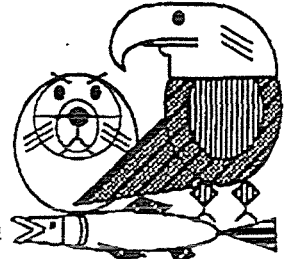


Exxon Valdez Oil Spill Trustee Council**Restoration Office**

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

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



RECEIVED
JUN 24 1996 4/15/96

AGENDA
EXXON VALDEZ OIL SPILL SETTLEMENT
TRUSTEE COUNCIL MEETING
APRIL 15, 1996 @ 2 P.M.
645 G STREET, ANCHORAGE

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL
ADMINISTRATIVE RECORD 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



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

RECEIVED
JUN 24 1996

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL
ADMINISTRATIVE RECORD

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



April 9, 1996

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 the Forest Service, and the Executive Director on April 1, and documentation 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

April 9, 1996

APPRAISAL PROGRESS/COST SUMMARYCOMPLETED APPRAISALS

AKHIOK 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.....	\$4,500

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.....	\$1,920
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 to 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 (4/6/96).....	\$1,497
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.....	<u>\$53,043</u>
TOTAL FUNDING AUTHORIZED.....	\$503,043
PAYMENTS MADE AS OF (1/22/96).....	\$775,987
ESTIMATED TOTAL COST.....	<u>\$785,487</u>
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)	<u>\$1,117,710</u>
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.....	<u>\$538,854</u>
REMAINING BALANCE.....	\$54,086

SUMMARY OF EXPENDITURESAUTHORIZED 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>

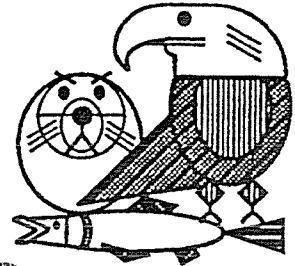
11.7.58

Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 "G" Street, Anchorage, AK 99501

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



MEMORANDUM

TO: Trustee Council

FROM: Molly McCann
Executive Director

RECEIVED
JUN 24 1996

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL
ADMINISTRATIVE RECORD
DATE: April 15, 1996

RE: Additional authorization for AJV appraisal

In the 96126 budget, the Alaska Department of Natural Resources was authorized \$300.0 for a timber check cruise and appraisal for the AJV acquisition. It was noted in the budget, that a full timber cruise and appraisal would cost approximately \$700.0, and additional authorization from the Trustee Council would be requested if those additional funds were needed.

I am now requesting an additional \$500.0 in funds to contract for a complete appraisal if necessary. Any funds that are not expended will be lapsed.

MOTION concerning conservation easements for small parcels

Prior to closing on a small parcel the executive director shall certify that said small parcel will be subject to a conservation easement adequate to protect the conservation values of said small parcel including injured natural resources and services, which easement is to be held by the nonacquiring government, except that the following parcels may be acquired without being subject to a conservation easement if the lead government negotiator for the parcel certifies that execution of a conservation easement would jeopardize completion of the acquisition:

Three Saints Bay

Grouse Lake

Coal Creek (KEN 19)

Tulin (KEN 29)

Ellamar parcels (PWS 17, 17a, 17b, 17c and 17d)

Horseshoe (PWS 11)

RECEIVED
JUN 24 1996

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL
ADMINISTRATIVE RECORD