATURAL RESOURCES

### OFFICE OF THE COMMISSIONER

TONY KNOWLES, GOVERNOR

☐ 400 WILLOUGHBY AVENUE  
JUNEAU, ALASKA 99801-1796  
PHONE: (907) 465-2400  
FAX: (907) 465-3886

☐ 3601 C STREET, SUITE 1210  
ANCHORAGE, ALASKA 99503-5921  
PHONE: (907) 269-8431  
FAX: (907) 269-8918

February 22, 1996

Molly McCammon  
Executive Director  
Exxon Valdez Trustee Council  
645 G Street  
Anchorage, AK 99501-3451

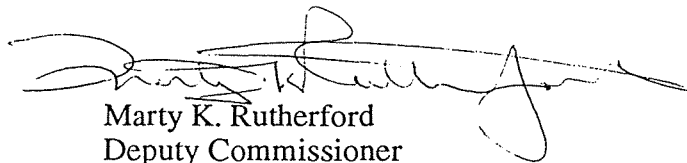
Dear Ms. McCammon;

A small parcel located on the Kenai River owned by Ms. Ellen Patson was recently nominated for habitat protection consideration by the Trustee Council. This parcel was subsequently evaluated by the Habitat Protection Work Group and scored 18 points which places the parcel very close to the Moderate category.

The parcel provides key habitat for pink salmon and Dolly Varden and is located along the Kenai River with 1/4 mile of river frontage. As a result this parcel receives a large amount of trespass recreational and sport fishing use.

The Department of Natural Resources would like to request that the Trustee Council consider this parcel a "Parcel Meriting Special Consideration" in light of its location and its habitat values for restoration of species and services such as recreation and sportfishing impacted by the oil spill.

Sincerely,



Marty K. Rutherford  
Deputy Commissioner





## SMALL PARCEL NOMINATION FORM

PARCEL NUMBER: KEN-1034

NOV 20 1995

## EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL

Please Print or Type

## Part 1: Landowner Information

Landowner:

ELLEN L PATSONPhone: 907-279-4701Fax: 907-338-6825

Address:

1334 SUNRISE DR.  
ANCHORAGE AK 99508

Co-owner:

Other contacts/agents:

Subsurface owner:

## Part 2: Parcel Information

Legal description of property: (township, range, section)

SEC. 34, T5N, R10W, S.M. NE 1/4, SE 1/4  
+ LOT 7 CNTG 76.33 AC M/L

General description of property: IT HAS 1/4 MILE OF KENAI RIVER FRONTAGE, HAS  
A NATURAL SPRING FLOWS YEARROUND INTO KENAI RIVER, THE  
LAND HAS A DENSE GROWTH OF SPRUCE TIMBER WITH GOOD  
GRAVEL BASE. THE LAND HAS NEVER HAD ANY DEVELOPMENT  
SINCE THE PATENT WAS ISSUED

Is your property located within or adjacent to a State or Federal Park, Refuge or National Forest or other public land unit? If so, which one? NO

Approximate acreage: 76.33 acresAre there any developments on the site: NONE

Are there any hazardous materials on the property? (waste oil, mine tailings, dump)

(Y/N/Unknown)

NONE

Please provide the following if available: surveys, photos, maps, copy of deed, etc.:

## SMALL PARCEL NOMINATION FORM

### Part 3: Threshold Criteria:

Are you willing to sell your property at fair market value? (Y/N) \_\_\_\_\_

Is the parcel within the Oil Spill area?(see attached map) (Y/N) YES

Do you grant permission for Trustee Council staff to inspect your property? (Y/N) YES

\*Describe or list any injured resources/services that occur on or are affected by your property:

THERE HAS BEEN A NOTICABLE DECLINE OVER THE PAST  
5 YEARS OF THE RIVER OTTER POPULATION IN THE  
AREA, IN ADDITION THERE HAS BEEN A NOTICABLE  
DECLINE IN THE SALMON RETURN OVER THE SAME  
TIME PERIOD

Tell us how acquisition of your property will benefit restoration: \_\_\_\_\_

THIS WOULD KEEP THE LAND AS A WILDERNESS  
AREA AND NATURAL HABITAT FOR THE WILD LIFE,  
IT WOULD PROHIBIT COMMERCIAL AND OR PRIVATE  
DEVELOPMENT, WHICH COULD CAUSE LOSS OF THE  
HABITAT AND FURTHER CAUSE RIVER BANK EROSION

General comments: THIS PROPERTY BEING UNDEVELOPED IS  
A RICH RESOURCE OF WILD LIFE IN THERE  
NATURAL HABITAT

### Part 4:

Signature of landowner: Eden L. Patson

and

Date: 11/22/95

Signature of co-owner: \_\_\_\_\_

Date: \_\_\_\_\_

Signature of co-owner: \_\_\_\_\_

Date: \_\_\_\_\_

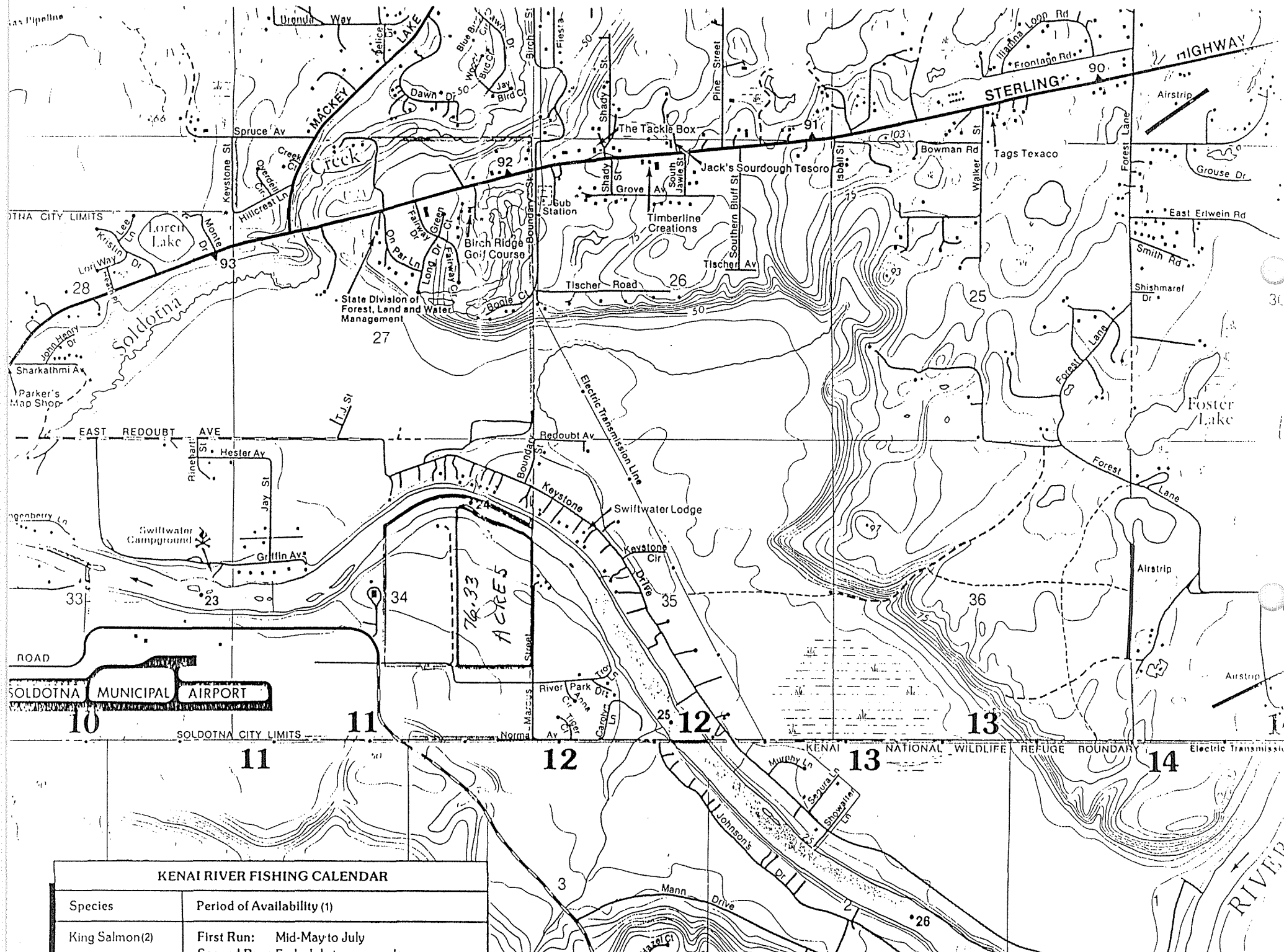
A nomination does not bind you to sell your property, nor does it bind the Trustee Council to buy your lands.

Please submit each nomination on a separate nomination form.

\*A list of all injured species/services is included.

If you need additional space please use additional sheets.

INCOMPLETE NOMINATION FORMS WILL NOT BE CONSIDERED



### KENAI RIVER FISHING CALENDAR

Species	Period of Availability (1)
King Salmon(2)	First Run: Mid-May to July Second Run: Early July to season closure on

Kenai Parcel # KEN 1034, owned by Ms. Ellen L. Patson

Parcel Score: 18      Request:      Parcel Meriting Special Consideration  
Injured Resources and Services:      Pink Salmon, Dolly Varden, Recreation/Tourism

Other Characteristics of Note:

- Parcel contains fragile wetlands which provide an undeveloped riparian buffer and water recharge area.
- A year round <sup>spring</sup> stream flows through the property.
- The property provides a breeding ground for insects and accumulates woody debris thereby providing habitat conducive for the feeding and rearing of various species of salmon, Dolly Varden, and River Otters.
- The substrate is suitable for supporting various levels of the food chain.
- Perhaps the parcel's greatest benefit is its undeveloped nature and its relatively undisturbed bank in contrast to the area directly across the river which is highly developed and impacted by human use.
- Intense recreational use patterns have not been established thereby providing an opportunity to manage human use in an environmentally sensitive manner.
- The parcel will not present a significant management burden. Both ADNR and ADF&G have a management presence on the Kenai River. Management of this parcel will focus on maintaining a protective status any may include some minimal development for recreational use.
- Chris Degerness DNR Parks will be available by phone from 1:30 this afternoon on, should you have any questions. Mark Kuwada at ADF&G at 267-2277 will also be available if necessary. Joe Sullivan from ADF&G has been briefed and should be at the meeting.

**DRAFT**

## DEPARTMENT OF LAW

## OFFICE OF THE ATTORNEY GENERAL

February 13, 1996

Bob Doughty  
Lesnoi, Inc.  
4300 B Street, #207  
Anchorage, AK 99503

Re: Termination Point

Dear Mr. Doughty:

Until recently the Termination Point property has been subject to a *lis pendens*. Even without the *lis pendens*, the status of the property remains uncertain until the litigation with Omar Stratman is resolved, in that if Stratman is successful in decertifying Lesnoi title to the property will revert to the United States. The purpose of this letter is to memorialize our conversations of the past several weeks during which we have attempted to outline a proposal to move forward with the proposed purchase of the property by the State of Alaska using funds provided by the Exxon-Valdez Oil Spill Trustee Council, notwithstanding the uncertainties of title.

The first step will be for the Alaska Department of Natural Resources to conduct a fair market value appraisal of the property. The appraisal will be subject to review by federal and state review appraisers. Once the property has been appraised, the Trustee Council could make an offer to purchase fee simple title to it at the appraised fair market value, subject to a condition that the transaction would not close and funds be transferred unless and until such time as the Stratman litigation is resolved or Lesnoi's title to the property is otherwise confirmed to the satisfaction of the State of Alaska and the United States. An interest bearing escrow account would be used to hold the purchase funds until these issues are resolved. If Stratman prevails and Lesnoi is decertified, the escrow would be terminated and the funds returned to the Trustee Council. If Lesnoi prevails, then the transaction will proceed and Lesnoi will be entitled to receive the principal and accumulated interest in the escrow at the time of closing. The transaction would also be subject to other criteria such as the ability of Lesnoi to deliver clear title, freedom from hazardous materials, and compliance with the National Environmental Policy Act.

TONY KNOWLES, GOVERNOR

PLEASE REPLY TO

☒ 1031 WEST 4TH AVENUE, SUITE 200  
ANCHORAGE, ALASKA 99501-1994  
PHONE: (907) 269-5100  
FAX: (907) 276-3697

☐ KEY BANK BUILDING  
100 CUSHMAN ST., SUITE 400  
FAIRBANKS, ALASKA 99701-4679  
PHONE: (907) 451-2811  
FAX: (907) 451-2846

☐ P.O. BOX 110300-DIMOND COURT H.  
JUNEAU, ALASKA 99811-0300  
PHONE: (907) 465-3600  
FAX: (907) 465-6735

DRAFT

Lesnoi, Inc.  
Re: Termination Point

DRAFT

February 13, 1996  
Page 2 of 2

You have asked whether the Trustee Council would agree to nonrefundable payments to Lesnoi while the funds are in escrow. The payments would be equivalent to the interest earned in the escrow account and in lieu thereof. They would be considered to be in the nature of lease payments. I have advised you that I was unsure whether the Trustee Council

would agree to such an arrangement. The issue remains unresolved.

You have advised me that the escrow appears to provide a resolution of the title problem so long as price and other terms and conditions satisfactory to Lesnoi can be negotiated. With that understanding, the Trustee Council has agreed to authorize an appraisal of the Lesnoi property at Termination Point.

This letter is not intended to constitute an agreement or commitment by either the Trustee Council or Lesnoi to take or refrain from any acts and nothing contained in it may be construed as obligating either the Trustee Council or Lesnoi or their agents in any fashion.

Very truly yours,

BRUCE M. BOTELHO  
ATTORNEY GENERAL

By:

Alex Swiderski  
Assistant Attorney General

cc: Molly McCammon

AMS:ses

ASWIDERSA\WP\SMPARCEL\TERMIN.LET

DRAFT



## United States Department of the Interior

FISH AND WILDLIFE SERVICE

1011 E. Tudor Rd.

Anchorage, Alaska 99503-6199

IN REPLY REFER TO:

ARW

FEB 23 1996

Ms. Molly McCammon  
Executive Director  
Exxon Valdez Oil Spill Trustee Council  
645 G Street, Suite 401  
Anchorage, Alaska 99501-3451

RECEIVED  
JUN 24 1996

EXXON VALDEZ OIL SPILL  
TRUSTEE COUNCIL  
ADMINISTRATIVE RECORD

Dear Ms. McCammon,

This letter is to advise you that the revised appraisal by Black-Smith & Richards, Inc. for the Salamatoff Native Association property has been reviewed and approved by the Department of the Interior review appraiser and the State of Alaska's review appraiser.

The values are \$1,810,000 for parcel one and \$730,000 for parcel two. This is an increase of \$220,000 from the original appraisal.

If you have questions, please feel free to contact me at (907) 786-3545.

Sincerely yours,

Glenn W. Ellison



**DRAFT**

**RESOLUTION OF THE  
EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL**

We, the undersigned, duly authorized members of the Exxon VALDEZ Oil Spill Trustee Council, after review find as follows:

1. By resolution dated December 11, 1995 ("Resolution") the Trustee Council approved acquisition of land at Shuyak Island owned by the Kodiak Island Borough (hereinafter "KIB");
2. The Resolution required that certain conditions be satisfied before the Alaska Department of Law and the United States Department of Justice request funds from the United States District Court for the initial payment to the KIB. One condition, that the Purchase Agreement attached to the Resolution be executed, has now been fulfilled. A second condition was that a satisfactory title search be completed. The title search conducted by the State of Alaska is now completed. However, the title review of that title search by the Department of Justice is not yet completed. Other conditions required by the Resolution have either been fulfilled or are expected to be fulfilled in the near future;
3. The KIB has requested that the Trustee Council expedite this transaction so that it will have funds available this season for construction of the Near Island Research Facility adjacent to the University of Alaska, Fishery Industrial Technology Center.

THEREFORE: we resolve to amend our resolution of December 11, 1995 as follows:

The Alaska Department of Law and the Assistant Attorney General of the Environment and Natural Resources Division of the U.S. Department of Justice are requested to petition the District Court for withdrawal of the sum of eight million dollars (\$8,000,000) from the *Exxon Valdez* oil

**DRAFT**

spill settlement account established as a result of the Governments' settlement. The funds may be paid to the KIB at the time of closing and only after the terms and conditions set forth in paragraphs (a) through (d) at pages four and five of the Resolution and paragraphs (a) through (c) at pages five and six of the Resolution and paragraph six of the Purchase Agreement attached thereto have been met as well as written notice from the State of Alaska and the Executive Director of the Trustee Council that the terms and conditions of the Resolution and the Purchase Agreement have been satisfied.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 1996 at Anchorage, Alaska.

\_\_\_\_\_  
PHIL JANIK  
Regional Forester  
Alaska Region  
USDA Forest Service

\_\_\_\_\_  
BRUCE M. BOTELHO  
Attorney General  
State of Alaska

\_\_\_\_\_  
GEORGE T. FRAMPTON, Jr.  
Assistant Secretary for Fish and  
Wildlife and Parks  
U.S. Department of the Interior

\_\_\_\_\_  
STEVEN PENNOYER  
Director, Alaska Region  
National Marine Fisheries Service

\_\_\_\_\_  
FRANK RUE  
Commissioner  
Alaska Department of  
Fish and Game

\_\_\_\_\_  
MICHELE BROWN  
Commissioner  
Alaska Department of  
Environmental Conservation