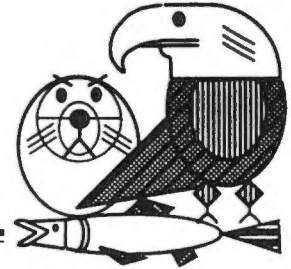


Exxon Valdez Oil Spill Trustee Council

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 *[Signature]*
Executive Director

DATE: November 26, 1996

RE: Briefing materials for December 6, 1996 meeting

This memo, draft agenda and enclosures constitute your briefing packet for the December 6 meeting. **Also note that the agenda includes consideration of the Public Advisory Group nominations. Please have your November 8 PAG nomination binder available.**

1. Meeting Notes. The draft meeting notes for the November 8, 1996 meeting are enclosed.
2. Public Advisory Group Report. Enclosed is a summary of the PAG field trip to lower Cook Inlet held in September. PAG Chair Vern McCorkle will be presenting a report to you on December 6 summarizing PAG comments from a December 3 briefing. Also enclosed are additional letters of support for PAG nominees.
3. Financial Report. Enclosed are the financial statements as of October 31, 1996 and the Quarterly Financial Report as of September 30, 1996.
4. NRDA Project Status Report. At your request, I asked staff to summarize the status of NRDA reports for 1989-1991 projects. The enclosed summary indicates that 22 of those reports have not been finalized. In consultation with the Restoration Work Force and with your concurrence, we are prepared to examine each of these draft reports and decide on an individual basis whether they should be finalized. This may require some modest funding in the future.
5. Crab and Shrimp Status Report. A number of people have asked in the past year for information about the injury from the oil spill to crab and shrimp stocks. Since very little information was available in a consolidated fashion, I asked Stan Senner

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

to provide a memorandum summarizing what was available. I believe you will find it interesting reading.

6. 1997 Restoration Workshop. Plans are nearly complete for the 1997 annual workshop January 23-25. We are very excited that Dr. Kai Lee has agreed to give the keynote address on "Natural and Social Scales in Ecosystem Management." Dr. Lee is currently director of the Center for Environmental Studies at Williams College, but is probably best known for his work in the Pacific Northwest on hydropower and salmon issues and for coining the phrase "adaptive management." He is regarded as one of the country's leading experts on ecosystem management. I will have a draft agenda for you at the meeting and am looking for Trustee participation if possible.
7. Bibliography of Research Publications Sponsored by the Trustee Council. As you are aware, the Restoration Office has been working on a comprehensive bibliography of peer reviewed publications on research sponsored by the Council. A draft of the bibliography is included in this package and will be updated periodically.
8. Large Parcel and Small Parcel Reports. Enclosed are recent status reports on the large parcel and small parcel programs. Habitat acquisition is noted as a tentative action item in the afternoon, with an amendment to the Tatitlek resolution for an additional \$800 thousand and possible action on the PWS 11/Horseshoe Bay and KEN 1038/Roberts (formerly Schilling) parcels. Additional backup on these items will be sent to you as soon as possible. Several items will also be discussed at the noon-time executive session. The shareholder vote on the Chenega acquisition is scheduled for December 4.
9. Archaeology Proposals. As you know, we have had a planning process underway for potential restoration activities for archaeological resources. At this meeting, I would like to have a discussion of the information derived from the planning project and consideration of which options to pursue in the FY 98 Invitation for Restoration Proposals. Enclosed is a draft memo summarizing some of the options for consideration, as well as a copy of the planning report.
10. Restoration Reserve. Also for discussion on December 6 is a proposed time line for planning the future of the Restoration Reserve. This time line would allow for the Council to make a decision by the 10th anniversary.
11. Traditional Ecological Knowledge - TEK. The use of traditional ecological knowledge in restoration and management of resources is of great importance to Native people in the spill area. The enclosed draft TEK protocols were developed in collaboration with the community involvement program, the Public Advisory Group, and the Restoration Work Force. They also have been reviewed by legal

counsel and are now before you for adoption. Village councils will also be adopting them.

12. Data Ownership. Although the Trustee Council already has a policy regarding this in the *Restoration Plan*, and the issue is also addressed in the recently adopted *Procedures*, it has become apparent that the issue of data ownership and archiving needs further clarification and enhancement. For that reason, we have drafted a "clarification" of the *Restoration Plan* policy for your consideration and possible adoption. The clarification deals primarily with the issue of ownership. It does not fully address the issue of data archiving on which we have not yet been able to develop a consensus. With approval of this clarification, we would ask agency staff and attorneys to draft boilerplate language that would be added to all future project contracts.
13. FY 97 Deferred Projects. Enclosed are the draft recommendations for the remainder of the FY 97 work plan projects. As you can see, this recommendation plus the amount you approved in August totals slightly under our target of \$16 million. This has been achieved through the support and cooperation of the agencies and the project principal investigators. Estimated costs in FY 98 for continuing projects is approximately \$12 million, which should allow for funding of some new efforts without exceeding our target of \$14 million.
14. News Clips and Miscellaneous Correspondence. Enclosed are recent newspaper articles of interest to the Trustee Council and you will find recent correspondence to the Restoration Office.

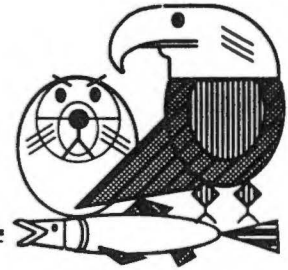
Please note that the agenda for the meeting is very full and we are planning to work through the lunch hour. We will make arrangements for sandwiches to be provided.

Exxon Valdez Oil Spill Trustee Council

Restoration Office

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

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



TRUSTEE COUNCIL MEETING ACTIONS

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

By Molly McCammon
Executive Director

DRAFT

Trustee Council Members Present:

- *● Jim Wolfe, USFS
- Barry Roth, USDO
- Bill Hines, NMFS

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

* Chair

● Alternates:

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

1. Approval of the Agenda

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

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

2. Small Parcel

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

Trustee Agencies

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

3. Executive Session

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

(Off Record 2:26 p.m.)

(On Record 3:33 p.m.)

Meeting recessed at 3:45 p.m.

DRAFT

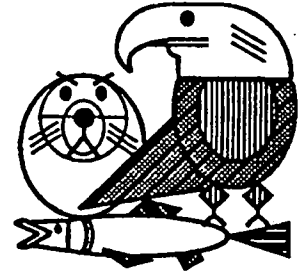
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Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 "G" Street, Anchorage, AK 99501

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



MEMORANDUM

TO: Trustee Council

THROUGH: Molly McCammon
Executive Director

FROM: Traci Cramer
Administrative Officer

DATE: November 25, 1996

RE: Quarterly Financial Report for the period ending September 30, 1996

The attached reports consolidate the financial information submitted by the agencies for the quarter ending September 30, 1996.

The first report is a summary of activity by restoration category. This report reflects the total adjusted authorization and the total expended/obligated by Work Plan year and restoration category.

The second report displays the financial information by Work Plan. This report is used to determine what portion of the unexpended/unobligated balance or lapse, is available to off-set future court requests. As of September 30, 1996, it is estimated that \$2,131,758 is available.

The third report is a summary of financial information associated with the 1996 Work Plan. As of September 30, 1996, the unexpended and unobligated balance is \$2,899,238.

If you have any questions regarding the information provided, please do not hesitate to contact me at 586-7238.

attachments

cc: Agency Liaisons
Bob Baldauf

Trustee Agencies

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

Exxon Valdez Oil : Trustee Council
Quarterly Financial Report As of September 30, 1996
Category

Category	92' Work Plan			93' Work Plan			94' Work Plan		
	Adjusted Authorization	Expended/Obligated	Percent Obligated	Adjusted Authorization	Expended/Obligated	Percent Obligated	Adjusted Authorization	Expended/Obligated	Percent Obligated
Administration	5,076,100	4,293,933	84.59%	4,158,518	2,659,348	63.95%	4,917,716	4,107,593	83.53%
General Restoration	4,102,929	3,792,301	92.43%	4,216,047	3,342,084	79.27%	5,303,100	3,184,804	60.06%
Habitat Protection	0	0	0.00%	486,200	156,760	32.24%	3,747,292	2,882,173	76.91%
Monitoring							2,972,768	2,668,761	89.77%
Research							8,640,710	8,144,029	94.25%
Monitoring and Research	2,237,929	2,206,601	98.60%	4,628,716	4,012,718	86.69%	725,373	566,270	78.07%
Damage Assessment	7,807,100	6,416,109	82.18%	1,991,342	1,566,957	78.69%			
Other Authorizations				7,500,000	7,500,000		31,950,000	31,950,000	
Total	19,224,058	16,708,944		22,980,823	19,237,867		58,256,959	53,503,630	
Category	95' Work Plan			96' Work Plan			97' Work Plan		
	Adjusted Authorization	Expended/Obligated	Percent Obligated	Adjusted Authorization	Expended/Obligated	Percent Obligated	Adjusted Authorization	Expended/Obligated	Percent Obligated
Administration	4,253,526	3,211,793	75.51%	3,418,500	2,957,635	86.52%	2,857,100	0	0.00%
General Restoration	4,567,280	3,942,092	86.31%	3,870,100	3,446,477	89.05%	4,782,100	0	0.00%
Habitat Protection	1,716,737	1,550,472	90.32%	3,304,100	2,073,945	62.77%	1,282,600	0	0.00%
Monitoring	3,080,926	2,537,454	82.36%	1,576,400	1,491,835	94.64%	826,700	0	0.00%
Research	11,192,731	10,764,132	96.17%	13,706,700	13,006,670	94.89%	11,531,400	0	0.00%
Monitoring and Research									
Damage Assessment									
Other Authorizations	49,629,042	49,629,042		29,349,367	29,349,367		4,984,266	4,984,266	
Total	74,440,242	71,634,985		55,225,167	52,325,929		26,264,166	4,984,266	
Work Plan Time Periods:									
92' Work Plan- Oil Year 4 or March 1, 1992 through February 28, 1993									
93' Work Plan - Oil Year 5 or March 1, 1993 through September 30, 1993 (Seven Month Transition)									
94' Work Plan - October 1, 1993 through September 30, 1994									
95' Work Plan - October 1, 1994 through September 30, 1995									
96' Work Plan - October 1, 1995 through September 30, 1996									
97' Work Plan - October 1, 1996 through September 30, 1997									

Exxon Valdez Oil Trustee Council
Quarterly Report as of September 30, 1996
Summary

DRAFT

WORK PLAN AND ASSOCIATED PROJECTS										
Fiscal Year	Authorized	Adjustments	Adjusted Authorization	EVOS Expenditures	RSA Expenditures	Obligations	Unobligated Balance	EVOS Lapse	Federal Lapse	State Lapse
1992	19,211,000	13,058	19,224,058	13,988,844	2,720,100	0	5,204,542	5,204,542	1,584,506	3,620,036
1993	15,498,826	-18,003	15,480,823	11,731,853		6,014	3,181,143	3,181,143	1,169,084	2,012,059
1994	26,306,959	0	26,306,959	21,476,966		76,664	3,713,529	3,713,529	1,413,438	2,300,091
1995	24,811,200	0	24,811,200	21,473,099		532,844	2,805,257	2,805,257	359,696	2,445,561
1996	25,875,800	0	25,875,800	17,870,100		5,106,462	2,899,238	0	0	0
1997	21,279,900	0	21,279,900	0		0	21,279,900	0	0	0
TOTAL	132,983,685	-4,945	132,978,740	86,540,862	2,720,100	5,721,984	39,083,609	14,904,471	4,526,724	10,377,747
Total Reported Lapse (1992 through 1995)								13,031,745	4,492,747	8,538,998
Unreported Lapse (1992 through 1995)								1,872,726	33,977	1,838,749
Unreported Interest								246,012	29,043	216,969
Other Revenue (Posters/Symposium Receipts)								13,020	0	13,020
Total Available to Off-set Future Court Requests								2,131,758	63,020	2,068,738
OTHER AUTHORIZATIONS										
Agency	Description	Total	Expenditures	Obligations	Expended/Obligated					
ADNR	Kachemak Bay	7,500,000	7,500,000	0	7,500,000					
ADNR	Seal Bay/Afognak	36,473,709	36,473,709	0	36,473,709					
ADNR	Shuyak	10,194,266	10,194,266	0	10,194,266					
ADNR	Small Parcels	5,020,500	4,760,500	260,000	5,020,500					
ADF&G	Alaska SeaLife Center	24,956,000	4,041,795	20,914,205	24,956,000					
DOI	Small Parcels	3,113,200	168,000	2,945,200	3,113,200					
DOI	Old Harbor	11,250,000	11,250,000	0	11,250,000					
DOI	Akhiok-Kaguyak	28,500,000	21,000,000	7,500,000	28,500,000					
DOI	Koniag	12,500,000	8,000,000	4,500,000	12,500,000					
USFS	Orca Narrows	3,650,000	3,650,000	0	3,650,000					
USFS	Small Parcels	211,000	0	211,000	211,000					
	Total	143,368,675	107,038,270	36,330,405	143,368,675					

Footnote: The Unobligated Balances have been adjusted to reflect the carry forward of projects. This includes \$30,672 in FY 92', \$561,813 in FY 93' and \$1,039,800 in FY 94'.

Exxon Valdez Oil Spill								
Quarterly Report as of September 30, 1996								
1996 Work Plan Summary								
Project				Adjusted			Expended/	Unobligated
Number	Description	Authorized	Adjustments	Authorization	Expenditures	Obligations	Obligated	Balance
96001	Recovery of Harbor Seals: Condition and Health Status	214,100	0	214,100	53,422	149,229	202,651	11,449
96007A	Archaeological Index Site Monitoring	145,100	0	145,100	100,162	38,612	138,774	6,326
96007B	Site Specific Archaeological Restoration	78,400	0	78,400	78,209	0	78,209	191
96009D	Survey Octopuses in Intertidal Habitats	142,300	0	142,300	9,594	131,600	141,194	1,106
96012-BAA	Comprehensive Killer Whale Investigation	93,100	8,000	101,100	44,079	55,762	99,841	1,259
96025	Mechanism of Impact and Potential Recovery of Nearshore Vertebrate Predators	1,865,200	0	1,865,200	1,636,020	182,246	1,818,266	46,934
96027	Kodiak Archipelago Shoreline Assessment	35,200	0	35,200	33,933	248	34,181	1,019
96031	Development of a Productivity Index for Marbled and Kittlitz's	77,600	0	77,600	77,769	0	77,769	-169
96038	Publication of Seabird Restoration Workshop	22,200	0	22,200	17,705	0	17,705	4,495
96043B	Monitoring of Cutthroat Trout and Dolly Varden Habitat Improvement	29,600	0	29,600	22,271	0	22,271	7,329
96048-BAA	Historical Analysis of Sockeye Salmon Growth Among Populations	109,000	0	109,000	37,168	30,528	67,696	41,304
96052	Community Involvement and Use of Traditional Knowledge	271,000	0	271,000	267,256	246	267,502	3,498
96064	Monitoring, Habitat Use and Trophic Interactions of Harbor Seals in PWS	347,300	0	347,300	233,715	25,508	259,223	88,077
96074	Herring Reproductive Impairment	140,000	0	140,000	138,635	215	138,850	1,150
96076	Effects of Oiled Incubation Substrate on Survival and Straying of Wild Pink Salmon	377,800	0	377,800	353,559	20,794	374,353	3,447
96086	Herring Bay Monitoring and Restoration Studies	173,000	0	173,000	172,465	133	172,598	402
96090	Mussel Bed Restoration and Monitoring	205,100	-5,200	199,900	192,494	3,666	196,160	3,740
96100	Administration, Public Information and Scientific Management	3,418,500	0	3,418,500	2,680,297	277,338	2,957,635	460,865
96101	Removal of Introduced Foxes From Islands	8,400	0	8,400	6,736	0	6,736	1,664
96106	Subtidal Monitoring: Eelgrass Communities	253,100	0	253,100	196,338	28,121	224,459	28,641
96115	Sound Waste Management Plan	49,700	0	49,700	49,700	0	49,700	0
96126	Habitat Protection Acquisition Support	3,304,100	0	3,304,100	1,763,813	310,132	2,073,945	1,230,155
96127	Tatitlek Coho Salmon Release	26,600	0	26,600	15,624	7,927	23,551	3,049
96131	Chugach Native Region Clam Restoration	274,900	0	274,900	47,713	208,749	256,462	18,438
96139A1	Salmon Instream Habitat and Stock Restoration - Little Waterfall Barrier Bypass	55,000	0	55,000	24,138	6,059	30,197	24,803
96139A2	Spawning Channel Construction Project - Port Dick, Lower Cook Inlet	230,500	0	230,500	201,460	7,901	209,361	21,139
96139C1	Montague Riparian Rehabilitation Monitoring Program	9,700	0	9,700	8,358	0	8,358	1,342
96142-BAA	Status and Ecology of Kittlitz's Murrelet in PWS	160,800	0	160,800	94,436	62,937	157,373	3,427
96144	Common Murre Population Monitoring	70,500	0	70,500	65,167	0	65,167	5,333
96145	Cutthroat Trout and Dolly Varden: Relation Among and Within Populations of Anadromous and Resident Forms	200,000	0	200,000	119,109	80,891	200,000	0
96149	Archaeological Site Stewardship	74,400	0	74,400	54,619	23,594	78,213	-3,813
96154	Comprehensive Community Planning for Restoration of Archaeological Resources in PWS and Lower Cook Inlet	206,300	0	206,300	108,771	92,070	200,841	5,459
96159	Surveys to Monitor Marine Bird Abundance in PWS During Winter and Summer	262,900	0	262,900	260,978	0	260,978	1,922
96161	Harlequin Duck - Indicator Species for Ecological Monitoring and Recovery	87,400	0	87,400	80,620	0	80,620	6,780

Exxon Valdez Oil Spill								
Quarterly Report as of September 30, 1996								
1996 Work Plan Summary								
Project				Adjusted			Expended/	Unobligated
Number	Description	Authorized	Adjustments	Authorization	Expenditures	Obligations	Obligated	Balance
96162	Investigations of Disease Factors Affecting Declines of Pacific Herring Populations in PWS	635,000	0	635,000	453,851	152,898	606,749	28,251
96163A	Abundance and Distribution of Forage Fish and Their Influence on Recovery of Injured Species	406,600	0	406,600	23,916	380,000	403,916	2,684
96163B	Foraging of Seabirds	132,200	0	132,200	133,357	0	133,357	-1,157
96163C	Fish Diet Overlap Using Fish Stomach Content Analysis	69,000	0	69,000	53,978	315	54,293	14,707
96163D	Distribution of Forage Fish as Indicated by Puffin Diet Sampling	12,000	0	12,000	8,495	0	8,495	3,505
96163E	Black-legged Kittiwakes as Indicators of Forage Fish Availability	164,400	0	164,400	161,712	0	161,712	2,688
96163F	Factors Affecting Recovery of Pigeon Guillemot Populations	148,300	0	148,300	151,840	0	151,840	-3,540
96163G	Diet Composition, Reproductive Energetics, and Productivity of Seabirds	171,200	0	171,200	58,042	112,103	170,145	1,055
96163I	APEX Planning and Project Leader	182,700	0	182,700	179,824	0	179,824	2,876
96163J	Barren Islands Seabird Studies	104,000	0	104,000	99,468	0	99,468	4,532
96163K	Using Predatory Fish to Sample Forage Fish	4,700	0	4,700	4,366	0	4,366	334
96163L	Historical Review of Ecosystem Structure in the PWS/GOA Complex and Abundance and Distribution of Forage Fish in the Barren Islands	97,400	0	97,400	52,614	14,595	67,209	30,191
96163M	Lower Cook Inlet Study	214,000	0	214,000	214,000	0	214,000	0
96163N	Black-Legged Kittiwake Feeding Experiment	21,400	0	21,400	20,000	0	20,000	1,400
96163O	Statistical Review	21,400	0	21,400	20,000	0	20,000	1,400
96163P	Sand Lance Hydrocarbon Exposure	21,400	0	21,400	1,291	20,000	21,291	109
96164	Pacific Herring Program Leadership	0	0	0	0	0	0	0
96165	Genetic Discrimination of Prince William Sound Herring Populations	103,900	0	103,900	20,160	67,093	87,253	16,647
96166	Herring Natal Habitats	444,100	0	444,100	323,270	54,402	377,672	66,428
96170	Isotope Ratio Studies of Marine Mammals	150,400	0	150,400	44,484	97,368	141,852	8,548
96180	Kenai Habitat Restoration and Recreation Enhancement Project	560,600	0	560,600	230,924	243,844	474,768	85,832
96186	Coded Wire Tag Recoveries From Pink Salmon in Prince William Sound	254,900	0	254,900	217,484	275	217,759	37,141
96188	Otolith Thermal Mass Marking of Hatchery Reared Pink Salmon in PWS	93,200	0	93,200	80,662	112	80,774	12,426
96190	Construction of Linkage Map for Pink Salmon Genome	167,700	0	167,700	120,277	35,121	155,398	12,302
96191A	Oil-Related Embryo Mortalities in PWS Pink Salmon Populations	474,600	0	474,600	348,399	80,134	428,533	46,067
96191B	Injury to Salmon Eggs and Pre-emergent Fry Incubated in Oil Gravel	143,600	0	143,600	143,488	0	143,488	112
96195	Pristane Monitoring in Mussels and Predators of Juvenile Pink Salmon & Herring	106,700	0	106,700	115,550	3,475	119,025	-12,325
96196	Genetic Structure of Prince William Sound Pink Salmon	178,500	0	178,500	135,977	13,159	149,136	29,364
96210	Prince William Sound Youth Area Watch	115,000	0	115,000	98,804	12,411	111,215	3,785
96214	Documentary on Subsistence Harbor Seal Hunting in PWS	77,400	0	77,400	49,526	19,453	68,979	8,421
96220	Eastern PWS Wildstock Salmon Habitat Restoration	92,000	0	92,000	70,433	0	70,433	21,567
96222	Chenega Bay Salmon Restoration	16,100	0	16,100	3,848	0	3,848	12,252
96225	Port Graham Pink Salmon Subsistence Project	95,300	0	95,300	53,146	34,732	87,878	7,422

Exxon Valdez Oil Spill								
Quarterly Report as of September 30, 1996								
1996 Work Plan Summary								
Project				Adjusted			Expended/	Unobligated
Number	Description	Authorized	Adjustments	Authorization	Expenditures	Obligations	Obligated	Balance
96244	Community Based Harbor Seal Management and Biological Sampling	128,500	0	128,500	121,395	1,556	122,951	5,549
96255	Kenai River Sockeye Salmon Restoration	307,000	0	307,000	280,068	389	280,457	26,543
96256	Columbia and Solf Lakes Sockeye Salmon Stocking	60,800	0	60,800	52,418	0	52,418	8,382
96258A	Sockeye Salmon Overescapement Project	596,600	0	596,600	501,345	4,160	505,505	91,095
96259	Restoration of Coghill Lake Sockeye Salmon	265,700	0	265,700	195,469	200	195,669	70,031
96272	Chenega Chinook Release Program	52,300	0	52,300	47,049	744	47,793	4,507
96290	Hydrocarbon Data Analysis, Interpretation, and Database Maintenance	116,100	-2,800	113,300	108,510	3,088	111,598	1,702
96291	Chenega-Area Shoreline Residual Oiling Reduction	293,000	0	293,000	0	260,000	260,000	33,000
96320E	Salmon and Herring Predation	637,700	0	637,700	570,132	6,872	577,004	60,696
96320G	Phytoplankton and Nutrients	162,200	0	162,200	159,087	54	159,141	3,059
96320H	Zooplankton in the PWS Ecosystem	323,600	0	323,600	249,294	66,191	315,485	8,115
96320I	Isotope Tracers - Food Webs of Fish	270,300	0	270,300	150,461	117,217	267,678	2,622
96320J	Information Systems and Model Development	749,300	0	749,300	386,902	354,890	741,792	7,508
96320K	PWSAC: Experimental Fry Release	61,400	0	61,400	55,004	1,944	56,948	4,452
96320M	Physical Oceanography in PWS	645,800	0	645,800	304,730	337,815	642,545	3,255
96320N	Nekton/Plankton Acoustics	589,200	0	589,200	361,737	225,141	586,878	2,322
96320Q	Avian Predation on Herring Spawn	40,400	0	40,400	22,183	18,217	40,400	0
96320R	SEA Trophodynamic Modeling and Validation Through Remote	202,700	0	202,700	129,877	69,166	199,043	3,657
96320T	Juvenile Herring Growth and Habitat Partitioning	1,141,600	0	1,141,600	698,479	424,426	1,122,905	18,695
96320U	Energetics of Herring and Pollock	189,500	0	189,500	105,035	80,625	185,660	3,840
96320Y	Variation in Local Predation Rates on Hatchery-Released Fry	40,000	0	40,000	37,191	880	38,071	1,929
96320Z1	Synthesis and Integration	68,800	0	68,800	33,654	32,619	66,273	2,527
96326	Data Re-Analysis for NRDA Marine Mammal Study 6	11,400	0	11,400	11,400	0	11,400	0
96427	Harlequin Duck Recovery Monitoring	261,100	0	261,100	203,508	14,116	217,624	43,476
96507	EVOS Symposium Publication	35,000	0	35,000	35,000	0	35,000	0
96600	NOAA Program Management	105,400	0	105,400	88,753	156	88,909	16,491
95259	Restoration of Coghill Lake Sockeye Salmon Supplemental	21,900	0	21,900	21,900	0	21,900	0
	Unbilled GA (ADF&G Only)				0	0	0	0
	Sub-Total	25,875,800	0	25,875,800	17,870,100	5,106,462	22,976,562	2,899,238
	Akhiok-Kaguyak	0	0	0	0	0	0	0
	Seal Bay	3,294,667	0	3,294,667	3,294,667	0	3,294,667	0
	Koniag	12,500,000	0	12,500,000	8,000,000	4,500,000	12,500,000	0
	Shuyak	8,000,000	0	8,000,000	8,000,000	0	8,000,000	0
	Small Parcels	5,554,700	0	5,554,700	4,928,500	626,200	5,554,700	0
	Total	55,225,167	0	55,225,167	42,093,267	10,232,662	52,325,929	2,899,238

Exxon Valdez Oil Spill Trustee Council

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



MEMORANDUM

TO: Trustee Council

FROM: Molly McCannnon
Executive Director

SUBJECT: Proposed Budget Amendment - Project 97100

DATE: December 5, 1996

Williams
Adopted

I estimate that the cost of public outreach associated with the archaeological planning project will be \$12,100, including general administration, and request that the Trustee Council approve the addition of this amount to ADFG under Project 97100. The basis of this estimate is as follows:

200	Travel - 3 people to Chugach/Cook Inlet communities	\$3,500
300	Contractual - Charter flights	\$3,000
	Contractual - Printing and postage	\$5,000
	Subtotal:	\$11,500
	General Administration	\$600
	Total:	\$12,100

Thank you.

Inputal Authority

ARCHAEOLOGY NOTES

Letter to Communities on status

BACKGROUND

There are 1,489 spill-related archaeological artifacts from public land in Prince William Sound and lower Cook Inlet. The largest number of artifacts are held by the U.S. Forest Service and have not yet been curated. The distribution of artifacts is as follows:

Organization - City	Artifacts
Univ. of Alaska - Fairbanks	204
USFS - Anchorage	770
USFS - Juneau	361
NPS - Anchorage	127
Anchorage Museum	21
Valdez Museum	6
Total:	1,489

These artifacts are associated most closely with three communities -- Chenega, Port Graham and English Bay. The largest number of artifacts are from the two sites excavated by the USFS on Knight Island and Eleanor Island near Chenega Bay.

Community	Artifacts
Chenega	92
Nanwalek	341
Port Graham	45
Chugach Region (near Chenega)	1,011
Total:	1,489

The Chugach Heritage Foundation estimates that the 1,489 artifacts and samples require 200-400 cu.ft. of storage space, including 40 cu.ft. of refrigerator / freezer space for certain items. As a rule of thumb, one drawer=1 cu. ft. and one storage box=1 cu.ft. The Chugach Heritage Foundation did not translate these storage requirements into room size. Allowing room to pull out drawers and assuming that drawers and shelves are about 4 ft. high, these collections could be stored in a 400 sf room. Adding more space for curation could increase the space required for a repository to 600 to 1,000 sf.

In a preliminary draft, the USKH architect for the Chugach Heritage Foundation estimated that a regional repository would require 7200 sf. USKH also estimated the cost of construction of a new facility at \$300/sf and the cost of renovation at \$390/sf.

OPTIONS

Options are presented separately for facilities (repositories and display areas) and for programs (traveling displays and site stewardship).

Facilities

The objectives of these facility options are 1) to protect spill-related artifacts and 2) to return them to the spill area, preferably to facilities controlled by Native communities.

1. **Store artifacts at an existing facility.**
 - a. UAF - no cost to the Trustee Council.
 - b. Alutiiq Cultural Center - Probably would require renovation of basement (FY 96 proposal estimated \$531,000). Although the Alutiiq Cultural Center is in the spill area and controlled by a Native organization, the people of the Chugach region may not support the transfer of their cultural artifacts to Kodiak.
 - c. Other existing museums - No other museums have expressed interest in serving as a repository, but the Anchorage Museum, Pratt Museum, Valdez or Cordova Museums, or the Alaska Native Heritage Center are possibilities. The use of any of these facilities would probably entail some construction cost.
2. **Small repositories in Chenega Bay, Nanwalek and Port Graham**
 - a. These are the three communities in Prince William Sound and Lower Cook Inlet most closely associated with spill-related artifacts.
 - b. All three communities have recovered damages from the TAPLA fund for injury to archaeological resources on their lands. The recoveries were to be used for "excavation and curation".
 - c. The Chugach Heritage Foundation estimates that construction of a 3,650 sf repository in these communities would cost \$1.3 million per facility. Using a 1,000 sf figure for a small village repository and accepting the (probably inflated) \$300/sf figure would bring the construction cost to \$300,000 per facility. If the communities required larger facilities they could apply TAPLA recoveries. Adding in the cost of specialized equipment would probably bring the total cost of this option to \$1 million.
 - d. Whether or not these facilities actually served as repositories would depend on the willingness of DOI, USFS and ADNR to transfer artifacts to the new facilities and the communities' capacity to provide long-term curation and security.
 - e. Chenega Corporation requested \$1.9 million for a 3-year project to construct an archaeological repository in Chenega Bay (Project 97277).
3. **Display areas in various communities (alone or in conjunction with Option 1 or 2)**
 - a. Eight communities in the Prince William Sound and Lower Cook Inlet (Cordova, Valdez, Tatitlek, Chenega Bay, Seward, Nanwalek, Port Graham, and Seldovia) have expressed some interest in displaying spill-related artifacts in their communities. In most cases, an existing facility would have to be renovated to

- accommodate a facility. Some communities are interested in dedicating a room in a new facility or adding on to an existing facility to accommodate a display.
- b. A by-product of an artifact display would be a space for cultural activities.
 - c. A small space (400 sf) in each of the 8 communities would cost about \$1 million.

PROGRAMS

1. Traveling displays/short-term loans.

- a. Whether or not the Trustee Council agrees to contribute to the capital cost of constructing display areas, members could consider a project to develop a traveling display of spill-related artifacts.
- b. This project would achieve the objective of educating people about the cultural significance of archaeological resources injured in the spill in a way that may be even more effective than a repository. A traveling display would not, however, accomplish the objective of returning artifacts to the spill area (except for a visit).
- c. Several organizations are capable of developing exhibits: UAF, Alaska Native Heritage Center, Pratt Museum, Alutiiq Cultural Center, possibly the Smithsonian Arctic Studies Center and others. Although a State agency could enter into an RSA with UAF, it may be better to issue an RFP.
- d. No cost estimates, but in addition to the cost of developing the exhibit(s) would be the cost of transporting them.

2. Site Stewardship Programs

The Chugach Heritage Foundation suggests that a site stewardship program be considered in FY 99, after the 3-year pilot project (96149) has been evaluated. The ground rules for a Chugach site stewardship could be the same as the pilot project, that is, financial support for only 3 years at approximately \$70.0K per year. It is a volunteer project. Costs cover training, materials and logistical support.

NOTE: For about \$2 million, it should be possible to construct small repositories in the three villages most closely associated with the spill-related artifacts, provide display areas in the remaining 5 communities in the region, develop traveling exhibits and support a site stewardship program.

Molly McCammon

From: Veronica Christman
To: Molly McCammon
Subject: TAPLA
Date: Monday, December 02, 1996 10:44AM

I finally received copies of the final determinations regarding archaeological damage awards under TAPLA.

English Bay	\$602,498
Port Graham	\$252,283
Chenega	\$ 90,821
Chugach AK Corp	\$179,316

Total: \$1,124,918

Exxon Valdez Oil Spill Trustee Council

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



MEMORANDUM

TO: Trustee Council

FROM: Molly McCannion
Executive Director

SUBJECT: Proposed Budget Amendment - Project 97100

DATE: December 5, 1996

I estimate that the cost of public outreach associated with the archaeological planning project will be \$12,100, including general administration, and request that the Trustee Council approve the addition of this amount to ADFG under Project 97100. The basis of this estimate is as follows:

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	General Administration	\$600
	Total:	\$12,100

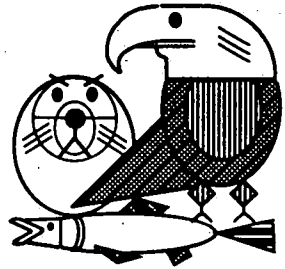
Thank you.

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 McGammon
Executive Director

SUBJECT: Restoration Reserve Planning: Proposed Time Line

DATE: November 22, 1996

The purpose of this memorandum is to propose a time line for planning the future of the Restoration Reserve, a fund established by the Trustee Council to support future restoration efforts beyond the last payment from Exxon in 2001. The Council has thus far approved \$48 million in deposits into the Reserve. Annual deposits of \$12 million in each of the five years remaining in the settlement period would bring the total reserve to \$108 million plus interest. The Council has made no decisions about the long-term management or use of the Reserve Fund.

1996-1997	Staff brainstorms with interested parties and Public Advisory Group, identifies issues, develops options. Preliminary legal review of options.
December 1997	Trustee Council decides which options to consider further.
Spring 1998	Staff conducts in-depth research and legal review; prepares for public workshops.
Fall/Winter 1998	Staff conducts public workshops and other forms of outreach throughout spill area and in Anchorage, Fairbanks and Juneau.
March 1999	Trustee Council makes its decision about the future management and use of the Restoration Reserve.
March 1999-Sept. 2001	Required changes are made in legislation and court orders, if needed.
Sept. 2002	Required administrative changes are made, if needed.

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

Qutekcak Native Tribe

Changing with the tides, in harmony with our people, land and heritage.
P.O. Box 1467 Seward, AK 99664 (907) 224-3118 Fax 907-224-5874

Resolution No 96-

A resolution of the Qutekcak Native Tribe Council, supporting the Protocols for Including Indigenous Knowledge in the Exxon Valdez Oil Spill Restoration Process

Date: November 26, 1996

Whereas, the protocols are requested by the Exxon Valdez Oil Spill Trustee Council for themselves and spill area village councils as a guiding document for the collection of indigenous knowledge by EVOS researchers.

Whereas, these protocols have been recommended by the E.V.O.S. Trustee Council, Chugach Regional Resources Commission and other interested parties, to establish procedures for facilitating the collection of indigenous knowledge in restoration projects.

Whereas, this request has been reviewed by the Qutekcak Native Tribe who understand the need for the protocols and request the Tribal Members who are interviewed be recognized and compensated as Traditional Ecological Knowledge (T.E.K.) consultants. The reports, papers and or books composed acknowledge the consultants; and provide a copy of the documents to the Qutekcak Native Tribe to promote a written history of the T.E.K. in any documents or papers written by the researchers.

Whereas, the protocols are needed to maintain a respectable order for the collection of traditional knowledge, by informing the Qutekcak Native Tribe before researchers begin any restoration or writings about indigenous knowledge.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE QUTEKCAK NATIVE TRIBE BOARD that:

In accordance with the mission and of the Qutekcak Native Tribe these protocols are adopted and endorsed.

This resolution shall take effect immediately upon its adoption.

PASSED AND APPROVED by the Council of the Qutekcak Native Tribe of the City of Seward on this the 26th of November, 1996.

Post-it® Fax Note	7671
To	Martha Vlasoff
Co./Dept.	EVOS Trustee Council
Phone #	278-8012
Fax #	276-2178

Tribal Council, Qutekcak Native Tribe, City of Seward, Alaska

Arne Blatchford - Vice Chair
Ken Blatchford, Chair

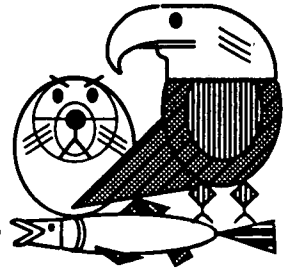
AYES: 3
NAYES: _____
ABSENT: 4
ABSTAIN: _____

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: *Exxon Valdez Oil Spill Trustee Council*

FROM: Molly McCann
Executive Director

RE: Protocols for Including Traditional Ecological Knowledge in the Restoration Process

DATE: November 21, 1996

Attached are draft protocols for including Traditional Ecological Knowledge (indigenous knowledge) in the EVOS restoration process. The protocols are submitted for your adoption as a guiding document for the collection of TEK by EVOS researchers.

The effort to adopt protocols was initiated at the request of Alaska Native communities in the spill area. Simultaneous with requests to be further involved in the restoration process and suggestions on how Traditional Ecological Knowledge (TEK) can contribute to restoration, community representatives asked that guidelines for collecting TEK be established. The guidelines (i.e., protocols) are intended to facilitate collaboration between Alaska Natives and EVOS researchers by describing the expectations of Alaska Native communities in this regard.

The first draft was developed at a two-day workshop in April 1996 attended by the community facilitators hired through the Community Involvement Project (/052), some Restoration Work Force members, some Principal Investigators, and Restoration Office staff. That first draft was revised to accommodate comments and concerns raised by Trustee Council agencies. The attached revised draft has been agreed to by the Restoration Work Force and the community facilitators, and is now out for formal approval by the village councils in the spill area. Village council resolutions are to be submitted to the Restoration Office by December 1, 1996.

I would like to point out that two significant issues raised by the Restoration Work Force in regard to the original draft of the protocols have been addressed in the attached draft:

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

1. To which projects do the protocols apply?
A purpose section was added to the Introduction to make clear that the protocols apply to those EVOS researchers planning to work with local respondents in the collection of traditional knowledge or whose proposed research is likely to affect subsistence activities. The protocols do not require that EVOS projects collect traditional knowledge.
2. How do the protocols affect existing laws regarding paying research participants, confidentiality, and who has access to the data once it is collected?
Protocol 4 says that research agreements entered into by researchers and village councils on EVOS projects must be consistent with existing laws. In developing a research agreement, the researcher and the community must consider compensation of participants, anonymity and confidentiality of personal and other sensitive information, and final disposition of data (among other things). These items must be discussed so that village residents are aware of how the information they provide might be used, whether or not they will be paid, and so on, so that they can make an informed decision about whether or not to participate in a particular EVOS study.

In addition, a number of other, more minor revisions and clarifications were made, also in response to Restoration Work Force comments.

Attachment

PROTOCOLS FOR INCLUDING INDIGENOUS KNOWLEDGE IN THE *EXXON VALDEZ* OIL SPILL RESTORATION PROCESS

***Exxon Valdez* Oil Spill Trustee Council
October 1996**

Introduction, Purpose, and Objectives

Indigenous knowledge, including traditional ecological knowledge (TEK), provides an important perspective that can help the *Exxon Valdez* Oil Spill (EVOS) restoration effort by providing information and analysis of the environment and resources affected by the oil spill. Fishers, hunters, and gatherers have detailed descriptions of animal behavior and ecology. For many species, subsistence harvesters possess the following information:

- where it is found in any season
- what it eats
- how it moves from place to place
- when it mates
- where its young are born
- what preys on it
- how it protects itself
- how best to hunt for it
- population cycles

As astute observers of the natural world and as repositories of knowledge on the long term changes in their biophysical environment, practitioners of traditional ecological knowledge (TEK) can provide western biologists and ecologists with systematic and analytical observations that cover many years. While the differences between

indigenous and scientific ways of knowing must be understood, restoration projects which successfully incorporate both perspectives will improve our collective understanding of the natural processes involved in the EVOS-affected region.

Working in and with Alaska Native communities requires sensitivity to their cultures, customs, traditions, and history. Successful working relationships are built on mutual respect and trust. The people of the communities of the oil spill area have experienced severe dislocations in their lives due to the *Exxon Valdez* Oil Spill. Subsistence and commercial fishing activities have been interrupted. Researchers and agency personnel have used the communities as logistical bases. Disruptions related to the clean up, litigation, and increased bureaucratic demands have impacted the people's ability to conduct their daily business.

As a consequence of these stresses to their privacy and out of concern to preserve respect for their traditions, the Alaska Native communities of the area affected by the spill, assisted by EVOS staff, the Chugach Regional Resources Commission, and staff from Trustee Council agencies, have developed a series of protocols formalizing their relationship with outside researchers. These protocols provide a set of guidelines that will facilitate collaboration between Alaska Natives and scientists in meeting the goals of EVOS restoration. The protocols describe the major elements of a research

partnership, but their application depends on common sense and courtesy. For those researchers planning to collaborate with local respondents in the collection of indigenous knowledge or whose proposed research is likely to affect subsistence activities, the EVOS Trustee Council requires consideration of these protocols prior to the initiation of research.

The objectives of these protocols are:

1. Provide guidelines for restoration project planning and review
2. Identify a set of ethical principles that establishes the parameters for a research partnership between Alaska Native communities and restoration scientists
3. Establish procedures for facilitating the collection of indigenous knowledge in restoration projects
4. Provide guidance on the development of research agreements between Alaska Native communities and researchers.

Protocols

1. Project planning and review.
 - a) In developing projects that include the collection and use of indigenous knowledge, researchers and community residents should keep in mind how this information will be used in improving restoration, management, education, and future research.

- b) In designing restoration projects that include indigenous knowledge, researchers should recognize that local communities' knowledge of and interest in natural resources extends beyond the physical boundaries of the communities themselves to their harvest areas and beyond.
- c) All research proposals involving indigenous knowledge will be reviewed by the TEK Specialist, the Community Facilitators, and village councils, and their recommendations will be forwarded to the Executive Director. The overall program of research involving indigenous knowledge will be reviewed annually.
- d) In developing proposals and research plans and budgets for projects involving indigenous knowledge, researchers should include the costs of a research program that is consistent with these protocols.

2. Ethical principles. EVOS research which involves the collection and use of indigenous knowledge should follow the ethical principles for research listed below, which are based upon guidelines adopted by the Alaska Federation of Natives (AFN) Board of Directors in May 1993 (attached).

- e) Advise Alaska Native communities and people who are to be involved in or affected by the study of the purpose, goals, and time-frame of the research, the proposed data-gathering techniques, and the potential positive and negative implications and impacts of the research.

- f) Obtain the informed consent of the appropriate governing bodies and of individual participants
- g) Protect the knowledge and cultural/intellectual property of the Alaska Native people
- h) Seek to hire local community research assistants, and provide meaningful training to Alaska Native people to develop research skills, as appropriate
- i) Use the local Alaska Native language whenever English is the second language
- j) Address issues of confidentiality of sensitive material
- k) Include Alaska Native viewpoints in the final study report
- l) Acknowledge the contributions of local research assistants and respondents in project reports
- m) Provide the communities with a summary of the major findings of the study in non-technical language.
- n) Provide copies of the annual and final project reports and related publications to the local library

The AFN Guidelines also include establishing and funding a "Native Research Committee." This may not be necessary in most EVOS Restoration Projects, depending upon the scope of the collection of indigenous knowledge and the wishes of the local community. Also, a new entity may not be necessary. For example, the traditional council may serve as such a review body. This point should be addressed in

a "research agreement," as discussed in #4, below.

3. Facilitating the collection of indigenous knowledge.

- o) Initial contacts should be made through the TEK Specialist hired under Project 97052B to discuss the potential collection of indigenous knowledge in a project. The TEK Specialist will then pass the requests on to the communities concerned, and assist in establishing contact between the researcher and the Community Facilitator. The TEK Specialist will also inform the Spill Area Wide Coordinator of such requests.
- p) Once contact has been established through the TEK Specialist, researchers should use the Community Facilitator or designee as the primary community contact.
- q) The Community Facilitator or designee will arrange for the researcher to meet with the Village Council (or other appropriate body authorized by the Village Council) to discuss the project's goals, scope, methods, expectations, benefits and risks. The Facilitator or designee will help orient the researcher to the community and its customs.

4. Research agreements.

The researcher and the Village Council (or other appropriate body authorized by the Village Council), assisted by the Community Facilitator, will work together to set up a

research agreement. In developing the agreement, the following topics should be considered: the nature of the research, the form of consent that will be required, the need for local research assistants, compensation of participants, acknowledgments, anonymity and confidentiality of personal and other sensitive information, project monitoring, project review, final disposition of data, and provision of study results. The agreement may take one of several forms, such as a binding contract, a memorandum of agreement, a letter of agreement, or a village resolution. In any agreement, the responsibility and expectations of the researcher and the community should be spelled out. Terms and conditions should be clear and understandable to all parties, should not place unreasonable or unfair burdens on the participants, and must be consistent with applicable laws.

AFN BOARD ADOPTS POLICY GUIDELINES FOR RESEARCH

At its quarterly meeting in May, the AFN Board of Directors adopted a policy recommendation that includes a set of research principles to be conveyed to scientists who plan to conduct studies among Alaska Natives.

The principles will be sent to all Native organizations and villages in the hope that compliance by researchers will deter abuses such as those committed in the past which lately have come to light.

Alaska Natives share with the scientific community an interest in learning more about the history and culture of our societies. The best scientific and ethical standards are obtained when Alaska Natives are directly involved in research conducted in our communities and in studies where the findings have a direct impact on Native populations.

AFN recommends to public and private institutions that conduct or support research among Alaska Natives that they include a standard category of funding in their projects to ensure Native participation.

AFN conveys to all scientists and researchers who plan to conduct studies among Alaska Natives that they must comply with the following research principles:

- * Advise Native people who are to be affected by the study of the purpose, goals, and time-frame of the research, the data-gathering techniques, the positive and negative implications and impacts of the research.
- * Obtain the informed consent of the appropriate governing body.
- * Fund the support of a Native Research Committee appointed by the local community to assess and monitor the research project and ensure compliance with the expressed wishes of Native people.
- * Protect the sacred knowledge and cultural/intellectual property of Native people.
- * Hire and train Native people to assist in the study.
- * Use Native language whenever English is the second language.
- * Guarantee confidentiality of surveys and sensitive material.
- * Include Native viewpoints in the final study.
- * Acknowledge the contributions of Native resource people.
- * Inform the Native Research Committee in a summary and in non-technical language of the major findings of the study.
- * Provide copies of studies to the local library.

ALASKA FEDERATION OF NATIVES

1996 ANNUAL CONVENTION

RESOLUTION 96-32

TITLE: REQUESTING AN OFFICIAL TRIBAL GOVERNMENT REPRESENTATION ON THE EXXON VALDEZ OIL SPILL BOARD OF TRUSTEES

WHEREAS: A \$900 million fund was set up as a result of the 1989 Exxon Valdez oil spill to address the problems of injured and diminished natural resources and to institute a restoration program to aid in this process; and,

WHEREAS: The Alaska Native villages in the oil spill impacted region have suffered a tremendous loss in subsistence resources, cultural ties with the land, increased social ills due to the devastation of the oil spill, and loss of cultural values provided by gathering, preparing, and sharing of food; and,

WHEREAS: The Exxon Valdez Oil Spill Board of Trustees was established to address these and other issues directly related to restoration of the resources and is comprised of federal and state government representatives; and,

WHEREAS: The Exxon Valdez Oil Spill Board of Trustees has provided minimal support to the Native villages and has allowed minimal participation by Native governments in the restoration and decision making process; local residents have voiced concern over the lack of involvement by spill area communities in the restoration efforts; and,

WHEREAS: It has been determined by a steering committee made up of representatives from Native villages in the oil spill impacted region that in order for Alaska Natives to be more integrally involved and have a meaningful role in restoration process, an Alaska Native representative must be appointed and allowed to represent the tribal governments a voting member of the Exxon Valdez Oil Spill Board of Trustees.

NOW THEREFORE BE IT RESOLVED by the delegates to the 1996 Annual Convention of the Alaska Federation of Natives, Inc., urge US Congress to appoint a Tribal Government representative as the third governmental entity on the Board to represent the interests of the Alaska Natives.

BE IT FURTHER RESOLVED THAT, AFN supports the Tribal Governments of selecting their representative.

SUBMITTED BY: Chugachmiut

COMMITTEE ACTION: Do Pass

CONVENTION ACTION:

EXISTING POLICY

According to policy number 20 in the Exxon Valdez *Oil Spill Restoration Plan* (November 1994):

Restoration must reflect public ownership of the process by timely release and reasonable access to information and data.

Information from restoration projects must be available to other scientists and to the general public in a form that can be easily used and understood. An effective restoration program requires the timely release of such information. This policy underscores the fact that since the restoration program is funded by public money, the public owns the results.

In addition, item number 5 under Professional Services Contracts in the Trustee Council *Procedures* adopted August 29, 1996 states:

Special Considerations. All notes and other data developed by the contractor shall remain the sole property of the contracting agency.

PROPOSED CLARIFICATION

We now propose to clarify this statement of Trustee Council policy by adoption of the following:

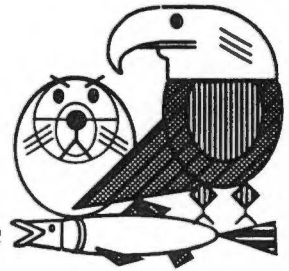
Therefore, consistent with state and federal laws, any data or other products resulting from any project to which the Trustee Council has contributed financially are in the public domain and as such must be available to the public. Data means recorded information, regardless of form or the media on which it is recorded, including computer programs, data bases, and software. Each final report on a restoration project shall include a brief description of data gathered in the project, including definition of the types of data gathered, the form or forms in which the data are recorded, the location of the data, and a permanent contact at a public institution such that the data are accessible to the public, including scientific users, after completion of the project.

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: December 6, 1996

SUBJ: Small Parcel Action Item — PWS 11/Horseshoe Bay

Please find attached the restoration benefits report and a location map for PWS 11/Horseshoe Bay. This small parcel is surrounded by the Horseshoe Bay State Marine Park. Acquisition of the parcel will provide significant restoration benefits that include protection of an anadromous fish stream (pink salmon) as well as provide substantial recreation/tourism benefits by securing lands that are immediately adjacent to the best anchorage in Horseshoe Bay.

Proposed Action: Trustee Council authorization for the Alaska Department of Natural Resources to purchase the 315 acre PWS 11/Horseshoe Bay parcel located on Latouche Island in western Prince William Sound for the appraised value of \$475,000.

A resolution authorizing the purchase of PWS 11/Horseshoe Bay will be available for consideration by the Council at the December 6 meeting.

attachments

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

PWS 11: Horseshoe Bay

Acreage: 315 **Rank:** PMSC **Sponsor:** ADNR **Appraised Value:** \$475,000
Owner: Lucy W. Groh
Location: Surrounded by Horseshoe Bay State Marine Park, LaTouche Island

Parcel Description. This parcel contains 1600 feet of Horseshoe Bay frontage and includes the mouth of an anadromous stream. Part of the parcel is an inholding in the Horseshoe Bay State Marine Park and the rest of it lies immediately adjacent to the park. Chugach Native Corporation owns the surrounding uplands.

Restoration Benefits. Public ownership of this parcel will protect habitat for pink salmon and recreation/tourism by preventing further development on this parcel. Acquisition will also ensure public access to the uplands and historic sites on LaTouche Island via existing trails. If the parcel is not acquired, future development of the adjacent uplands could result in user conflicts between the public and private property owners.

Key habitat and other attributes of the parcel include the following:

- *Pink salmon* spawn in the anadromous stream on the parcel.
- *Recreation/tourism.* The best anchorage in the bay is immediately adjacent to this parcel. As a result of the 1964 earthquake, there is very little suitable anchorage area left in Horseshoe Bay. Much of the bay was uplifted, leaving only the northern portion of the bay deep enough for anchorage at all tides. Most of the current use of the park is by residents of nearby Chenega Bay and residents and workers at the San Juan hatchery. Use increases during the hunting season and reaches its peak during commercial fishery openings when boats use the park as an anchorage. Use of the park is likely to increase because of a new airport and dock in Chenega Bay.

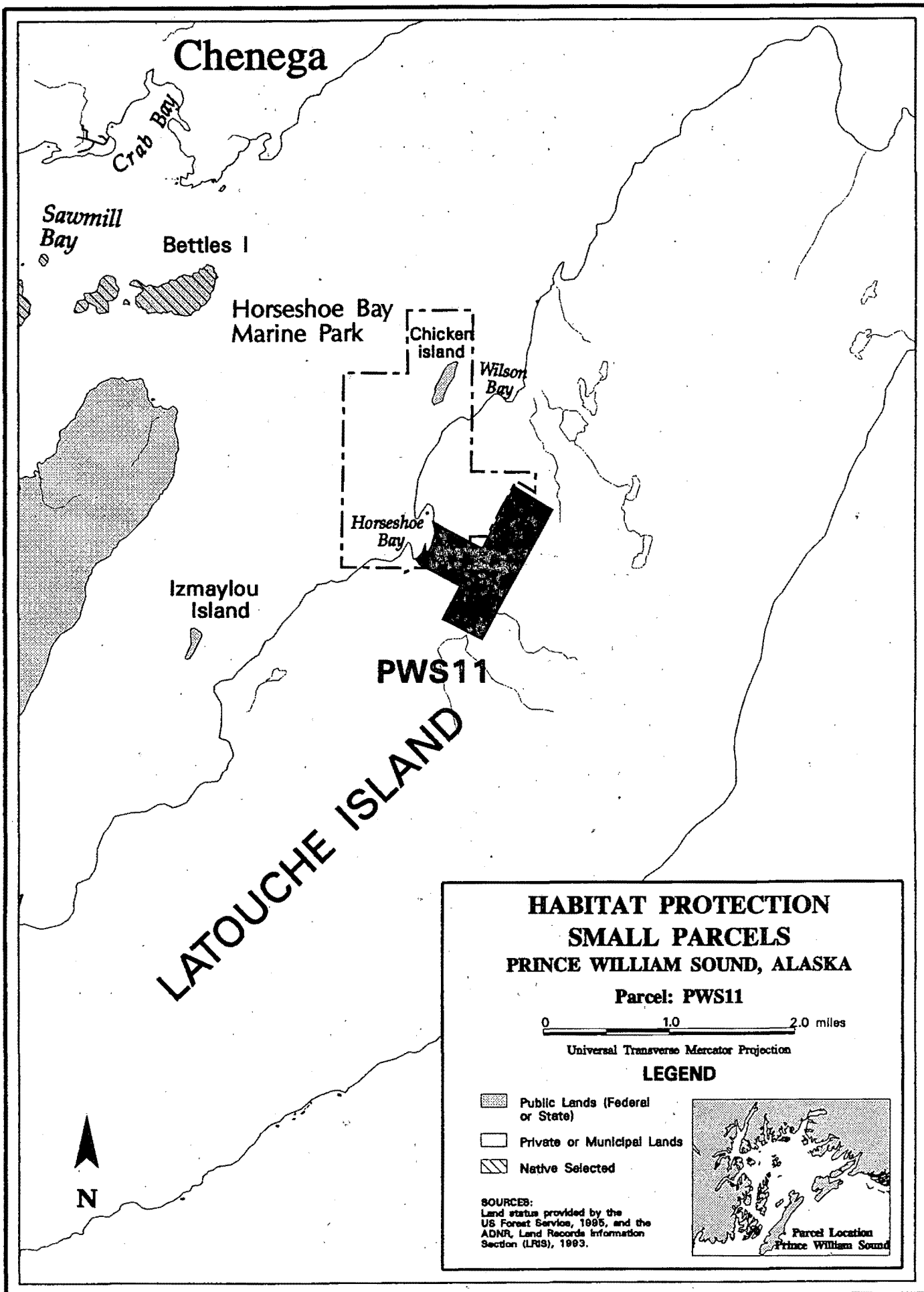
The abandoned mining town of LaTouche is located one mile north of Horseshoe Bay Marine Park. In 1930, this town was the location of the largest copper mine in the sound. The privately owned land at the southern point of the bay offers the remains of a small community that was created to support a small copper development at Horseshoe Bay. A small cemetery from the mining era is located within the park.

Potential Threats. The parcel is platted. It is ready to be sold, but none of the lots has yet been sold.

Appraised Value. State and federal review appraisers rejected the initial appraisal of this parcel. A new appraisal was issued and approved. Subsequently, the landowner submitted another appraisal which was also approved. The final appraised value of this parcel is \$475,000.

Proposed Management. The purpose of acquisition is to preserve and protect in perpetuity the ecological, natural, physical and scenic values of the subject property for the benefit of fish and wildlife resources and services that were injured in the *Exxon Valdez* oil spill. If this parcel is acquired, ADNR will manage it to protect pink salmon habitat and facilitate recreational access to the uplands and historic sites on LaTouche Island. The part of the parcel that lies within the Horseshoe Bay State Marine Park will become part of the park upon acquisition. The rest of the parcel will probably be classified "Habitat/Public Recreation Land."

Public Comment. The Public Advisory Group noted that the same values that led the surrounding lands to be designated State marine park might make it valuable for restoration purposes.

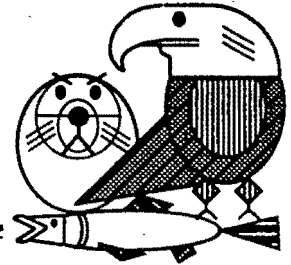


Exxon Valdez Oil Spill Trustee Council

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: December 5, 1996

SUBJ: Small Parcel Action Item — KAP 114/Uyak Bay

Please find attached the restoration benefits report and a location map for the KAP 114/Uyak Bay - Johnson parcel. I have been informed by the U.S. Department of the Interior that the appraisal of this 55 acre parcel has been approved by federal and state review appraisers and is now ready for further Council consideration.

This parcel is located within Uyak Bay approximately 8 miles south of the village of Larsen Bay and encompasses the head of a protected cove popular with local mariners. The KAP 114/Uyak Bay - Johnson parcel provides key marine access for subsistence and recreational uses on the surrounding public lands. The protected beach on this parcel is used as a staging area for subsistence harvest activities by residents of Larsen Bay, as well as for recreation. Pigeon guillemots, common murre, marbled murrelets and black oystercatchers are found in seasonal concentrations within the cove. A rocky intertidal beach adjacent to the property contains large mussel beds and also provides habitat for Pacific herring spawning.

Proposed Action: Trustee Council authorization for the United States Fish and Wildlife Service to purchase the KAP 114/Uyak Bay - Johnson parcel for the appraised value of \$154,000.

A resolution authorizing the purchase of KAP 114/Uyak Bay - Johnson parcel will be available for consideration by the Council at the December 6 meeting.

attachments

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

Parcel ID #: KAP 114

Rank: PMSC

Acreage: 55 acres

Agency Sponsor: USFWS

Location: Uyak Bay, Kodiak Island
T32S R29W Sec 13 & 24, Seward Meridian

Landowner/Agent: James Johnson / BIA

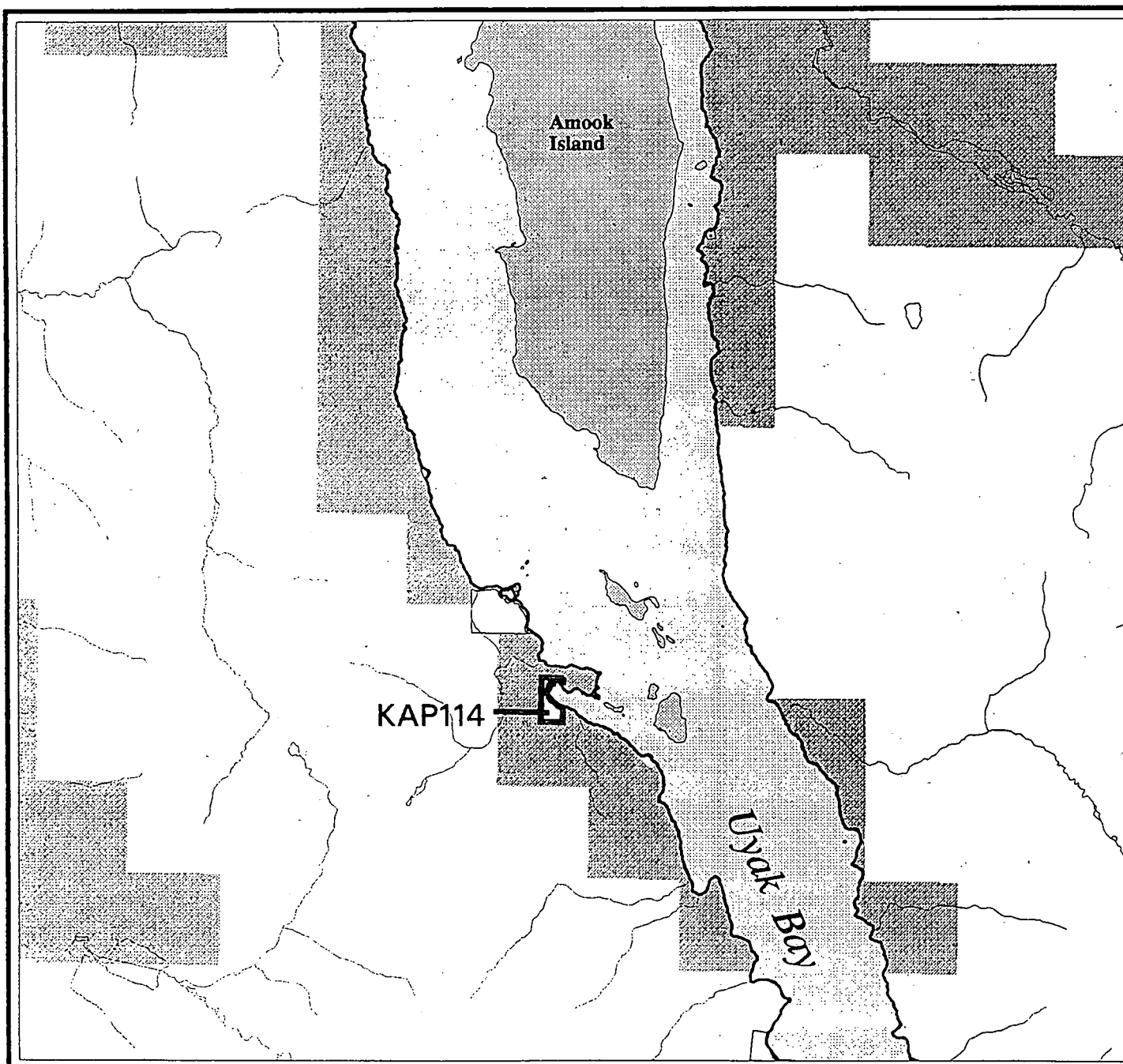
Address: P.O. Box 16
Larsen Bay, AK 99624

The Johnson property is located within Uyak Bay approximately 8 miles south of the village of Larsen Bay. The property encompasses the head of a protected cove on the west side of the bay. This small cove is popular with local mariners as a sheltered mainland anchorage; especially during north and westerly winds.

The Johnson parcel has many features that complement the goals of the EVOS habitat restoration effort. The protected beach on this property is used as a staging site for subsistence activities, primarily by residents of Larsen Bay. Residents harvest salmon, waterfowl, shellfish, Sitka black-tailed deer and pick berries on or adjacent to the parcel. The site is not currently marked as private property and deer hunters routinely camp on the parcel every season. KAP 114 provides key marine access for subsistence and recreational uses on the surrounding public lands.

A bald eagle nest is located on the parcel and the birds forage along the entire shoreline. Pigeon guillemots, common murre, marbled murrelets and black oystercatchers are found in seasonal concentrations within the cove. A rocky intertidal beach adjacent to the property contains large musselbeds and also provides Pacific herring spawning habitat. River otter use of the area is high with probable denning on the site. The parcel is likely to contain evidence of historic and prehistoric use. However, the area has not been intensively explored for cultural sites.




The acquisition of KAP 114 would greatly enhance the restoration investment already made in this region of Kodiak Island.



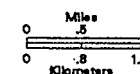
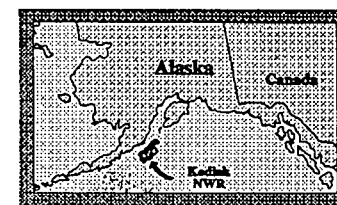
Habitat Protection Small Parcels

Kodiak Island, Alaska

Parcel : KAP114

-  Former Koniag Lands
-  Small Parcels
-  Outside of Kodiak NWR

- Land status represents USFWS interpretation of BLM records.
- Projected in UTM zone 5.



August 01, 1996



**RESOLUTION OF THE
EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL
REGARDING SMALL PARCEL KAP 114**

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

1. The owner of small parcel KAP 114 has indicated an interest in selling said parcel;
2. The Department of the Interior was authorized to obtain an appraisal of this parcel by the Trustee Council at its meeting of October 15, 1996. The appraisal has now been completed and approved by the State and federal review appraisers. The approved appraised value is \$154,000;
3. As set forth in Attachment A, if acquired, this small parcel has attributes which will restore, replace, enhance and rehabilitate injured natural resources and the services provided by those natural resources, including important habitat for several species of fish and wildlife for which significant injury resulting from the spill has been documented. Although privately owned, the property has been used by residents of the village of Larsen Bay for subsistence activities on the parcel and adjacent public lands. Pigeon guillemots, common murre, marbled murrelets and black oystercatchers, all of which were impacted by the oil spill, are present in the adjacent cove in seasonal concentrations.
4. Existing laws and regulations, including but not limited to the Alaska Forest Practices Act, the Anadromous Fish Protection Act, the Clean Water Act, the Alaska Coastal Management Act, the Bald Eagle Protection Act and the Marine Mammals Protection Act, are intended, under normal circumstances, to protect resources from serious adverse effects from logging and other development activities. However, restoration, replacement and enhancement of resources injured

by the *Exxon Valdez* oil spill present a unique situation. Without passing on the adequacy or inadequacy of existing laws and regulations to protect natural resources and services, biologists, scientists and other resource specialists agree that, in their best professional judgment, protection of habitat in the spill affected area to levels above and beyond that provided by existing law and regulation will have a beneficial affect on recovery of injured resources and lost or diminished services provided by these resources;

5. There has been widespread public support for the protection of small parcels; and

6. The purchase of small parcels is an appropriate means to restore a portion of the injured resources and services in the oil spill area.

THEREFORE, we resolve to provide funds for the U.S. Fish and Wildlife Service to offer to purchase and, if the offer is accepted, to purchase all the seller's rights and interests in small parcel KAP 114 pursuant to the following conditions:

(a) the amount of funds (hereinafter referred to as the "Purchase Price") to be provided by the Trustee Council to the United States shall be the final approved appraised value of \$154,000;

(b) authorization for funding for any acquisition described in the foregoing paragraph shall terminate if a purchase agreement is not executed by December 15, 1997;

(c) disbursement of these funds by the District Court;

(d) a satisfactory title search is completed by the acquiring government and the Seller is willing and able to convey fee simple title by warranty deed;

(e) no timber harvesting, road development or any alteration of the land will be initiated on the land without the express agreement of the acquiring government prior to purchase;

- (f) a satisfactory hazardous materials survey is completed;
- (g) compliance with the National Environmental Policy Act;
- (h) a conservation easement satisfactory to the Department of Justice, the United States

Forest Service and the Department of Law shall be conveyed to the nonacquiring government.

It is the intent of the Trustee Council that any facilities or other development on the foregoing small parcels after acquisition 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 parcels excepting such limited commercial use as may be consistent with applicable state or federal law and the goals of restoration to prespill 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 services as described in the Memorandum of Agreement and Consent Decree between the United States and the State of Alaska entered August 28, 1991 ("MOA") and the Restoration Plan as approved by the Trustee Council ("Restoration Plan").

By unanimous consent and upon execution of the purchase agreement and written notice from the Fish and Wildlife Service and the Executive Director that the terms and conditions set forth herein and in the purchase agreements have been satisfied, we request the Alaska Department of Law and the Assistant Attorney General of the Environment and Natural Resources Division of the U.S. Department of Justice to petition the District Court for withdrawal of the Purchase Price for KAP 114 from the District Court Registry account established as a result of the Governments' settlement to be paid at the time of closing. These amounts represent the only amounts due under this resolution to the Sellers by the State of Alaska or the United States from the

joint funds in the District Court Registry and no additional amounts or interest are herein authorized to be paid to the Sellers from such joint funds.

Dated this _____ day of December, 1996.

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,
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

A:\RESOLUT\WPD

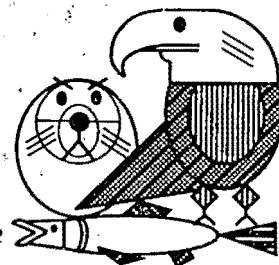
No materials available at this time.
As additional information is developed, it will be provided to the Trustee
Council as soon as possible.

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



October 16, 1996

Gary Thomas, Executive Director
Prince William Sound Science Center
Box 705
Cordova, Alaska 99574

Dear Mr. Thomas,

The Trustee Council met on October 15, 1996 and reviewed the additional information you provided regarding the Prince William Sound Science Center's proposal to expand its research facility in Cordova (Project 97151).

The Council's discussion of Project 97151 focused in part on the matter of assuring that potential restoration benefits of the project would be great enough to justify the investment of the settlement funds requested. The role of the Oil Spill Recovery Institute (OSRI) as it relates to the Council's restoration mission continues to be of great interest to the Council. In particular, the possibility that OSRI could fund environmental monitoring or other activities that would support the Council's restoration program was noted as a potentially significant benefit that should be considered further.

Nancy Bird of your staff participated via teleconference during the Council's discussion and related that Congress had recently approved funding for OSRI. It is my understanding that this authorization should provide OSRI approximately \$1 - 1.5 million per year for at least the next ten years. As noted by Nancy Bird, while OSRI funding to support restoration activities is a distinct possibility, use of the OSRI funds is to be governed by an advisory board that has not yet been established.

The Trustee Council has asked that the Restoration Office further examine Project 97151 in light of the role that OSRI funds could play in support the Council's restoration program. Your assistance in this effort is appreciated.

Sincerely,

Molly McCammon
Executive Director

Trustee Agencies

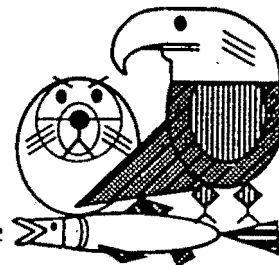
State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation
United States: National Oceanic and Atmospheric Administration, Departments of Agriculture and Interior

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



September 16, 1996

Gary Thomas, Executive Director
Prince William Sound Science Center
Box 705
Cordova, Alaska 99574

Gary
Dear Mr. Thomas,

The purpose of this letter is to ask for your assistance to obtain additional information regarding Project 97151, the Prince William Sound Science Center (PWSSC) Research Facility proposal.

As you know, at the August 29 Council meeting, the Trustees discussed this proposal and asked that further information regarding the research facility project be provided to facilitate review. On the basis of the Council's discussion and further consultation with federal and state legal counsel, several questions have been identified to help better understand the proposal.

1. Space Requirements - The DPD for Project 97151 indicates that PWSSC currently employs 27 full and part-time employees in Cordova and that the project would provide the ability to consolidate staff that are now divided between the main office and a "satellite" office.

- Information previously provided by PWSSC lists the various staff working on EVOS projects (copy attached). Which of these staff work in the "main" facility vs. the "satellite" office?
- Would the 2,500 sq. ft. two story addition to the facility with 6 - 8 new offices allow for consolidation of all PWSSC staff working on Trustee Council restoration projects in the main facility (i.e., would the division of staff and associated inefficiencies be eliminated)?

2. Potential Cost Savings from Facility Expansion - Please provide additional information concerning increased efficiencies that would result from the facility expansion. As stated in the DPD, the current division of restoration project staff among two locations has proved ineffective for teamwork; sometimes slowed data analysis and preparation for fieldwork; and the

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

overall cost of work has been increased by additional phone lines and other expenses.

- What kind of cost savings would result from the proposed expansion? Would the elimination of space needs at the "satellite" office reduce PWSSC rent payments that would otherwise be needed (i.e., the "satellite" office space)? Would this lower PWSSC indirect costs and reduce restoration project costs?

3. Relationship to OSRI - The role of the Oil Spill Recovery Institute (OSRI) as it relates to the Trustee Council's restoration mission and the SEA program is also of interest to the Council. At present, Trustee Council support for the SEA program is anticipated to continue during FY 97 and FY 98 with FY 99 scheduled as a synthesis/closeout year.

Some level of long-term monitoring to support the predictive models being developed through the SEA program is envisioned by the SEA leadership, although not necessarily to be funded by the Trustee Council. As you know, no long-term funding commitments have been made at this point. The OSRI mission includes long-term environmental monitoring that could support the SEA predictive models.

- Will the expanded facilities be used to support long-term environmental monitoring under the OSRI program that would benefit the Council's restoration mission in the years ahead (e.g., beyond FY 99)?
- Are there other entities or research institutions that would use the expanded facility for research in support of the Council's restoration mission?

4. Implications for Delay - Given legal and administrative requirements (e.g., NEPA compliance which would likely require at least an Environmental Assessment), it is not possible to meet the schedule identified in the DPD.

- What will PWSSC do to accommodate the existing space difficulties if additional funding for the expansion project is not available within your project timeline?

5. Opportunities for Cost-Sharing - The DPD indicates that of the 2,500 sq. ft. expansion proposed, 1,500 sq. ft. is for office space and the balance for a reception/exhibit area and a public conference room (for up to 40 people).

- What opportunities have been considered for cost-sharing the reception/exhibit area and a public conference room portion of the facility expansion with other entities? If the Trustee Council were to

fund only a portion of the proposed budget, what would the effect be on the project?

Your assistance in answering these questions as soon as possible would be greatly appreciated. If you have any questions, please don't hesitate to contact either myself or Eric Myers.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Molly McCammon', followed by a small 'for' written in cursive.

Molly McCammon
Executive Director

cc: Craig Tillery
Gina Belt
Maria Lisowski
Barry Roth
Dave Gibbons

Prince William Sound Science Center Staff - 1995/96

Full time employees

- * funded exclusively by support from EVOS restoration projects
- ** funded 50% or more by support from EVOS restoration projects
- *** funded through indirect cost support received from EVOS projects

G.L. Thomas, Ph.D., *President***
 Nancy Bird, *Vice President****
 Penelope Oswalt, *Finance Director****
 Kathy Chamberlain, *Bookkeeper****
 Kristen Smith, MPP, *Development Coordinator*
 Shari Vaughan, Ph.D., *Physical Oceanographer**
 Shelton Gay, M.S., *Physical oceanographer**
 Loren Tuttle, M.S., *Biological Oceanographer**
 David Scheel, Ph.D., *Behavioral ecologist***
 Kathryn Hough, *Biological research asst***
 Becca Dodge, *Biological research asst***
 Jay Kirsch, *Electrical engineer**
 Tom McLain, *Fisheries biologist**
 Geoff Steinhart, *Fisheries biologist**
 E. Vincent Patrick, Ph.D., *Mathematical modeler**
 Jennifer Allen, *Data/information systems**
 Stephen Bodnar, *Computer net. assist**
 Sridar Rao, *Program and modeling**
 Thomas Kline, Ph.D., *Oceanographer & Fisheries ecologist***
 John Williams, *Biological research asst.* **

Part-time or intermittent employees

Thea Thomas, M.S., *Biological research asst.* *
 Doran Mason, *Program and modeling**
 Ravi Kulkarni, *Program and modeling**
 Roy Murray, *Program and modeling**
 Teresa Robertson, *Receptionist****
 Robin Doane Irving, *Administrative Asst.*
 Elizabeth Trowbridge, *Education Coordinator*
 Bonnie Edmondson, *Administrative Asst****
 Liz Senear, M.S., *Library & Admin. Assistant****
 Erin Cooper, *Volunteer intern, Education Program*
 Richardo Nochetto, *Program and modelling**
 Robert Plumb, *Lineman***
 Kay Brown, *Custodian****

Summary

20 full time employees, 17 of whom work directly on EVOS restoration projects
 (of these 17 employees, 6 are supported by funds from both EVOS restoration projects and other funding sources)
 13 part time employees, 5 of whom work directly on EVOS restoration projects

approved

Molly's **REVISED CONFIDENTIAL** recommendations for Public Advisory Group appointments

Goal: maintain continuity; have some new faces; get more participation from Native villages; have representation from across spill area and statewide.

Aquaculture - Mary McBurney, Anchorage.

* Commercial Fishing - Torie Baker, Cordova.

* Commercial Tourism - Eleanor Huffines, ^{Palmer,} Wasilla.

Conservation - Chip Dennerlein. *for Tom King*

Environmental - Pam Brodie.

* Forest Products - Howard Valley, Kodiak.

Local Government - Dave Cobb, Valdez.

Native Landowner - Chuck Totemoff, Chenega. .

* Recreation Users - Stacy Studebaker, Kodiak.

* Sport Hunting/Fishing - Rupe Andrews or ~~Chuck Meacham~~, both of Juneau.

* Subsistence - Nancy Yeaton, Nanwalek.

Science/Academic - ~~John French~~ *Chuck Meacham - Juneau* Fairbanks

Public-at-Large (5) - Chris Beck, Anchorage.

Vern McCorkle, Anchorage

Sheri Buretta, Tatitlek (although lives in Anchorage)

Jim King, Juneau. ~~Chuck Meacham~~

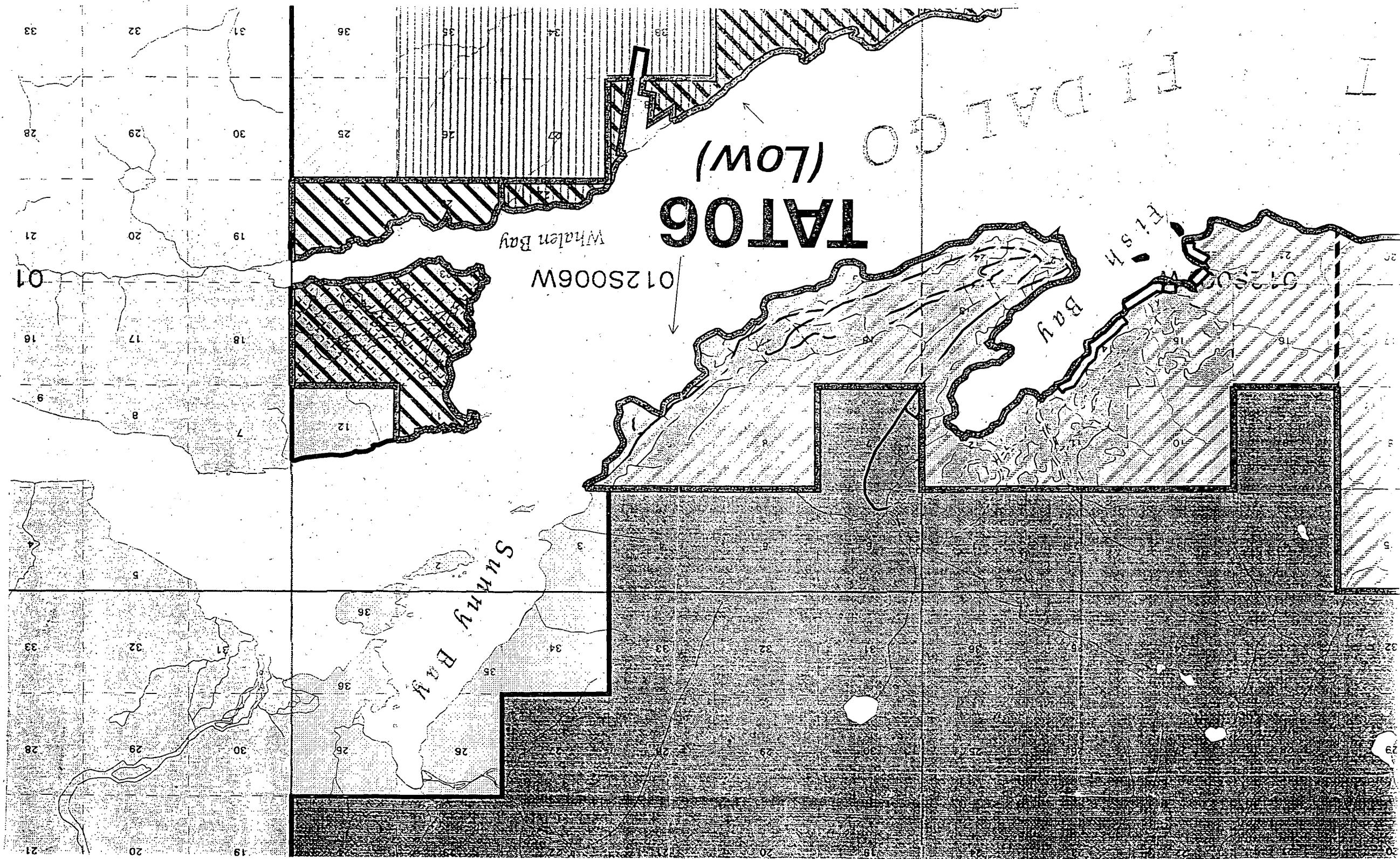
Brenda Schwantes, Kodiak.

*8 women
9 men*

This recommendation would result in 5 from Anchorage, 4 from Prince William Sound (Cordova, Valdez, Chenega, Tatitlek), 3 from Kodiak, 2 from Kenai Peninsula, 2 from Juneau, and 1 from Fairbanks.

This recommendation also has 5 Alaska Natives.

5 women



Tatitlek - Sound Timber/SFPJV Agreement
Page 9 of 9

SOUND TIMBER CORPORATION

DATED: Dec 5, 1996

By Robert E. Rice
Its Vice President

**SEWARD FOREST PRODUCTS
JOINT VENTURE****CITIGREEN, INC.**

DATED: Dec 5, 1996

By Robert E. Rice
Its Authorized Representative

**SEWARD FOREST PRODUCTS JV
YOUNG AND MORGAN NORTH, INC.**

DATED: Dec 6, 1996

By Samuel Morgan
Its President
Authorized Rep

THE TATITLEK CORPORATION

DATED: Dec 6, 1996

By Carroll Kompkoff
Its President

- Enclosures: (1) Map, Tatitlek Lands Subject to the Sound Timber Corporation/Seward Forest Products Joint Venture Contracts and Mining Claim;
(2) Letter from Alaska Mental Health Trust Land Office to Sound Timber, Inc., dated November 6, 1996;
(3) Memorandum of Agreement between The Tatitlek Corporation, Sound Timber Corporation/SFPJV, dated December 1996.

cc: Carroll Kompkoff
Robert E. Rice

SEWARD FOREST PRODUCTS JV

YOUNG AND MORGAN NORTH, INC.

DATED: 12-6, 1996By Lance D. Morgan
As PRESIDENT
Authorized Rep

STATE OF ALASKA

THIRD JUDICIAL DISTRICT

ss.

THIS IS TO CERTIFY that on the 6th day of December, 1996, at Wail City, OR, ~~Alaska~~, before me personally appeared Lance D. Morgan Young and Morgan North, Inc., a corporation organized and existing under the laws of the State of ~~Alaska~~, to me known to be the President of said corporation, and s/he acknowledged before me that s/he executed the foregoing Agreement on behalf of Young and Morgan North, Inc., by authority of its Board of Directors for the uses and purposes therein mentioned.

GIVEN UNDER MY HAND and official seal the day and year last above written.

Linda L. Dunn
Notary Public in and for ~~Alaska~~ OREGON
My Commission expires: 4-5-98

**THE TATITLEK
CORPORATION**

P.O. Box 650, Cordova, Alaska 99574 • Phone (907) 424-3777

FAX TRANSMITTAL SHEET

TO:

Molly McCAMMON

COMPANY:

TO FAX#:

(907) 586-7249

FROM:

Carla Komkov
The Tatitlek
CorporationREGARDING: SENT BY:

DATE:

12/6/96TIME: NUMBER OF PAGES: 3

(Including cover sheet)

MESSAGE:

IF THERE ARE ANY PROBLEMS WITH THIS FAX TRANSMISSION, PLEASE CALL (907) 424-3777.
THANK YOU.

DEC-08-96 THU 11:02 AM BUGABOO

12/08/96 THU 16:27 FAX 208 622 6714

CITIFOR

NOV 14 01:47 PM '96

Tatitlek - Sound Timber/HFPJV Agreement
Page 2 of 2

SOUND TIMBER CORPORATION

DATED: Dec 5, 1996

By Robert E. Rasil
In Vice President

**SEWARD FOREST PRODUCTS
JOINT VENTURE**

CITIGREEN, INC.

DATED: Dec 5, 1996

By Robert E. Rasil
In Authorized Representative

**SEWARD FOREST PRODUCTS JV
YOUNG AND MORGAN NORTH, INC.**

DATED: Dec 6, 1996

By James D. Morgan
In President

THE TATITLEK CORPORATION

DATED: Dec 6, 1996

By Carroll Kumpkoff
In President

- Enclosures: (1) Map, Tatitlek Lands Subject to the Sound Timber Corporation/Seward Forest Products Joint Venture Contracts and Mining Claim;
(2) Letter from Alaska Mental Health Trust Land Office to Sound Timber, Inc., dated November 6, 1996;
(3) Memorandum of Agreement between The Tatitlek Corporation, Sound Timber Corporation/HFPJV, dated December 1996.

cc: Carroll Kumpkoff
Robert E. Rasil

PHOTOGRAPHY

LAW OFFICES
BIRCH, HORTON, BITTNER AND CHEROT
1155 Connecticut Avenue, N.W., Suite #1200
Washington, D.C. 20036

Telephone: (202) 659-5800

Telecopier: (202) 659-1027

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TELECOPY TRANSMITTAL COVER SHEET

TO: Molly McCammon\Craig Tillery FAX NO.: (907) 586-7249

FROM: Roy Jones NO. OF PAGES: 2
(including this page)

DATE: December 6, 1996

REMARKS: You should have received directly from Carroll Kompkoff within the past hour the signature sheet (copy attached) on the Tatitlek-Sound Timber-Seward Forest Products Joint Venture Agreement with all parties having signed. The agreement supports and facilitates the offer from Tatitlek of October 15, 1996 in response to the Council's August 29, 1996 Resolution.

Once the originals have been signed, we will forward more legible, non-faxed versions to you.

Clare Doig and I will be standing by this afternoon should we be needed to discuss any aspect of the agreement or the Tatitlek package, etc. [Roy Jones-(202) 862-8365; Clare Doig- (907) 346-4021 or cell phone (907) 227-2193].

Thank you (and the rest of the Council) for your continuing commitment to and understanding regarding efforts by Tatitlek to reach a written agreement with the other parties to this timber Agreement.

THE TATITLEK CORPORATION

P.O. Box 650, Cordova, Alaska 99574 • Phone (907) 424-3777

December 5, 1996

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

Dear Ms. McCammon:

This letter is supplementary to my letter to you dated October 15, 1996, regarding the offer from the Board of Directors of The Tatitlek Corporation to the EXXON VALDEZ Oil Spill Trustee Council to sell certain lands and interests in lands as part of fish and wildlife habitat conservation and restoration on Corporation lands.

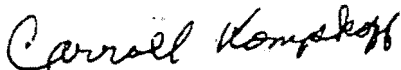
Enclosed for your information is a copy of the Agreement between The Tatitlek Corporation and Sound Timber Corporation/Seward Forest Products Joint Venture (SFPJV) regarding the acquisition of Sound Timber/SFPJV's timber and other rights on or adjacent to Tatitlek lands.

Although this has been a somewhat difficult agreement to work out, we are pleased that it has now been achieved. We hope that it will clear the way to proceed expeditiously through the other steps we all must take to bring the habitat package to our Shareholders for their consideration in the early part of 1997.

We appreciate your patience, good will and support in advancing this conservation restoration effort.

Sincerely,

THE TATITLEK CORPORATION



Carroll Kompkoff,
President

REF 96-129
CK/pkm

- Enclosures:
- (1) Letter to Molly McCammon from Carroll Kompkoff, dated October 15, 1996
 - (2) Agreement Between The Tatitlek Corporation and Sound Timber/SFPJV Regarding Sound Timber/SFPJV Timber and Other Rights on or Adjacent to Tatitlek Lands

THE TATITLEK CORPORATION

P.O. Box 650, Cordova, Alaska 99574 • Phone (907) 424-3777

COPY

October 15, 1996

Via Facsimile & U.S. Mail

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

Dear Ms. McCammon:

The purpose of this letter is to provide the EXXON VALDEZ Oil Spill (EVOS) Trustee Council with the formal response of and offer from the Board of Directors of The Tatitlek Corporation (Tatitlek) to the Council's Resolution of August 29, 1996, regarding the conservation of fish and wildlife habitat on lands owned by our Alaska Native Village Corporation.

As you know, for over two years, Tatitlek has worked with the Council and its staff to develop and negotiate a fish and wildlife habitat conservation package dealing with certain of the lands and interests in lands owned by this Corporation. Throughout most of this period, the responsibility for securing a companion agreement with Citifor/Seward Forest Products (SFP), the owner of certain timber harvest and other rights on a limited portion of our lands, resided with the Council. However, in recent months, the Council requested that our Corporation act as the intermediary for the purchase of those harvest rights, and, subsequently, for negotiating and securing a purchase agreement with Citifor/SFP. In the interest of advancing the overall negotiations and of reaching a comprehensive agreement with the Council, we have sought to do that.

Following the somewhat rapid-paced negotiations with the Trustee Council and Citifor/SFP immediately preceding the August 29 Trustee Council meeting, we learned from Citifor/SFP that it misunderstood part of the agreement that relates to a portion of their timber rights which were to be included in the overall Tatitlek agreement. Additionally, Council representatives expressed an interest in removing some or all of the contingencies of the transaction with Citifor/SFP. As a result, our representatives negotiated further with Citifor/SFP in an effort to secure a formal agreement that would obtain for subsequent conveyance to the Trustee Council all timber and other interests owned by Citifor/SFP on Tatitlek lands and remove some or all of the contingencies.

Ms. Molly McCammon
October 15, 1996
Page 2

In spite of our efforts to reduce or remove these contingencies, Citifor/SFP indicated that it will not agree to remove any of them at this time. We have, therefore, sought to secure an agreement with Citifor/SFP to acquire all of their timber and other rights on Tatitlek lands as requested by the Council but contingent on Tatitlek reaching agreement with the Trustee Council on overall value and, as required by Citifor/SFP, the completion of a "best interest" finding by the State Mental Health Trust with a companion timber purchase agreement between Citifor/SFP and the Trust at Cape Yakataga.

To facilitate the successful completion of an overall habitat conservation agreement with the Trustee Council, Tatitlek includes in this offer:

- (1) the lands and interest in lands owned by Tatitlek which were the subject of the August 29 Resolution;
- (2) all timber and other rights (mining claim) owned by Citifor on Tatitlek lands (subject to the contingency involving the State Mental Health Trust timber being sold to Citifor/SFP);
- (3) a timber-only conservation easement on the Sunny Bay parcel; and
- (4) a moratorium on timber harvesting on any Tatitlek lands by Citifor/SFP until May 1, 1997, for a total of \$33.8 million.

Tatitlek is offering the additional timber-only conservation easement at Sunny Bay (which, based on the Council's own appraisal, represents substantial value) in the spirit of fair play and as a good faith effort on its part to finalize an agreement with Citifor/SFP and assist the achievement of a comprehensive habitat conservation agreement with the Trustee Council on Tatitlek lands.

The Tatitlek Corporation supports and will assist Citifor and the State Mental Health Trust in reaching an agreement on a timber contract on Trust lands designated for that purpose. However, if, for whatever reason, Citifor and the State Mental Health Trust are unable to achieve a timely agreement which will result in the movement of Citifor to a Trust designated timber harvest area, the consequent conservation of Citifor/SFP timber on Tatitlek lands, and allow for an expeditious closing on the habitat package, Tatitlek will consider presenting to the Council an alternative offer. That offer would include all of the lands and interests in lands owned by Tatitlek in the habitat package above which was the principal subject of our negotiations with the Council for the past two years, but would not include the Citifor/SFP timber rights and mining claim on/or adjacent to Tatitlek lands.

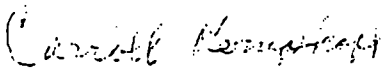
Ms. Molly McCammon
October 15, 1996
Page 3

The Tatitlek Corporation genuinely appreciates the effort and consideration that the Trustee Council is committing to achieving the successful completion of this habitat conservation effort involving our Corporation's lands. We are making this offer in an effort to finalize an agreement involving all of the parties which will achieve the mutual goals of - restoring injured resources; conserving fish and wildlife habitat, cultural and other natural resources on the lands in perpetuity; providing for substantial public access for recreational activities; and facilitating economic development within our region. An additional important goal for us as well is to achieve an agreement which has a good chance of being approved by our Corporation's Shareholders.

With this in mind, I hope that our offer will be approved by the Trustee Council and look forward to working with you, the Council and its other representatives in the days ahead to complete the purchase agreement and related documents to allow for moving to closing as soon as possible.

Sincerely,

THE TATITLEK CORPORATION


Carroll Kompkoff,
President

REF 96-107
CK/pkm

**Agreement Between The Tatitlek Corporation And
Sound Timber/SFPJV Regarding Sound Timber/SFPJV Timber
and Other Rights On Or Adjacent to Tatitlek Lands**

December 1996

1. **OVERVIEW:** This Agreement between The Tatitlek Corporation ("Tatitlek") and Sound Timber Corporation ("Sound Timber"), an Alaskan corporation, and Seward Forest Products Joint Venture ("SFPJV") (collectively "the Sellers"), is intended to provide for the reacquisition by Tatitlek and subsequent sale to the Exxon Valdez Oil Spill ("EVOS") Trustee Council or its designee of all timber and other rights owned by the Sellers on lands owned by Tatitlek and of fee simple title to Sound Timber's mining claim at Irish Cove. This Agreement is conditioned upon (a) approval by the shareholders of The Tatitlek Corporation of the sale to the Trustee Council of the lands and interests in lands in the Tatitlek Fish and Wildlife Habitat Conservation Agreement ("Tatitlek Habitat Agreement") with the Council, and (b) implementation of the Trustee Council's Resolution of August 29, 1996, and any supplementary resolutions which may be necessary to reach final agreement between Tatitlek and the Trustee Council on Tatitlek lands acquisition. The general elements of this Agreement are as follows:

a. As consideration for the acquisition of all timber and other rights held by the Sellers on the Tatitlek lands, including, but not limited to, the lands covered under (1) the Landlocked Bay - Fish Bay - Whalen Bay Timber Sale Contract, dated February 5, 1988, which includes Bidarka Point, Whalen Bay, Fish Bay, and Landlocked Bay; and (2) the mining claim (M.S. 1584) owned by Sound Timber Corporation, within the area generally covered by the Two Moon Bay Timber Sale Agreement (The Tatitlek Corporation and Ocean Green Alaska Corporation Amended and Restated Timber Sale Agreement, dated December 22, 1988), and for the other promises and covenants contained herein and subject to the contingency in Paragraph 1e, Tatitlek will pay SFPJV Five Million Nine Hundred Thousand & 00/100 Dollars (\$5,900,000.00) in two payments and will pay to Sound Timber Corporation Forty-Six Thousand & 00/100 Dollars (\$46,000.00). In addition, as part of this Agreement, Sound Timber agrees that, upon the satisfaction of the contingency in Paragraph 1e, it will relinquish and convey free and clear of all encumbrances and at no cost to Tatitlek, all timber and other rights that it holds on Tatitlek lands pursuant to the aforementioned Two Moon Bay Timber Sale Agreement and The Tatitlek Corporation Four Section Timber Sale Agreement, dated April 9, 1992, which provided for the sale of timber to Citigreen, Inc. and which was guaranteed by Citifor, Inc.

b. The first payment to the Sellers shall be \$3,000,000.00 to be paid within three (3) working days after the closing on the overall Tatitlek Habitat Agreement (including the Sellers' timber and other interests) with the EVOS Trustee Council and receipt of such payment by Tatitlek, if such closing includes both Tatitlek's lands and interests in land and the Sellers' timber and other interests. Otherwise, the first payment for the Sellers will be scheduled for a mutually agreeable date after satisfaction or removal of the contingency below in Paragraph 1e.

Tatitlek - Sound Timber/SFPJV Agreement

December 1996

Page 2 of 9

c. The second payment shall be \$2,946,000.00, plus interest, to be paid within three (3) working days after the second payment to Tatitlek on the overall Tatitlek Habitat Agreement (including the Sellers' timber and other interests) from the EVOS Trustee Council. The second payment is expected to be received on or about October 1, 1997, and shall include interest accruing from the time of the closing.

d. The interest rate for the period between the first closing (and first payment of \$3,000,000.00 dollars to the Sellers) and the second payment of (\$2,946,000.00 on or about October 1, 1997) shall be that set by the EVOS Trustee Council for the acquisition of the overall Tatitlek Habitat Agreement. Currently that rate is 5.17% annually.

e. It is agreed by the parties that (1) the sale of the Sound Timber and SFPJV timber and other interests and (2) the relinquishment and conveyance of all timber rights under the Two Moon Bay Timber Sale Agreement and the Four Section Timber Sale Agreement, and (3) the conveyance of the mining claims to Tatitlek as provided in Paragraph 1a and the closings and payments to the Sellers provided for in Paragraphs b, c, and d, are contingent upon the signing of a timber sale contract between the Alaska Mental Health Trust (AMHT) Land Office and Sound Timber, for the type of contract and timber volumes described in the following text of the letter (Enclosure 2) from the Executive Director of Mental Health Trust Land Office to Sound Timber Corporation, dated November 6, 1996:

As stated in my October 24, 1996 memo to Molly McCammon, the Trust Land Office is prepared to move forward with actions necessary to complete a negotiated timber sale of Trust Timber at Icy Cape to Sound Timber. I have informed the Alaska Mental Health Trust Authority that the sale will be for approximately fifty (50) million board feet, subject to completion of a Trust best interest determination.

In order to clarify the size of the sale, the Trust Land Office, can represent that it will offer a sale that is agreed to at the time of the offer, by Sound Timber and the Trust Land Office, to contain at least 50 million board feet of timber. However, the Trust Land Office cannot guarantee exactly 50 million board feet because developments after the time of the offer that are beyond the control of the Trust Land Office may enlarge or reduce the volume figure somewhat.

Tatitlek and Sound Timber agree that they will, in good faith, cooperate with the AMHT and will actively support and devote their best efforts to achieving such a contract between the AMHT and Sound Timber for the sale of timber.

Tatitlek - Sound Timber/SFPJV Agreement
December 1996
Page 3 of 9

f. In order to clarify the various entities which have been involved with the timber sale contracts and the mining claim which are the subject of this Agreement, Sound Timber Corporation, SFPJV and Citigreen, Inc. represent the following:

(1) Seward Forest Products JV is a joint venture that was originally formed by Chugach Alaska Corporation, Citigreen, Inc., and Young and Morgan North, Inc. Chugach Alaska Corporation has withdrawn from the joint venture, and the remaining partners are Citigreen, Inc., and Young and Morgan North, Inc. The Seward Forest Products JV is the holder of the Landlocked Bay - Fish Bay - Whalen Bay (and Bidarka Point) Timber Sale Contract.

(2) Sound Timber Corporation is an Alaska corporation (and subsidiary of Citifor, Inc.) which has received an assignment on May 11, 1994, of the Amended and Restated Timber Sale Agreement, dated December 22, 1988, for timber at Two Moon Bay from Citigreen, Inc., which is also an Alaska corporation, on October 6, 1990.

(3) Sound Timber Corporation, is the owner in fee simple of the mining claim M.S. 1584 at Irish Cove as of November 22, 1996.

(4) Sound Timber Corporation, received an assignment of the Four Sections Timber Sale Agreement from Citigreen, Inc. on May 11, 1994.

(5) Hanping Yu is the President of Sound Timber Corporation, and is also the President of Citigreen, Inc. Robert E. Rice is the Vice President of Sound Timber Corporation, and is also the Vice President of Citigreen, Inc. Either of these gentlemen is authorized to sign contracts on behalf of Sound Timber Corporation, or Citigreen, Inc.

(6) That "Sound Timber Corporation" is one and the same corporation as "Sound Timber, Inc."

2. WHALEN BAY/BIDARKA POINT/FISH BAY/LANDLOCKED BAY:

a. Following the removal or satisfaction of the contingency identified in Paragraph 1e above, transfer to Tatitlek of timber rights owned by the Sellers at Whalen Bay, Bidarka Point, Fish Bay and Landlocked Bay will be proportional to the payments made by Tatitlek, and the timber remaining at Bidarka Point, Whalen Bay, Fish Bay and Landlocked Bay after the first closing on the Sellers' timber and other interests on Tatitlek lands shall remain as security until the timber and other interests are paid for in full at the second closing. The proportional timber and other rights associated with those parcels shall be conveyed to

Tatitlek - Sound Timber/SFPJV Agreement
December 1996
Page 4 of 9

Tatitlek, and, in turn, to the Trustee Council, at the first and second closings on the Sellers' timber and other interests.

b. The Sellers agree to cease the 1996 season falling and bucking of timber (however, it may continue yarding, hauling, sorting, transferring to ship) as of the date of this Agreement at Fish Bay and Landlocked Bay.

3. TWO MOON BAY:

a. Sound Timber agrees to cease the 1996 season falling and bucking of timber (however, it may continue yarding, hauling, sorting, transferring to ship) as of the date of this Agreement, on the Two Moon Bay, Hell's Hole and Port Fidalgo parcels.

b. At such time that Sound Timber signs a timber sale contract at Icy Bay discussed in Paragraph 1e above, it agrees to then relinquish all remaining timber contract rights as provided in Paragraph 8b on Tatitlek lands to Tatitlek for further conveyance to the EVOS Trustee Council or its designee. Such rights include the right of first refusal it holds on the Hell's Hole parcel (Sections 13, 14, 24, 27) and on Sections 20 and 29 on the Two Moon Bay parcel.

4. **MINING CLAIM:** Subject to the removal or satisfaction of the contingency in Paragraph 1e, the mining claim near Irish Cove owned by Sound Timber shall be conveyed to Tatitlek for further conveyance to the EVOS Trustee Council or its designee. Sound Timber has determined that \$46,000.00 of the entire purchase price of \$5,946,000.00 will be allocated to the purchase of this claim and any timber it contains.

5. **LOGGING CAMP SITE:** The Tatitlek Corporation agrees to lease to Sound Timber, at no charge, the Two Moon Bay Campsite property (including the Solid Waste Disposal site, log sortyard and connecting roads) under the following terms and conditions:

a. That, prior to the second closing on the Sellers' timber and other interests, Sound Timber will conduct all closeout, cleanup and remediation work required under the timber sale contract and applicable State and Federal law on those lands being transferred to the EVOS Trustee Council or its designee. Final closeout, cleanup, and remediation, if required, in the leased area of the campsite will be accomplished prior to the termination or expiration of the lease agreement or timber purchase agreement, whichever first occurs.

Tatitlek - Sound Timber/SFPJV Agreement
December 1996
Page 5 of 9

b. The term of the lease will commence on the date of the first closing on the Sellers' timber and other rights on lands owned by Tatitlek and will terminate on December 31, 1998.

c. Sound Timber will post a \$75,000 standard form performance bond acceptable to Tatitlek 10 days prior to the first closing on the Sellers' timber and other interests to help ensure the complete removal and rehabilitation of the campsite in accordance with Sound Timber's timber sale contract obligations at Two Moon Bay.

d. If, at the end of the Sound Timber lease term in Paragraph 5b, Tatitlek has not entered into a lease with a new-tenant as provided for below in Paragraph 5c, Sound Timber will, at its expense, remove the camp and rehabilitate the site as provided in the timber harvest contract under which Sound Timber is harvesting on lands owned by Tatitlek.

e. During the term of the lease, Sound Timber will use its best efforts to locate a tenant who will purchase the improvements at the logging camp site from Sound Timber, lease the site from Tatitlek and agree to assume the responsibilities of Sound Timber under the timber sale contract with Tatitlek. Whether to lease to any particular tenant and if so, under what terms and conditions, resides solely with Tatitlek. Any tenant must agree to be responsible for removing the camp and rehabilitating the site at the end of any lease with Tatitlek. Bonding requirements relating to this responsibility and others under such a lease, requirements concerning shareholder hire, and other features of the lease will be negotiated between Tatitlek and the proposed tenant.

f. If a tenant acceptable to Tatitlek is located and a lease with terms acceptable to Tatitlek is executed between Tatitlek and said tenant prior to December 31, 1998, Sound Timber will be released from its obligation to remove the camp and rehabilitate the campsite at that time.

g. Except as expressly provided herein in Paragraph 5, nothing in this Agreement shall modify the obligations, responsibilities and rights of Sound Timber, including the first refusal rights on Section 13, 14, 24, 27, at Hells Hole and Sections 20 and 29 at Two Moon Bay under the timber harvest contract with Tatitlek.

6. TIMBER HARVEST MORATORIUM: The Sellers agree to refrain from all timber harvest operations, on all lands owned by Tatitlek on which the Sellers hold timber harvest rights, from the date of this Agreement until May 1, 1997. If, on May 1, 1997, a timber sale contract with the Mental Health Trust has not been executed, but Sound Timber, in its discretion, believes that such a contract is likely to be signed within the near future, it may

Tattilek - Sound Timber/SFPJV Agreement
December 1996
Page 6 of 9

elect to extend the logging moratorium for an additional month to June 1, 1997. On June 1, 1997, and on the first day of each succeeding month, Sound Timber may, with the concurrence of Tattilek, elect to extend the logging moratorium for an additional month if it believes that a timber sale agreement with the AMHT is likely to be achieved and a contract signed.

7. ENVIRONMENTAL ASSESSMENT/REMEDATION: Thirty days prior to the first closing on the Sellers' timber and other interests, the Sellers agree to certify to Tattilek that, to the best of their knowledge and belief, the Sellers have not placed, stored, spilled, dumped or released, nor have they allowed any other person or entity during the terms of the timber sale agreements, to place, store, spill, dump or release any Hazardous Substance or petroleum, including crude oil or any fraction thereof that is not otherwise considered a Hazardous Substance nor, except as disclosed to Tattilek, has any third party ever placed, stored, spilled, dumped or released any Hazardous Substance, or petroleum, including crude oil or any fraction thereof that is not otherwise considered a Hazardous Substance, on lands which are owned by Tattilek during the time the lands were subject to a timber harvest contract with the Sellers or their predecessors in interest and which are to be sold in fee or to be subject to a conservation easement sold to the State of Alaska or the United States as part of the EVOS Trustee Council's Habitat Acquisition Resolution covering Tattilek lands. Sound Timber agrees to perform grass seeding or other revegetation of sort yards and other large areas of exposed soil adjacent to surface waters and to otherwise comply with the State of Alaska Forest Practices Act and regulations applicable to the closeout of timber harvest operations, as well as its obligations and responsibilities under its timber sale contract with Tattilek.

8. MISCELLANEOUS:

a. At any time after January 1, 1997, with the agreement of the Trustee Council, Tattilek may:

(1) Proceed to closing on the complete habitat conservation package authorized by the Trustee Council's Resolution of August 29, 1996 [and any associated subsequent resolution(s)] and provide for a separate, later closing on the Sellers' timber and other interests; or

(2) After consulting with Sound Timber and AMHT and determining that an agreement between Sound Timber and AMHT is not likely to be achieved, seek, concurrently with fulfilling its responsibilities under Paragraphs c and d, a separate

Tatitlek - Sound Timber/SFPJV Agreement
December 1996
Page 7 of 9

transaction with the Trustee Council without the Sellers' interests. In such case Tatitlek agrees to implement the terms and conditions of this Agreement if Sound Timber subsequently concludes a timber sale agreement with AMHT no later than December 1, 1997.

b. The parties agree that within 30 days after the signing of a negotiated timber sale contract between the AMHT and Sound Timber for the volume of timber set forth in Paragraph 1e, the Sellers will complete the sale of all of their timber and other rights on lands owned by Tatitlek and the mining claim at Irish Cove to Tatitlek, subject to the terms and conditions of this Agreement, for the sale price of \$5,946,000, irrespective of any legal, injunctive, or other actions by individuals or organizations subsequent to the signing.

c. If the Sellers and the AMHT determine at any time that it is not likely that they will be able to enter into a timber sale contract as referenced in Paragraph 1e, or if they have not signed such a contract prior to May 1, 1997, the parties to this Agreement agree as follows:

(1) that they will, in good faith, seek to negotiate an incremental increase in the purchase price set in Paragraph 1a to remove the contingency in Paragraph 1e and conclude the sale of all the Sellers' timber and other interests to Tatitlek; and

(2) that Tatitlek will seek to obtain a Resolution from the EVOS Trustee Council providing such agreed upon incremental increase and to provide for the completion of the sale to the Trustee Council of all lands and interests in lands provided for in the August 29, 1996, Resolution of the Trustee Council (and any associated subsequent resolution(s).

d. In the event that (a) the parties to this Agreement are unable to negotiate an incremental increase in the purchase price set in Paragraph 1a to remove the contingency in Paragraph 1e, or (b) Tatitlek is unable to obtain a Resolution from the EVOS Trustee Council providing such agreed upon incremental increase, and (c) Tatitlek and the EVOS Trustee Council agree upon a sale of land and interests in land which does not include timber owned by the Sellers, and if such sale includes the right of first refusal timber on Sections 13, 14, 24, 27, 20, and 29 at Hells Hole and Two Moon Bay, then it is agreed that, for purposes of the right of first refusal under Section 27.00 and 27.01 of the Amended and Restated Timber Sale Agreement regarding Two Moon Bay, the proposed transaction between Tatitlek and the EVOS Trustee Council shall be deemed to be a determination by Tatitlek to sell (on such terms as it may determine as provided in Section 27.01) the first refusal timber for \$2,800,000.

Tatitlek - Sound Timber/SFPJV Agreement
December 1996
Page 8 of 9

9. **EXPIRATION OF AGREEMENT:** This Agreement will expire on December 1, 1997, unless it is extended in writing by the undersigned parties to this Agreement.

10. **GOVERNING LAW:** This Agreement and any related disputes shall be governed by and construed in accordance with the laws of the State of Alaska. The parties agree that jurisdiction and venue for actions to construe or enforce this Agreement will be in Superior Court, State of Alaska, 3rd Judicial District of Anchorage, Alaska.

11. **ENTIRE AGREEMENT:** This Agreement constitutes the entire agreement between the parties. No representations, warranties or promises pertaining to this Agreement on the lands and interests which are the subject hereof, have been made, nor shall any be binding upon the parties, except as expressly provided for in this Agreement. This Agreement may not be changed, revoked, amended or supplemented orally, and may be so changed, revoked, amended, or supplemented only in writing signed by all parties.

12. **AUTHORITY:** Each signatory to this Agreement represents that the signatory is authorized to execute this Agreement.

SOUND TIMBER CORPORATION

DATED: _____, 1996

By _____
Its _____

**SEWARD FOREST PRODUCTS
JOINT VENTURE**

CITIGREEN, INC.

DATED: _____, 1996

By _____
Its _____

YOUNG AND MORGAN NORTH, INC.

DATED: _____, 1996

By _____
Its _____

Tatitlek - Sound Timber/SFPJV Agreement
Page 9 of 9

SOUND TIMBER CORPORATION

DATED: Dec 5, 1996

By Robert E. Rice
Its Vice President

**SEWARD FOREST PRODUCTS
JOINT VENTURE**

CITIGREEN, INC.

DATED: Dec 5, 1996

By Robert E. Rice
Its Authorized Representative

**SEWARD FOREST PRODUCTS JV
YOUNG AND MORGAN NORTH, INC.**

DATED: _____, 1996

By _____
Its _____

THE TATITLEK CORPORATION

DATED: _____, 1996

By Carroll Kompkoff
Its President

- Enclosures: (1) Map, Tatitlek Lands Subject to the Sound Timber Corporation/Seward Forest Products Joint Venture Contracts and Mining Claim;
(2) Letter from Alaska Mental Health Trust Land Office to Sound Timber, Inc., dated November 6, 1996;
(3) Memorandum of Agreement between The Tatitlek Corporation, Sound Timber Corporation/SFPJV, dated December 1996.

cc: Carroll Kompkoff
Robert E. Rice

RS0242116YCD196

Tatitlek - Sound Timber/SFPJV Agreement
December 1996
Page 9 of 9

THE TATITLEK CORPORATION

DATED: 12-5, 1996

By Carroll Kompkoff
Its president

Enclosures: (1) Map, Tatitlek Lands Subject to the Sound Timber Corporation/Seward Forest Products Joint Venture Contracts and Mining Claim;
(2) Letter from Alaska Mental Health Trust Land Office to Sound Timber, Inc., dated November 6, 1996;
(3) Memorandum of Agreement between The Tatitlek Corporation, Sound Timber Corporation/SFPJV, dated December 1996.

cc: Carroll Kompkoff
Robert E. Rice

ENCLOSURE

16:03 NO.007 P.16
BU/ 424 3/13/11/13

Dec. 05 96
BIRCH, HORTON/D.C.

TEL: 907-424-3773
: 12-5-96 : 18:21

TAT. CORP.
SENT BY: BIRCH HORTON/DC

Enclosure (1)

Map of The Tetrick Corporation Lands subject to
Sound Timber/SFP timber contracts, and mining claim.



Two Moon Bay Timber Sale Area



Bidarka Point, Landlocked Bay,
Fish Bay, Whalen Bay Timber
Sale Area



"First Refusal Sale Area"
(Sections 13, 14, 24, 27 and 28 & 29)



Irish Cove Mining Claim

Scale: one inch equals four miles
North: Top of page

NOTE: This map generally depicts the timber sale areas,
for details see the specific contracts.



TONY KNOWLES, GOVERNOR

DEPARTMENT OF NATURAL RESOURCES

MENTAL HEALTH TRUST LAND OFFICE

2601 C STREET, SUITE 800
ANCHORAGE, AK 99503-5015
PHONE: (907) 263-8861

November 6, 1996

Mr. Bob Rice, Vice President
Sound Timber Inc.
7272 Columbia Center
701 Fifth Avenue
Seattle, WA 98104-7090

RE: Icy Cape Negotiated Timber Sale

Dear Mr. Rice:

As stated in my October 24, 1996 memo to Molly McCommon, the Trust Land Office is prepared to move forward with actions necessary to complete a negotiated timber sale of Trust timber at Icy Cape with Sound Timber Inc. I have informed the Alaska Mental Health Trust Authority that the sale will be for approximately fifty (50) million board feet, subject to completion of a Trust best interest determination.

In order to clarify the size of the sale, the Trust Land Office can represent that it will offer a sale that is agreed to at the time of the offer, by both Sound Timber Inc. and the Trust Land Office, to contain at least 50 million board feet of timber. However, the Trust Land Office cannot guarantee exactly 50 million board feet because developments after the time of the offer that are beyond the control of the Trust Land Office may enlarge or reduce the volume figures somewhat.

Sincerely,


for Stephen C. Planchon
Executive Director

cc: Jeff Jesse, Tom Hawkins, John Pugh, Marty Rutherford

RESOLUTION OF THE
EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL

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

1. The Tatitlek Corporation ("Tatitlek"), an Alaska Native Village Corporation, either owns or is entitled to receive title to the surface estate of certain lands and has expressed a willingness to sell land or interests in lands located in central Prince William Sound, consisting of approximately 66,600 acres. These lands were selected and conveyed, or are to be conveyed, pursuant to the Alaska Native Claims Settlement Act ("ANCSA"). The subsurface rights associated with these lands are held by Chugach Alaska Corporation. By resolution dated August 29, 1996 the Trustee Council agreed to purchase various interests in the 66,600 acres for a total of \$33,000,000 if such an offer was made by Tatitlek. On October 15, 1996, Tatitlek made an offer to convey to the Trustee Council the lands and interest in lands described in the resolution dated August 29, 1996 as well as the following interests in land:

- (a) a timber-only conservation easement on the Sunny Bay parcel; and
- (b) a moratorium on timber harvesting on any Tatitlek lands by
Citifor/SFP until May 1, 1997;

for a total of \$33,800,000.

2. The timber-only conservation easement on approximately 2445 acres of land at Sunny Bay to the United States or the State of Alaska is offered as part of the Trustee Council's program for restoration of the natural resources and services that were injured or reduced as a result of the *Exxon Valdez* Oil Spill ("EVOS"). The land is specifically described in Exhibit A ("Lands");

3. The Lands are within the oil spill area as defined by the Trustee Council in the Final Restoration Plan;

4. The Lands include important habitat for various species of fish and wildlife for which significant injury resulting from the spill has been documented. Harlequin ducks, bald eagles, black oystercatchers, marbled murrelets, pigeon guillemots -- all species that suffered injury from the oil spill -- utilize these parcels (depending on the species), for feeding, nesting, loafing, molting, and wintering. Harbor seal haul outs are located along the shoreline nearby and important intertidal and subtidal biota are found in substantial quantity along the shoreline. The Lands provide concentration areas for feeding and shelter for river otters and include important feeding and pupping habitat for sea otters. Pink and chum salmon streams are located on the lands. The Lands in general have historically supported high value, wilderness-based subsistence food gathering and recreation uses including hunting, boating and fishing. The area has high scenic values and cultural resources;

5. Existing laws and regulations, including but not limited to the Alaska Forest Practices Act, the Anadromous Fish Protection Act, the Clean Water Act, the Alaska Coastal Management Act, the Bald Eagle Protection Act, and the Marine Mammal Protection Act, are

intended, under normal circumstances, to protect resources from serious adverse effects from logging and other developmental activities on private land. However, restoration, replacement, and enhancement of natural resources, and acquisition of equivalent resources and services injured, lost or reduced as a result of the EVOS present a unique situation. Without passing judgment on the adequacy or inadequacy of existing law and regulations to protect resources, biologists, other scientists, and other resource specialists agree that, in their best professional judgment, protection of habitat in the spill-affected area to levels above and beyond those provided by existing law and regulations will have a beneficial effect on recovery of injured resources and lost or diminished services provided by these resources;

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

7. The purchase of a timber-only conservation easement in the Lands offered by Tatitlek is an appropriate means to restore a portion of the injured resources and reduced services in the oil spill area. The acquisition enhances the larger Tatitlek acquisition contemplated in the August 29, 1996 resolution. Acquisition of the timber only conservation easement in the Lands is consistent with the Restoration Plan and Final Environmental Impact Statement;

8. A resolution was passed by the Trustee Council on December 2, 1994 authorizing funding for an offer to purchase a combination of fee simple and conservation easement interests in certain lands, including the Lands, owned by Tatitlek;

9. An appraisal approved by the lead federal review appraiser and completed for the Trustee Council estimated that the fair market value of timber on the Lands is \$1,940,000;

10. Tatitlek has offered to sell a timber-only conservation easement on the Lands and a moratorium on timber harvesting on any Tatitlek lands by Citifor/SFP until May 1, 1997, for \$800,000. The Trustee Council hereby resolves to provide funds as stated herein to purchase the Lands and moratorium from Tatitlek, subject to the terms and conditions stated below. This acquisition is an addition to the acquisition approved in the August 29, 1996 resolution and may proceed only if the acquisition approved in the August 29, 1996 resolution proceeds. The funds will be paid from joint trust funds at the time of the final two payments contemplated in the August 29, 1996 resolution as follows:

October 1, 1997	\$400,000
for a total payment of	\$11,005,400
October 1, 1998	\$400,000
for a total payment of	\$11,005,400

The total amount authorized to be expended is \$800,000. Given the substantial benefits for the restoration of the injured natural resources and related services to be achieved by this acquisition; the scope and pervasiveness of the EVOS; the need for protection and restoration of the Prince William Sound ecosystem in general, and this portion of the Sound; and the priority of this acquisition to other expenditures of the settlement funds for restoration activities; and the donation of interests by Tatitlek, the Trustee Council finds this negotiated price to be reasonable.

THEREFORE, we resolve to provide the funds for the United States, acting through the Forest Service, and for the State of Alaska, to acquire a timber-only conservation easement in the Lands, as described in Exhibit A, pursuant to the following conditions:

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

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

(c) completion of a satisfactory title search ensuring that Tatitlek is able to convey title in a manner that complies with the United States Department of Justice title standards and is satisfactory to the Alaska Department of Law;

(d) no timber harvest on the Lands between the date of this resolution and the time of closing;

(e) the timber-only conservation easement on the Lands will be conveyed at the time of closing for the interests to be conveyed pursuant to the August 29, 1996 resolution;

(f) the relinquishment by Tatitlek of its remaining land selections and lands prioritized for conveyance within the *Exxon Valdez* oil spill area as that area is defined by the Trustee Council and Tatitlek's agreement that it will not take title to any additional lands within said area pursuant to ANCSA except for selections in the Taznuna Valley;

(g) completion of a purchase agreement(s) and all other documents necessary for conveyance of the interests in the Lands to the United States or the State in the form and

substance satisfactory to the United States Department of Justice and the Alaska Department of Law.

By unanimous consent and upon execution of the purchase agreement(s) and written notice from the State of Alaska, the United States, and the Executive Director of the EVOS Restoration Program that the terms and conditions set forth herein and in the purchase agreement(s) have been satisfied, we request the Alaska Department of Law and the Assistant Attorney General of the Environment and Natural Resources Division of the U.S. Department of Justice to petition the District Court for withdrawal from the District Court Registry account the sum of \$400,000 for payment on October 1, 1997 and \$400,000 for payment on October 1, 1998. These amounts represent the only amounts due under this resolution to Tatitlek from the EVOS joint settlement funds in the District Court Registry and no additional amounts are herein authorized to be paid to Tatitlek from such joint funds.

Dated this ____ day of _____, 1996.

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,
Wildlife and Parks

STEVEN PENNOYER
Director, Alaska Region
National Marine Fisheries Service

FRANK RUE
Commissioner
Alaska Department of Fish
and Game

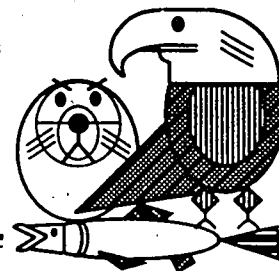
MICHELLE BROWN
Commissioner
Alaska Department of
Environmental Conservation

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



Restoration Office Tentative Meeting Schedule

January 1996

- 22 Community Involvement Facilitators (Hotel Captain Cook)
and discussion with PAG re: Archaeology
- 23-25 Annual Restoration Workshop
- 27 SEA Modeling Review
- 28-29 Ecological Modeling Workshop
- 30-31 NVP Review

February 1997

- 19 SEA Herring Review
- 20-21 APEX Review
- 24 Harlequin Duck Review

March 1997

April 1997

For more information on any of the above meetings, please contact the Anchorage Restoration Office.

*** Tentative Dates**

Update: 12/5/96 rwf

raw

Trustee Agencies

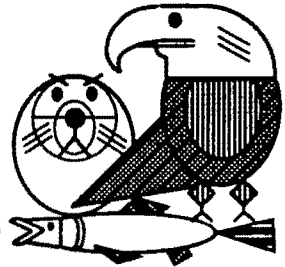
State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation
United States: National Oceanic and Atmospheric Administration, Departments of Agriculture and Interior

Exxon Valdez Oil Spill Trustee Council

Restoration Office

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

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



MEMORANDUM


TO: Michele Brown, Deputy Commissioner
Alaska Department of Environmental Conservation

Craig Tillery, Assistant Attorney General
Alaska Department of Law

Phil Janik, Regional Forester
U.S. Forest Service

Steve Pennoyer, Regional Director
National Marine Fisheries Service

Deborah Williams, Special Assistant for Alaska
U.S. Department of the Interior

FROM: 
Frank Rue, Commissioner
Alaska Department of Fish & Game

DATE: November 14, 1996

RE: Evaluation of Executive Director

The agreement between the State of Alaska and the *Exxon Valdez* Oil Spill Trustee Council regarding An Executive Director for the Trustee Council calls for "at least one annual performance evaluation meeting of the Executive Director with all Trustee Council members. This performance evaluation process will provide the basis for extending the employment and adjusting the salary of the Executive Director."

The agreement also calls for on-going supervision of the Executive Director to be carried out by one state Trustee Council member and by one federal Trustee Council member. Currently, this supervision is being carried out by the Fish and Game commissioner for the state and by the NOAA Trustee for the federal agencies.

An executive session to conduct this performance evaluation could be scheduled for the next Council meeting, December 6 in Anchorage.

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

In order to facilitate this review, I am asking that you submit to me in writing your comments about Ms. McCammon's performance by December 2, 1996. This will give Steve Pennoyer and myself the opportunity to summarize the comments and give them to Ms. McCammon for her review and response prior to our formal evaluation on December 6. In order to provide some consistency to this process, I am recommending that we use the following system as a guideline. This is identical to the process used last year.

Performance. As shown by quantity, quality, accuracy, and completeness of work; knowledge of job fundamentals; judgment shown on the job; willingness and ability to carry out new assignments; independence of performance; attitude towards job; program leadership; effectiveness; timeliness; planning abilities; organizational skills; etc.

Work Habits. As shown by: attendance; punctuality; appearance and grooming; safety.

Interpersonal Relationships. As shown by: consideration of public and co-workers; acceptance of supervision.

Supervisory. As shown by: training and directing subordinates; evaluating subordinates; planning and organizing work, including delegation; problem solving and decision-making ability; and cost effectiveness.

Overall Effectiveness on the Job. Include other performance consideration, such as strong points and areas needing improvement.

Additional Comments.

To assist in this process, I am attaching a general description of the Executive Director's duties and functions. If you have any questions about this, please don't hesitate to contact me at 465-4100. Thank you.

STATE OF ALASKA

DEPARTMENT OF FISH AND GAME


OFFICE OF THE COMMISSIONER

TONY KNOWLES, GOVERNOR

P.O. BOX 25526
JUNEAU, AK 99802-5526
PHONE: (907) 465-4100
FAX: (907) 465-2332

MEMORANDUM

TO: Molly McCammon
Executive Director
Exxon Valdez Trustee Council

FROM: Frank Rue, Commissioner 
Alaska Department of Fish and Game

DATE: December 19, 1995

SUBJECT: Evaluation of Executive Director

Performance: The trustees have unanimously agreed that your overall performance has been outstanding. You have had to make some tough decisions on the 1996 project selections in the face of reducing funding allocations and have done so in a very professional and unbiased manner. You have demonstrated a willingness to take on new assignments and become involved with the habitat protection, acquisition and appraisal issue. You provided excellent leadership in facilitating development of the 1996 Workplan in a timely manner. You have communicated well with the Trustee Council members, visiting about controversial issues, and considering the views of each Council member before public meetings. Materials prepared for the Trustee Council have always been well organized and well written.

Work Habits: Your work habits have been excellent. You have a good sense of priority setting and follow through with implementation. We are appreciative of your willingness to work nights and weekends to get the job done, if needed, which seems to be the norm for EVOS activities.

Interpersonal Relationships: You appear to have established a very good rapport with your staff. The public and external stake holders have indicated a high degree of respect and trust for you.

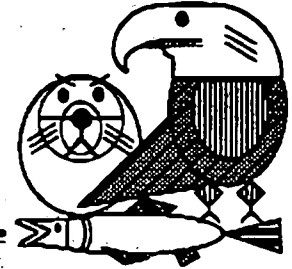
Supervisory: Our knowledge on this factor is limited, but based on limited observations, it would appear that you delegate work and hold your staff accountable. You work very hard at ensuring that the Council is presented with the information it needs to make a decision and your staff understands and is supportive of the Council's work.

Overall Effectiveness on the Job: Overall, Molly, your performance has been excellent. Without your efforts to keep the Council members informed of all oil spill activities, the cohesiveness of the Trustee Council would deteriorate. All trustees have great confidence in your knowledge and judgment.

Added Comments: For the coming year, we suggest the following items be considered for your work plan:

- Continue to explore opportunities for moving the Oil Spill Repository to a public agency for management or archiving as appropriate.
- Look for opportunities for streamlining EVOS staff and office space to reduce administrative costs.
- Explore additional agency review of some of the work products requested by the Trustee Council before release to the public. This may improve agency awareness of the issue and at the same time improve final products.
- Initiate a review of the EVOS Financial Operating Plan and make recommendation for updating if needed. There have been references that some portions of the plan need updating to reflect changes in management that have occurred.
- To follow through on long-term planning for various ways of communicating the EVOS story.
- Assertively explore and implement a scheme to improve our investment position.

cc: Trustee Council members

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 *mm*
Executive Director

DATE: November 25, 1996

RE: Executive Director Evaluation

To assist you in my evaluation at the December 6 meeting, I have prepared the following additional information. In last year's evaluation I was requested to add several projects to my list of 1996 tasks:

1. Continue to explore opportunities for moving the Oil Spill Repository to a public agency for management or archiving as appropriate.

At my direction, Carrie Holba with OSPIC has been actively participating in a collaborative effort involving federal, state, University of Alaska and Loussac Library representatives to merge a number of individual natural resource libraries into a single Coalition Library. This merger effort is being conducted with federal leadership as one of several "reinvention labs" initiated by Vice President Gore. Steady progress is being made, although more slowly than originally anticipated. It is now hoped that common space for the merged collections can soon be obtained, with library relocations anticipated in spring and summer, and full startup by next fall. Over the long term, this will result in significant cost efficiencies for the Restoration Office while also assuring a long-term repository for the valuable oil spill related collection of materials that has been accumulated through the restoration program.

2. Look for opportunities for streamlining EVOS staff and office space to reduce administrative costs.

Major reductions in both staff and administrative costs were achieved in the FY 97 budget. Notice has been given to the building owners that the first floor meeting space will be vacated on January 1, 1997. This will save us \$36,000 a year. The fourth floor conference room will be reconfigured for future Trustee Council meetings. The Juneau office has been located to smaller quarters in the federal

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

building, resulting in a savings of \$6,500 a year. The Anchorage Restoration Office staff was reduced by two full-time positions in FY 97 and the agency liaison positions were reduced to half-time. Additional savings were realized in travel, commodities and other expenses. All in all, the administrative budget was reduced from \$3.4 million in FY 96 to \$2.9 million in FY 97.

3. Explore additional agency review of some of the work products requested by the Trustee Council before release to the public. This may improve agency awareness of the issue and at the same time improve final products.

We continue to strive to ensure that all trustee agencies are aware of all Council work products and have the opportunity to review and comment before their release. This is fairly easy with products generated by the Restoration Office. It is a little more difficult when the product is generated by a trustee agency. However, we now have a system established with specific restoration office staff responsible for each of the restoration projects and major planning activities. Their job is to monitor ongoing developments with these projects, especially those that may be of interest to the public at large. We have also made sure that the Public Advisory Group has an opportunity to comment prior to Council consideration of any major actions or policies. I believe we have strengthened agency and public review.

4. Initiate a review of the EVOS Financial Operating Plan and make recommendations for updating if needed.

The Financial Operating Procedures adopted in 1992 were in serious need of updating. In addition, the Council's most recent audit identified a number of management and accounting areas for possible revision. In the review process last spring, it was discovered that the Council's own procedures were also outdated. As a result, financial and operating procedures were revised and consolidated into a single *Procedures* document, adopted by the Trustee Council on August 29. These procedures were developed in close cooperation with the Trustee agencies and are to be considered a dynamic document, with further revisions possible as the Council continues to evolve. We will be working with the Trustee agencies this year to implement these procedures.

5. To follow through on long-term planning for various ways of communicating the EVOS story.

We have paid considerable attention to this assignment in the past year, working with the Public Advisory Group to identify specific objectives for the various audiences with whom we communicate. For the general public, we continue to produce an attractive annual report and bi-monthly newsletters. In addition, we have begun a Restoration Notebook series which will be available in both hard copy and on the Council's web site. These short syntheses are intended to summarize injury, recovery and research findings for each of the major resources injured by the

spill. *Alaska Coastal Currents* is a weekly 2-minute radio program highlighting Council research and restoration activities. This program is aired on public radio stations throughout the spill area and we are working to expand the broadcast to other stations as well. We are now exploring future use of video and television.

All of the Trustee Council's past and present research is being put into a user-friendly database that will soon be available on both CD ROM and through our web site. In addition, restoration program GIS information has been consolidated into a database that will be available on CD ROM.

We have increased our efforts to encourage publication of Trustee Council-funded research in the scientific literature. Publication success, when appropriate, is considered to be an element for possible future funding. We are also attempting to be more proactive in responding to criticism from Exxon's scientists.

We are now almost a year into planning for the March 1999 ten year anniversary of the *Exxon Valdez* spill. Plans are well underway to hold a major scientific conference at that time, with an accompanying book that will synthesize the results of Council research and be published concurrently. In addition, we are planning a one day public session highlighting Council achievements. We view this as a report to the nation on the status of the spill area 10 years after the spill and anticipate extensive media coverage.

6. Assertively explore and implement a scheme to improve our investment position.

The Restoration Reserve was finally established by the Court Registry Investment System on February 15, 1996. In addition, the Department of Justice has requested a refund of CRIS fees (totaling more than \$1.5 million to date) and a waiver on future fees. Judge Holland has asked the court system for information by December 10 on the financial impact of this request on the court's budget. We have submitted a letter to the federal court system requesting the use of wire transfers in the future in order to maximize earning potential. No response has been received to date, although the Alaska Department of Revenue is also separately exploring the use of wire transfers with the court system. Interest received by the state's EVOS fund has been reviewed and at our request, an additional \$91,000 in earnings have been posted to that fund.

Since December 1995, we have also completed the Shuyak acquisition, are near to concluding one with Chenega, and have reached conceptual agreement with Tatitlek. Negotiations have started up again with Eyak Corporation, and the appraisal for Afognak Joint Venture is close to being finished. A substantial number of small parcel acquisitions have also been concluded in the past year.

On the work plan front, we have achieved our goal of \$16 million for the FY 97 work plan, and are well on our way towards reaching a \$14 million target for FY 98. We

have also begun the initial work to pull together the three major ecosystem and modeling efforts.

The tasks I have identified for the next year for this office include:

- Complete all large parcel acquisitions.
- Develop recommendations for the future of the small parcel program.
- Initiate planning for the Restoration Reserve.
- Aggressively and proactively respond to criticism of the Trustee Council's research program.
- Guide development of restoration activities for archaeology resources.
- Continue planning for the March 1999 ten year anniversary events.
- Continue public outreach efforts.

It has been a great pleasure to serve the Trustee Council this past year. I view all of the above efforts as the products of a true team effort. I am honored to be part of this team.

1997 Restoration Workshop

Draft Agenda (11/22/96)

DRAFT

Day 1, Thursday, January 23

- 8:00 am Registration
- 8:45 Introduction and Annual Report on EVOS Program, Announcements
 Molly McCammon, Executive Director
- 9:15 Trustee Perspectives
 Phil Janik (USFS), Federal Trustee
 State Trustee?
- 9:45 Break
- 10:15 Keynote Address: Natural and Social Scales in Ecosystem Management
 Dr. Kai N. Lee, Center for Environmental Studies, Williams College

Note: Following the keynote address, we begin a special session on the three ecosystem projects. Each project would be given a 2-h block of time in which to address the following topics:

- progress toward major hypotheses,*
- progress in building an ecosystem model*
- a preliminary synthesis of results (i.e., what is the emerging "big picture"), and*
- management applications, monitoring, and future work.*

It is expected that these presentations would involve a combination of project leaders and PIs and should emphasize major new results, syntheses, and future applications. What we want to avoid is a long recitation of results from each project component.

- 11:15 Introduction to Ecosystem Projects and Ecological Syntheses
 Dr. Robert Spies, Chief Scientist
- 11:30 Sound Ecosystem Assessment (SEA, /320)
 Dr. Ted Cooney and others
- 12:00 Noon Buffet Lunch (in hotel)
- 1:15 pm SEA, continued
- 2:45 Break
- 3:15-5:15 Alaska Predator Ecosystem Experiment (APEX, /163)
 Dr. David Duffy and others

6:00-8:00 Reception and Poster Session

Note: Posters will once again be arrayed around some appropriate space, which, ideally, will be adjacent to the room where the plenary sessions are held. The posters should remain up for the duration of the meeting.

Day 2, Friday, January 24

8:00 am Nearshore Vertebrate Predator Project (NVP, /025)
Dr. Leslie Bartels and others

10:00 Break

10:30 Panel: Perspectives on Ecosystem Projects and Research Needed by
Resource Managers
*Representatives of NMFS (Balsiger), ADFG, USFWS (Martin), USFS
and others?*

12:00 Noon Buffet Lunch (in hotel)

1:30 pm Panel: Building and Applying Ecological Models [title tentative]
*Dr. Andy Gunther (moderator); [following are not confirmed] Drs. S.
Pimm (UTenn), D. Pauly (UBC), V. Patrick (SEA), D. Ainley (APEX),
and M. Adkison (NVP)*

3:00 Break

Note: Following the break we begin a series of presentations on '96 project results, emphasizing projects not covered at the 1996 workshop and those that have new, especially exciting results, even if they were covered last year. There is time for 12 presentations on individual projects.

3:30-5:00 Herring Reproductive Impairment, 96074, *M. Carls*
Herring Disease, 96162, *Dr. R. Kocan*
Cutthroat Trout/Dolly Varden Life History Forms, 96145, *Dr. G. Reeves*
Chugach Region Clam Restoration, 96131 [*not confirmed*]
Port Dick Spawning Channel, 96139A2, *N. Dudiak and M. Dickson*

7:00-9:00 Brainstorming Session: Is Another Ecosystem Shift Underway?

Note: This is an informal, optional session held in one of the breakout rooms. It will be of interest primarily to APEX and SEA investigators, but is open to anyone who is interested. Ideally, some key people would be primed to offer some provocative ideas to jumpstart the discussion.

Day 3, Saturday, January 25

8:30 am Marine Bird Boat Surveys, 96159, *B. Agler & S. Kendall*
Status & Ecology of Kittlitz's Murrelet, 96142, *Dr. R. Day*
Harlequin Duck Genetics, 96161, *B. Goatcher & K. Scribner*
Harbor Seal Fatty Acids, 96064, *K. Frost*
Killer Whale Contaminants & Genetics, 96012, *C. Matkin & E. Saulitis*

10:00 Break

10:30 PWS Youth Area Watch, 96210 [*not confirmed*]
Archaeological Site Stewardship, 96149, *D. Reger*

11:10 Reactions from Peer Reviewers
Drs. Spies, Peterson, Haney, Rose, Wheeler, and Mundy

12:10 pm Closing Remarks (for the technical workshop)
Molly McCammon, Executive Director

12:15 Lunch (on your own)

Note: As an experiment, we will try an afternoon session aimed specifically at general public audiences. The details are still developing, but this session will include presentations on the restoration program, the status of injured resources and services, an ecosystem approach to restoration, "scientists at work," and the Alaska SeaLife Center.

2:10 Restoration Program Overview and Injury & Recovery Update
Molly McCammon, Executive Director
Stan Senner, Science Coordinator

2:40 An Ecosystem Approach to Restoration
Dr. Robert Spies, Chief Scientist

2:50 Scientists at Work: How We Do It? Why We Do It? and What Do We
Learn?
a series of short presentations by project PIs and staff

3:30 Alaska SeaLife Center
John Hendricks, Executive Director

3:45 Panel: Questions and Answers
*Molly McCammon, Robert Spies, Stan Senner, Martha Vlasoff, and other
presenters*

4:30

Adjourn

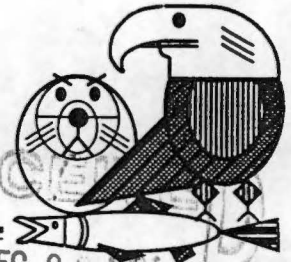
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Exxon Valdez Oil Spill Trustee Council

Restoration Office

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

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



DEC 09 1996

DRAFT

AGENDA
EXXON VALDEZ OIL SPILL SETTLEMENT
TRUSTEE COUNCIL MEETING
DECEMBER 6, 1996 @ 10 A.M.

709 WEST 9TH STREET, ROOM 445C, JUNEAU

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL
ADMINISTRATIVE RECORD

12/6/96

9:39 am

DRAFT

Trustee Council Members:

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

MICHELE BROWN
Commissioner
Alaska Department of Environmental
Conservation

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

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

STEVE PENNOYER
Director, Alaska Region
National Marine Fisheries Service

FRANK RUE
Commissioner
Alaska Department of Fish & Game

Teleconferenced in Anchorage, Restoration Office
(Federal) , Chair

1. Call to Order 10 a.m.
 - Approval of Agenda
 - Approval of November 8, 1996 meeting notes
2. Public Advisory Group Report - Molly McCammon
3. Executive Director's Report
 - Financial Report
 - Research, Monitoring and Restoration
 - Administrative Issues
 - Habitat Protection Status Reports
 - Invitation for Archaeology Project Proposals*
 - Restoration Reserve Planning
4. Public Comment Period 11 a.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

5. Executive Session - Habitat Protection
 - Executive Director's Evaluation
 - Public Advisory Group Nominations
 - Reopener Clause
6. Public Advisory Group Nominations*
7. Traditional Ecological Knowledge Protocols*
8. Data Ownership and Archiving Policy*
9. FY97 Deferred Projects*
10. Habitat Acquisition*
 - Large Parcel Program - Tatitlek Amendment
 - Small Parcel Program - PWS-11/Horseshoe Bay
 - KAP-114/Johnson
 - KNA Amendment

* indicates action item

Adjourn - 5 p.m.

Qutekcak Native Tribe

Changing with the tides, in harmony with our people, land and heritage.
P.O. Box 1467 Seward, AK 99664 907-224-3118 FAX 907-224-5874

26 November 1996

RECEIVED
DEC 09 1996

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL
ADMINISTRATIVE RECORD

John Hendricks, Executive Director
Alaska Sealife Center
P.O. Box 1329
Seward, AK 99664

Dear Mr. Hendricks:

The Qutekcak Native Tribe would like to discuss two important issues that involve the Native people in Alaska that is centered in the Sealife Center. First we are dismayed about the damage to the Lowell Homestead Site. The second issue is how the Center will portray the Native people of Alaska and their way of life.

We are aware of the communications which have taken place between Deborah L. Williams, Special Assistant to the Secretary for Alaska, US Department of the Interior; Judith E. Bittner, State Historic Preservation Officer, Department of Natural Resources, Office of History and Archeology; Ted Birkedal, Team Leader, Cultural Resources, and/or Gary Somers, Senior Archeologist of the National Park Service and appreciate their concerns and know that they are aware of the need to keep us "abreast of any developments concerning the mitigation plan for the Lowell Homestead Site (Letter 4 Nov. 1996 to Ms. Bittner from Deborah Williams)." The site and now the collections are an important addition to the history of the Resurrection Bay area, and the people who lived here before the western settlement. This homesite of our ancestors involves our history which cannot be taken lightly and without participation of the Qutekcak Native Tribe.

The importance of techniques and rituals of subsistence to the Native people in Alaska involve the sealife that will be housed in your Center. The

importance of the rituals used to honor the animals before harvesting, hunting, eating, and processing, the resource is all a part of our way of life.

In order to introduce the types of tools, clothing, food, shelter and gifts made from the natural resources – a respectful consideration of the Alaskan Natives way of life must be understood.

The Qutekcak Native Tribe being the recognized Native entity in this area and after considering what has happened and is being planned, requests that a special committee be formed for the purpose of assisting the Sealife Center produce a respectful and accurate representation of the traditional heritage of Alaskan Native culture in your effort to "include Alaska's past and its Native people because the people are really interesting too" (taken from Restoration Update - Interview with John Hendricks).

This committee would include the following representatives from, Qutekcak Native Tribe Board and their staff, Della Cheney, Tribal Administrator and Molly Burton, Community Facilitator/Natural Resource; Sealife Center Board; and the following individuals, Lora Johnson, Chugachmiut; Martha Vlasoff, EVOS Restoration Office; John Johnson, Chugach Heritage Foundation and invite the Village Council/Tribe from Tatitlek, Port Graham Village, Nanwalek, Eyak, Valdez, and Chenega Bay.

We look forward to discuss this important issue with you as soon as possible. Please call Della Cheney, Tribal Administrator at 224-3118 Ext. 2 to set up a meeting, date, time, and place.

Sincerely,



Arne Hatch,
Vice Chair

dmc

cc: Qutekcak Native Tribe Board, and
Della M. Cheney, Tribal Administrator
Molly Burton, Community Facilitator, Natural Resources
Lora Johnson, Chugachmiut
Martha Vlasoff, EVOS Restoration Office
Deborah L. Williams, Special Assistant to the Secretary for
Alaska, US Department of the Interior
Ms. Judith E. Bittner, State Historic Preservation Officer, Department
of Natural Resources, Office of History and Archeology
Maureen Sims, Selkregg Associates
Ted Birkedal, Team Leader, Cultural Resources, National Park
Service or Gary Somers, Senior Archeologist
John Johnson, Chugach Heritage Foundation
Elenore McMullen, 1st Chief, Port Graham
Vincent Kvasnikoff, Chief, Nanwalek IRA Council
Robert Henrichs, President, Eyak Tribal Council
Gary Kompkoff, President, Tatitlek IRA Council
Benna Hughey, President, Valdez Native Tribe
Don Kompkoff, President, Chenega Bay IRA Council

Motion relative to KNA Acquisitions

Background

By resolution approved on November 20, 1995, the Council agreed to provide partial funding of \$4 million for the U.S. Department of the Interior's acquisition of lands from the Kenai Natives Association. The Council required that any such acquisition include the Stephanka tract, the Moose River patented tract and the Moose River selected tract, all of which are included in this legislation. The resolution preceded later Council action to require that the non-acquiring government receive a conservation easement on the small parcels, unless there was some reason for an exception to this policy. The Council has made exceptions to this policy where creating such an easement was impractical or caused particular problems. While an easement is to be granted for the Stephanka and Moose River patented tracts, KNA has not yet received the conveyance of the Moose River selected tract and its remaining ANCSA entitlement from BLM. The legislation provides in part for KNA to instead relinquish its interests in this parcel as well as its remaining ANCSA entitlement. As such, KNA will not actually receive a conveyance for the Moose River selected tract and cannot grant an easement to the State for it. There is no authority for FWS to grant such an easement to the State.

Motion

Accordingly, we move to clarify that with respect to the KNA acquisition partially funded by the EVOS Trustee Council, the State is to receive conservation easements only with respect to the Stephanka and Moose River patented tracts.

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TRUSTEE COUNCIL
ADMINISTRATIVE RECORD

Exxon Valdez Oil Spill Trustee Council

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



MEMORANDUM

TO: Trustee Council

FROM: Molly McCannion
Executive Director

SUBJECT: Proposed Budget Amendment - Project 97100

DATE: December 5, 1996

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TRUSTEE COUNCIL
ADMINISTRATIVE RECORD

I estimate that the cost of public outreach associated with the archaeological planning project will be \$12,100, including general administration, and request that the Trustee Council approve the addition of this amount to ADFG under Project 97100. The basis of this estimate is as follows:

200	Travel - 3 people to Chugach/Cook Inlet communities	\$3,500
300	Contractual - Charter flights	\$3,000
	Contractual - Printing and postage	\$5,000
	Subtotal:	\$11,500
	General Administration	\$600
	Total:	\$12,100

Thank you.

Exxon Valdez Oil Spill Trustee Council

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



MEMORANDUM

TO: Trustee Council

FROM: Molly McCammon
Executive Director

SUBJECT: Archaeological Restoration Planning Project:
Revised Schedule

DATE: December 5, 1996

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TRUSTEE COUNCIL
ADMINISTRATIVE RECORD

After discussing this subject with the Public Advisory Group and community facilitators, I recommend that the schedule be revised to allow more time for public review and discussion. I also recommend that the Council consider issuing a separate invitation later in the spring.

Dec. 3	Public Advisory Group briefing and discussion.
Dec. 4	Community facilitators briefing and discussion.
Dec. 6	Trustee Council briefing and discussion.
Dec. 9	Distribution of the report to project participants (village councils, cities, museums and agencies), community facilitators, Public Advisory Group and agency attorneys. Comments will be directed to the Restoration Office.
mid-Jan. (tent.)	Public Advisory Group work session.
Jan. 22	Joint work session with community facilitators and Public Advisory Group.
early Feb. (tent.)	Public workshops with village councils, municipal governments, museums and the general public in the communities in Prince William Sound and lower Cook Inlet.
Feb. 14	Close of public comment period.
late Feb.	Consultation with Public Advisory Group, legal counsel and Trustee Council regarding public and legal review. Preparation of special invitation if directed by the Council.
March 3	Distribution of <i>Special FY 98 Invitation for Proposals for Archaeological Resource Restoration</i> .

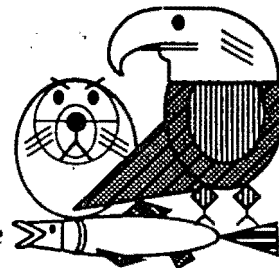
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Exxon Valdez Oil Spill Trustee Council

Restoration Office

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

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



MEMORANDUM

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EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL
ADMINISTRATIVE RECORD

TO: Trustee Council members

FROM: Molly McCammon, Executive Director

DATE: December 5, 1996

SUBJ: Small Parcel Action Item — KAP 114/Uyak Bay

Please find attached the restoration benefits report and a location map for the KAP 114/Uyak Bay - Johnson parcel. I have been informed by the U.S. Department of the Interior that the appraisal of this 55 acre parcel has been approved by federal and state review appraisers and is now ready for further Council consideration.

This parcel is located within Uyak Bay approximately 8 miles south of the village of Larsen Bay and encompasses the head of a protected cove popular with local mariners. The KAP 114/Uyak Bay - Johnson parcel provides key marine access for subsistence and recreational uses on the surrounding public lands. The protected beach on this parcel is used as a staging area for subsistence harvest activities by residents of Larsen Bay, as well as for recreation. Pigeon guillemots, common murre, marbled murrelets and black oystercatchers are found in seasonal concentrations within the cove. A rocky intertidal beach adjacent to the property contains large mussel beds and also provides habitat for Pacific herring spawning.

Proposed Action: Trustee Council authorization for the United States Fish and Wildlife Service to purchase the KAP 114/Uyak Bay - Johnson parcel for the appraised value of \$154,000.

A resolution authorizing the purchase of KAP 114/Uyak Bay - Johnson parcel will be available for consideration by the Council at the December 6 meeting.

attachments

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

Parcel ID #: KAP 114

Rank: PMSC

Acreage: 55 acres

Agency Sponsor: USFWS

Location: Uyak Bay, Kodiak Island
T32S R29W Sec 13 & 24, Seward Meridian

Landowner/Agent: James Johnson / BIA

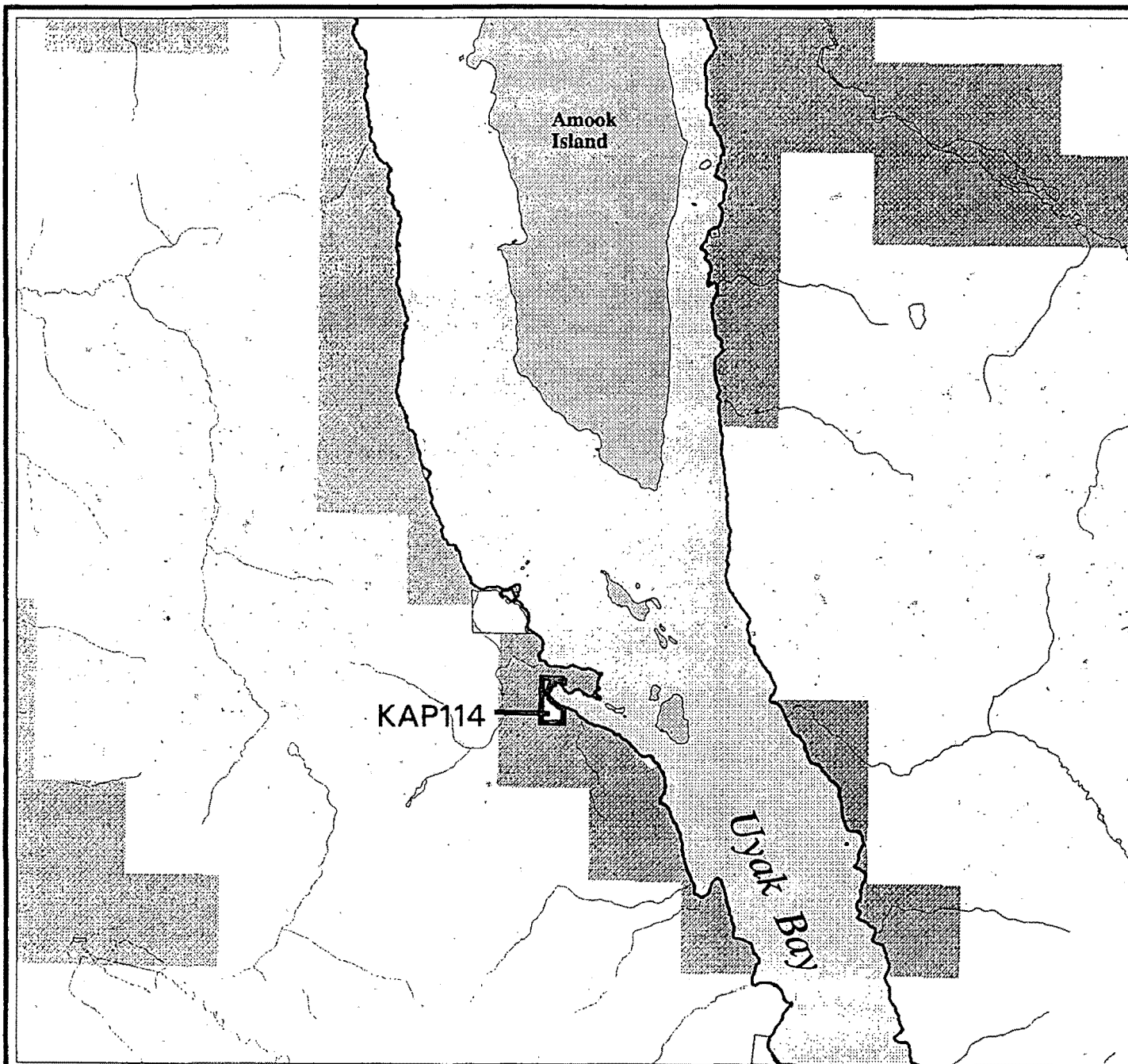
Address: P.O. Box 16
Larsen Bay, AK 99624

The Johnson property is located within Uyak Bay approximately 8 miles south of the village of Larsen Bay. The property encompasses the head of a protected cove on the west side of the bay. This small cove is popular with local mariners as a sheltered mainland anchorage; especially during north and westerly winds.

The Johnson parcel has many features that complement the goals of the EVOS habitat restoration effort. The protected beach on this property is used as a staging site for subsistence activities, primarily by residents of Larsen Bay. Residents harvest salmon, waterfowl, shellfish, Sitka black-tailed deer and pick berries on or adjacent to the parcel. The site is not currently marked as private property and deer hunters routinely camp on the parcel every season. KAP 114 provides key marine access for subsistence and recreational uses on the surrounding public lands.

A bald eagle nest is located on the parcel and the birds forage along the entire shoreline. Pigeon guillemots, common murre, marbled murrelets and black oystercatchers are found in seasonal concentrations within the cove. A rocky intertidal beach adjacent to the property contains large musselbeds and also provides Pacific herring spawning habitat. River otter use of the area is high with probable denning on the site. The parcel is likely to contain evidence of historic and prehistoric use. However, the area has not been intensively explored for cultural sites.




The acquisition of KAP 114 would greatly enhance the restoration investment already made in this region of Kodiak Island.



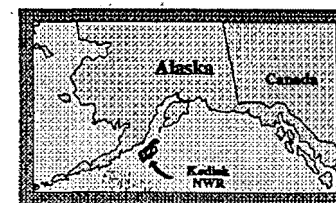
Habitat Protection Small Parcels

Kodiak Island, Alaska

Parcel : KAP114

-  Former Koniag Lands
-  Small Parcels
-  Outside of Kodiak NWR

- Land status represents USFWS interpretation of BLM records.
- Projected in UTM zone 5.



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Miles
Kilometers

August 01, 1996



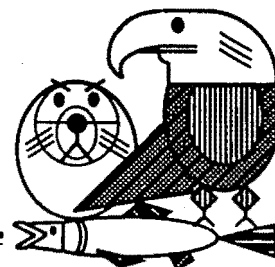
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Exxon Valdez Oil Spill Trustee Council

Restoration Office

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

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



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MEMORANDUM

TO: Trustee Council members

FROM: Molly McCammon, Executive Director

DATE: December 6, 1996

SUBJ: Small Parcel Action Item — PWS 11/Horseshoe Bay

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL
ADMINISTRATIVE RECORD

Please find attached the restoration benefits report and a location map for PWS 11/Horseshoe Bay. This small parcel is surrounded by the Horseshoe Bay State Marine Park. Acquisition of the parcel will provide significant restoration benefits that include protection of an anadromous fish stream (pink salmon) as well as provide substantial recreation/tourism benefits by securing lands that are immediately adjacent to the best anchorage in Horseshoe Bay.

Proposed Action: Trustee Council authorization for the Alaska Department of Natural Resources to purchase the 315 acre PWS 11/Horseshoe Bay parcel located on Latouche Island in western Prince William Sound for the appraised value of \$475,000.

A resolution authorizing the purchase of PWS 11/Horseshoe Bay will be available for consideration by the Council at the December 6 meeting.

attachments

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

PWS 11: Horseshoe Bay

Acreage: 315 **Rank:** PMSC **Sponsor:** ADNR **Appraised Value:** \$475,000
Owner: Lucy W. Groh
Location: Surrounded by Horseshoe Bay State Marine Park, LaTouche Island

Parcel Description. This parcel contains 1600 feet of Horseshoe Bay frontage and includes the mouth of an anadromous stream. Part of the parcel is an inholding in the Horseshoe Bay State Marine Park and the rest of it lies immediately adjacent to the park. Chugach Native Corporation owns the surrounding uplands.

Restoration Benefits. Public ownership of this parcel will protect habitat for pink salmon and recreation/tourism by preventing further development on this parcel. Acquisition will also ensure public access to the uplands and historic sites on LaTouche Island via existing trails. If the parcel is not acquired, future development of the adjacent uplands could result in user conflicts between the public and private property owners.

Key habitat and other attributes of the parcel include the following:

- *Pink salmon* spawn in the anadromous stream on the parcel.
- *Recreation/tourism.* The best anchorage in the bay is immediately adjacent to this parcel. As a result of the 1964 earthquake, there is very little suitable anchorage area left in Horseshoe Bay. Much of the bay was uplifted, leaving only the northern portion of the bay deep enough for anchorage at all tides. Most of the current use of the park is by residents of nearby Chenega Bay and residents and workers at the San Juan hatchery. Use increases during the hunting season and reaches its peak during commercial fishery openings when boats use the park as an anchorage. Use of the park is likely to increase because of a new airport and dock in Chenega Bay.

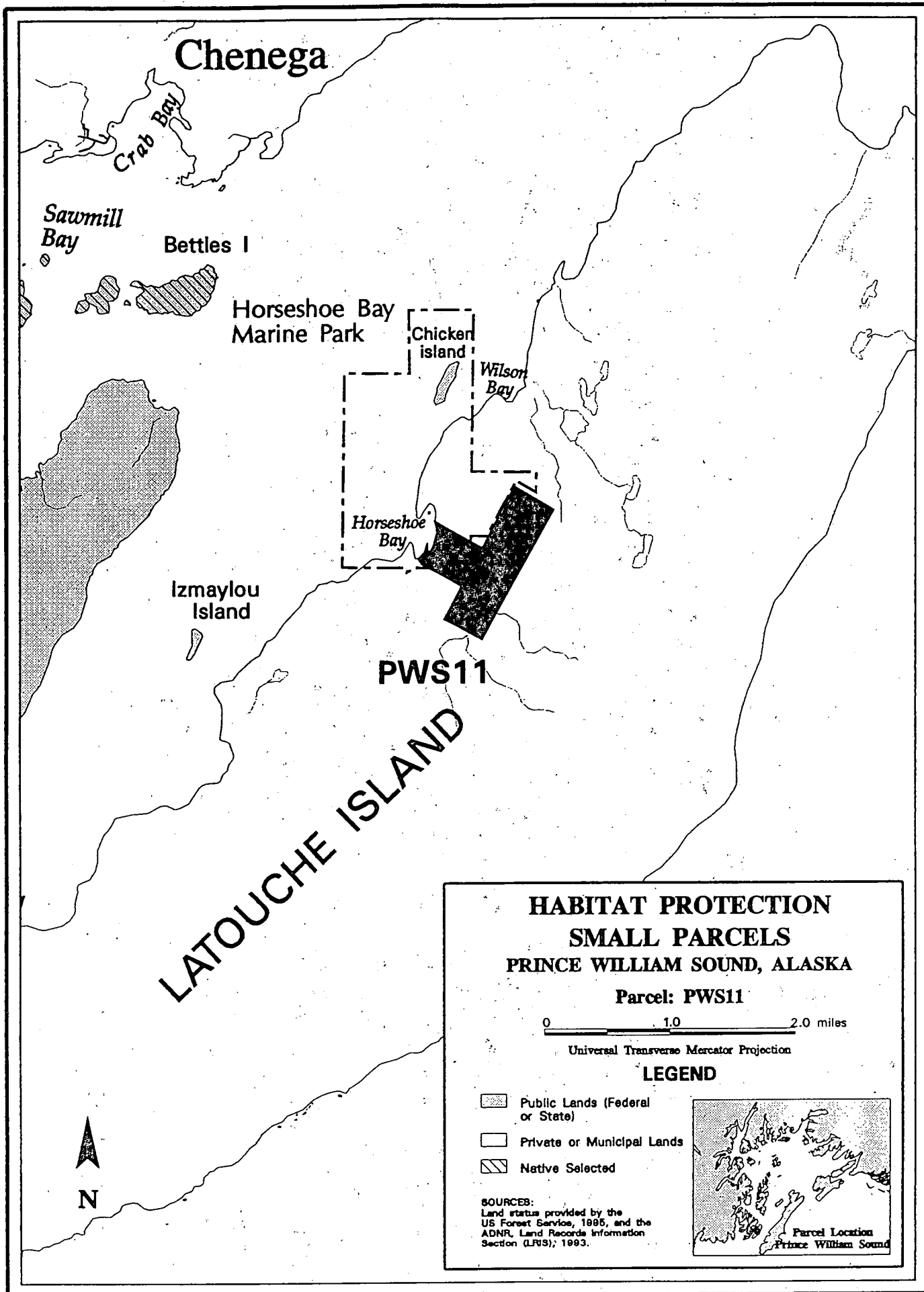
The abandoned mining town of LaTouche is located one mile north of Horseshoe Bay Marine Park. In 1930, this town was the location of the largest copper mine in the sound. The privately owned land at the southern point of the bay offers the remains of a small community that was created to support a small copper development at Horseshoe Bay. A small cemetery from the mining era is located within the park.

Potential Threats. The parcel is platted. It is ready to be sold, but none of the lots has yet been sold.

Appraised Value. State and federal review appraisers rejected the initial appraisal of this parcel. A new appraisal was issued and approved. Subsequently, the landowner submitted another appraisal which was also approved. The final appraised value of this parcel is \$475,000.

Proposed Management. The purpose of acquisition is to preserve and protect in perpetuity the ecological, natural, physical and scenic values of the subject property for the benefit of fish and wildlife resources and services that were injured in the *Exxon Valdez* oil spill. If this parcel is acquired, ADNR will manage it to protect pink salmon habitat and facilitate recreational access to the uplands and historic sites on LaTouche Island. The part of the parcel that lies within the Horseshoe Bay State Marine Park will become part of the park upon acquisition. The rest of the parcel will probably be classified "Habitat/Public Recreation Land."

Public Comment. The Public Advisory Group noted that the same values that led the surrounding lands to be designated State marine park might make it valuable for restoration purposes.





IN REPLY REFER TO:

United States Department of the Interior

OFFICE OF THE SOLICITOR
Washington, D.C. 20240RECEIVED
NOV 29 1996RECEIVED
EXXON-VALDEZ OIL SPILL
TRUSTEE COUNCIL
DEC 09 1996

C. Walter Ebell, Esq.
Jamin, Ebell, Bolger & Gentry
300 Mutual First Building
605 First Avenue
Seattle, WA 98104

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL
ADMINISTRATIVE RECORD

Dear Walt:

This responds to your request for the Federal and State legal views on how the covenants pertaining to the Old Harbor Native Corporation (OHNC) fee lands purchased by the United States last year relate to the proposed Old Harbor hydroelectric project. Since our previous conversations, you have confirmed with the project sponsors that the Fish and Wildlife Service (FWS) was correct in its determination that a majority of the facilities and activities will take place on lands owned in fee by the United States within the Kodiak National Wildlife Refuge, at least a portion of which are subject to certain restrictive covenants contained in the Warranty Deed from OHNC to the United States and the Conservation Easement from OHNC to the State of Alaska, both of which were executed on September 27, 1995. The remaining portion of the project facilities will occur on lands owned by OHNC and the City of Old Harbor.

Were this project to receive a license to proceed, there is no doubt that the contemplated construction activities would violate the restrictive covenants negotiated by OHNC to satisfy its concern that the fee lands would be "maintained in their natural, pristine state, in perpetuity, in accordance with the terms of the Restrictive Covenant contained in the State Conservation Easements and the Warranty Deeds...." See, Section 5.a. of the Agreement for the Sale, Purchase and Donation of Lands and Interests in Lands Between Old Harbor Native Corporation and the United States of America, dated May 23, 1995 (Agreement).

Under the terms of Section II.(1) of the Warranty Deed and Section a. of the State Conservation Easement, activities such as the construction of buildings or fences and the manipulation or alteration of natural water courses are generally prohibited. The listed exceptions to these prohibitions, for refuge or conservation research or management or for conveying information to the public to protect public safety or natural resources, are inapplicable to the proposed project. Furthermore, there is no clause in the Warranty Deed or State Conservation Easement comparable to Section 3.(c) of the OHNC Conservation Easement which permits the Refuge

C. Walter Ebell, Esq

2

Manager to approve otherwise prohibited activities upon determination that "they are compatible with the purposes of this Easement."

While the Warranty Deed sets forth no process for approving such activities, we have consulted with the U.S. Department of Justice, and are all in agreement that the three parties to the Purchase Agreement and related conveyance instruments, OHNC, the State and the United States, have the discretion to act jointly to modify these restrictive covenants as to a particular project if it is compatible with the restoration and conservation purposes of the Warranty Deed and the State Conservation Easement. We have not yet concluded what format such an instrument would take, but we believe that it must be suitable for recording in the Kodiak Island land records. Additionally, both governments believe that the Trustee Council should be consulted on any changes to these deeds, and their concurrence obtained as long as the Council remains in existence.

As the Department of the Interior's February 22, 1996, letter to the Federal Energy Regulatory Commission indicated, this project necessitates the undertaking of certain fish, wildlife and habitat studies to assess the impact of the proposed project. Any decision by the State and the United States to consent to modifying the restrictive covenants for this project remains subject to the results of these studies and the outcome of the FERC licensing process. Assuming that studies indicate the project will result in no more than minor to negligible impacts to fish and wildlife resources, that likely impacts can be successfully mitigated, and that the project is deemed compatible with the purposes for which the Kodiak National Wildlife Refuge was established and compatible with the restoration and conservation purposes of the Warranty Deed and State Conservation Easement, we would seek modification to the restrictive covenants to permit this project with the concurrence of the Trustee Council. Both the Alaska Department of Fish and Game (ADF&G) and FWS would be pleased to work with the project sponsor in designing the necessary studies.

The FWS is the lead for the Department of the Interior on issues related to the studies and evaluations and judgments concerning project impacts. Contact with FWS should be through Jay Bellinger, the Refuge Manager. The ADF&G has the lead for the State. Their contact person is Janet Kowalski, the Director of the Division of Habitat and Restoration. Regina Sleater, Esq. of the DOI Alaska Regional Solicitor's Office, is representing the Department in the FERC proceeding and questions involving that proceeding should be

C. Walter Ebell, Esq

3

directed to her. In the meantime, we would be happy to work with you and respond to any questions you may have pertaining to the oil spill restoration program and the terms of the purchase agreements. We trust that this letter is responsive to your concerns.

Sincerely,

Craig J. Tillery

Craig J. Tillery
Assistant Attorney General
Alaska Department of Law

Barry N. Roth

Barry N. Roth
Attorney-Adviser
Conservation & Wildlife Division
Office of the Solicitor

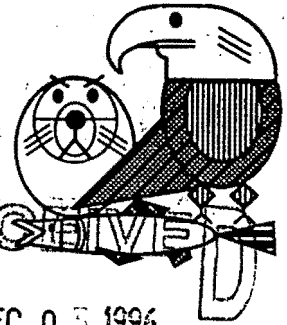
cc: Janet Kowalski, ADF&G
Jay Bellinger, FWS
Regina Sleater, Esq., DOI

Exxon Valdez Oil Spill Trustee Council

Restoration Office

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

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



TRUSTEE COUNCIL MEETING ACTIONS

DEC 05 1996

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

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL
ADMINISTRATIVE RECORD

By Molly McCammon
Executive Director

DRAFT

Trustee Council Members Present:

- Jim Wolfe, USFS
- Barry Roth, USDOI
- Bill Hines, NMFS

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

* Chair

• Alternates:

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

Al Ewing served as an alternate for Michele Brown for the entire meeting.

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

Barry Roth served as an alternate for George T. Frampton, Jr. for the entire meeting.

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

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

1. Approval of the Agenda

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

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

2. Small Parcel

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

Trustee Agencies

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

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

3. Executive Session

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

(Off Record 2:26 p.m.)

(On Record 3:33 p.m.)

Meeting recessed at 3:45 p.m.

DRAFT

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EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL
ADMINISTRATIVE RECORD

Report on 1996 Public Advisory Field Trip

Homer, Port Graham, Seldovia and Nanwalek

September 18-19, 1996

Prepared by: Cherri Womac
November 25, 1996

PAG Field Trip Itinerary
Homer, Port Graham, Nanwalek, Seldovia
September 18-19, 1996

Wednesday, September 18

7:05 AM Depart Anchorage
7:40 Arrive Homer, transported to dock
8:00 Board boat charter
8:15 Depart Homer dock via boat charter
10:00 Arrive **Port Graham** (Nanwalek participants skiff over) - tour community, visit hatchery and cannery, basket weavers and/or other native artisans to display crafts — Contacts: Walter Meganack, Jr. and Fran Norman
11:00 **Open House** - held at community center. Youth dancers from Port Graham and Nanwalek to perform.
12:30 PM Lunch - Pot Luck with Port Graham residents.
3:00 Depart Port Graham
4:00 Arrive **Seldovia** - tour community, native artisans display crafts—Contacts: Fred Elvsaa, Rod Hilts
5:30 Dinner - Fish Bake with/by Seldovia Native Tribe
7:30 **Open House** - City of Seldovia Multi-purpose Room
overnight in Seldovia

Thursday, September 19

8:00 AM Depart Seldovia via boat charter
9:00 Arrive **Homer** meet bus charter. Travel along spit to view small parcels and Mariners Park with Jack Cushing, City of Homer. Next travel to Overlook Park, pickup Roger MacCampbell, Ranger with Alaska State Parks, then on to Tulin Parcel.
9:30 View Mariners Park and other small parcels along spit, Overlook Park, Tulin Parcel
10:00 Pratt Museum, Darkened Waters Exhibit narrated tour
11:00 **Open House** - City Council Chambers
12:20 PM Depart City Council Chambers for airport where air charter is waiting.
12:30 Depart Homer, flight seeing over the Port Graham, Nanwalek lands, Port Dick, Delight & Desire Lakes, and Kenai Fjords to Anchorage
Lunch - on plane during flight
2:00 Arrive Anchorage

Port Graham Open House
September 18, 1996, 11:00 a.m.

Community Members

Melvin Malchoff, Port Graham Village Council

Shawna Larson, Port Graham Corporation

Patricia M. Brauer

Steve A. Anahonak

Thomas A. Yeaton, Sr.

Lydia L. Robert, Dance Director, Port Graham Elementary/High School

Violet Yeaton, AMCC Community Outreach Coordinator

Jerry Robert, Port Graham Hatchery

Agnes I. Miller

Walter Meganack, Jr.

Ephrim Anahonak, Jr.

Public Advisory Group and EVOS staff

Chris Beck, PAG

Pam Brodie, PAG

Jim King, PAG

Eleanor Huffines, PAG

Martha Vlasoff, Community Involvement Coordinator

Molly McCammon, Executive Director, EVOS Trustee Council

Bruce Wright, NOAA

Bill Hauser, ADFG

Nanwalek residents had been planning to attend the open house in Port Graham, but due to weather were unable to attend. Molly and agency representatives described the FY97 work plan and listened to the residents' concerns. The Port Graham residents expressed a need for funds to build a skiff dock. They are also concerned that the Trustee Council and other agencies are pushing habitat acquisition. Molly assured them the land would only be acquired from willing sellers and the EVOS process does not contain any condemnation clauses.

Seldovia Open House
September 18, 1996, 7:00 p.m.

Community Members

Larry & Cheryl Reynolds, Seldovia Native Clinic
Walter McInnes, Seldovia Historical Society
Sera Baxter, McDonald Spit
Fred H. Elvsaas, Seldovia Native Assn & Seldovia Village Tribe
Herman & Karen Moonin, Jr.
Alix Chartier
Henry Kroll, Seldovia Historical Society

Public Advisory Group and EVOS staff

Chris Beck, PAG
Kim Benton, PAG
Pam Brodie, PAG
John French, PAG
Jim King, PAG
Eleanor Huffines, PAG
Charles Totemoff, PAG
Martha Vlasoff, Community Involvement Coordinator
Leann Ferry, Regional Citizens Advisory Council
Molly McCammon, Executive Director, EVOS Trustee Council
Stan Senner, EVOS staff
Sandra Schubert, EVOS staff
Joe Hunt, EVOS staff
Doug Mutter, DOI
Alex Swiderski, ADOL
Bruce Wright, NOAA
Bill Hauser, ADFG
Bud Rice, NPS
Jim Bodkin, NBS
Ernie Piper, ADEC
Cherri Womac, EVOS staff

At the Seldovia open house Molly briefly described the criminal and civil settlements. The agency representatives gave short summaries regarding projects that are being done in the Homer, Seldovia, Port Graham, and Nanwalek areas, as well as, brief descriptions of APEX, NVP, SEA and other research.

Some of the concerns expressed by the residents are:

There is still a need for spill response preparedness. The communities still need equipment and supplies. The residents lack training to adequately man the barge located in the Seldovia harbor.

There was no baseline data available prior to the spill and it is still lacking for many area now. A greater emphasis should be placed on educating village residents and others to continue the studies and monitor the ecosystems beyond the need for harvesting for food.

Fishermen have a knowledge of the area that has not been utilized. The salmon are smaller, herring have almost vanished, and the Chisik Island kittiwake colony is not growing.

The community residents in general approve of in-situ burning, because keeping oil off the beaches is a priority.

Homer Open House
September 19, 1996, 11:00 a.m.

Community Members

Richard David, City of Homer Harbor Master
Spencer Wood, USCG
Geoff Coble, Coble Geophysical
Nick Dudiak, ADFG
Mark Dickson, ADFG
Bob Shavelson, Cook Inlet Keeper
Jack Cushing, Homer City Council

Public Advisory Group and EVOS staff

Leann Ferry, Regional Citizens Advisory Council
Martha Vlasoff, Community Involvement Coordinator
Chris Beck, PAG
Kim Benton, PAG
Pam Brodie, PAG
Jim King, PAG
Eleanor Huffines, PAG
Charles Totemoff, PAG
Molly McCammon, Executive Director, EVOS Trustee council
Stan Senner, EVOS staff
Sandra Schubert, EVOS staff
Joe Hunt, EVOS staff
Doug Mutter, DOI
Alex Swiderski, ADOL
Bruce Wright, NOAA
Bud Rice, NPS
Jim Bodkin, NBS
Ernie Piper, ADEC
Bill Hauser, ADFG
Cherri Womac, EVOS staff

On the boat trip returning from Seldovia to Homer the group was able to view the Overlook Parcel from the water. In Homer the group boarded a bus to tour the spit, view Mud Bay and Mariners Park, and travel out to Overlook Park and the Tulin parcel. Jack Cushing, Homer City Council, briefly described the parcels and answered questions. Roger McCampbell, Alaska State Park Ranger, described the Tulin and Overlook Park parcels.

At the Homer open house, Molly introduced staff and agency representatives and briefly described the FY97 work plan. After brief project presentations by staff and agency representatives Molly and staff answered questions regarding rehabilitation of Mud Bay and Mariners Park and submittal of small parcels for consideration by the Council.

Following the public meeting, the group visited the Pratt Museum and viewed the Darkened Waters exhibit.

The return leg of the trip was an overflight of the Port Graham and Nanwalek lands, Kenai Fjords National Park and Preserve, and Lowell Point.

Molly McCammon
Executive Director
Exxon Valdez Oil Spill Trustee Council
645 G Street
Anchorage, Alaska 99501

November 12, 1996

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DEC 03 1996

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL
ADMINISTRATIVE RECORD

Dear Ms. McCammon:

It gives me pleasure to endorse the appointment of L.J. Evans to the Public Advisory Group. Over the past two years I worked closely with L.J. to provide information about Trustee Council funded projects to the people of Prince William Sound. She gave generously of her limited time and energy to assist me in providing accurate and complete information, many times responding within the hour to my requests for reviews of material.

L.J. was in Valdez at the time of the spill and has been intimately involved in spill related issues since that time. She knows the communities of the spill area and their concerns from her lengthy tenure with the Restoration Office as their chief information officer.

One of the very best things L.J. can bring to the group is her grasp of the big picture. She was always bringing up the importance of Trustee Council actions for the whole area. Whereas other members represent their own interest groups and communities, L.J. will consider all of the communities. As a highly talented and experienced professional journalist, she will be a tremendous asset in dealing with one of the Council's enduring challenges - communication of its actions to the public.

Aside from her professional skills and background, L.J. also possesses personal qualities which I believe will serve the group well. She demonstrated to me both frankness and diplomacy. I could trust her judgement, and know that she would put the best light on difficult situations. I believe she will serve the spill area and the Council well as a member of the PAG.

Sincerely,
Jody Seitz

KODIAK REGIONAL AQUACULTURE ASSOCIATION

BOX 3407 KODIAK, ALASKA 99615

(907) 486-6555



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EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

Molly McCammon, Executive Director
Exxon Valdez Oil Spill Trustee Council
645 G Street
Anchorage, AK 99501

Dear Ms. McCammon:

We understand that the Exxon Valdez Oil Spill Trustee Council will soon choose seventeen (17) individuals to serve on their Public Advisory Group. We do not know all the individuals interested in serving, but we understand that Chuck Meacham is among the candidates being considered. We have followed Chuck's career with the Alaska Department of Fish and Game and believe that he would make a significant contribution to the advisory group.

Chuck is a long time Alaskan who has worked extremely hard promoting conservation and wise use of our natural resources. We feel that his involvement with setting up many of the initial EVOS damage assessment projects immediately after the oil spill is a special qualification. Additionally, his knowledge of geographical area, the resources and the resource users would be of considerable help to the Trustee Council.

Thank you for this opportunity to offer our thoughts.

Sincerely,

Lawrence M. Malloy
Executive Director

cc: Chuck Meacham

Resource Development Council

for Alaska, Inc.

121 West Fireweed Lane, Suite 250, Anchorage, Alaska 99503-2035

(907) 276-0700

Fax: (907) 276-3887

e-mail: rdc@aonline.com

Founded 1975

EXECUTIVE DIRECTOR
Becky L. Gay

1996-97 EXECUTIVE COMMITTEE

Scott L. Thorson, President
Allen Bingham, Sr. Vice President
John Sturgeon, Vice President
Gerald G. Booth, Secretary
Michael E. Stone, Treasurer
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Cynthia Bailey
Charlie Boddy
James F. Branch
Frank Brown
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Roy S. Ewan
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William E. Pierce
Elizabeth Rensch
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Thyes J. Shaub
Robert B. Stiles
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Wesley P. Nason
John K. Norman
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Michael O'Connor
Kenneth E. Peavyhouse
Kenneth R. Pohle
Troy Reinhart
John A.L. Rense
Ronald L. Ricketts
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George R. Schmidt
John Stein
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Phil R. Holdsworth
William R. Wood

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Senator Ted Stevens
Senator Frank Murkowski
Congressman Don Young
Governor Tony Knowles

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October 23, 1996

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EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

Molly McCammon, Executive Director
Exxon Valdez Oil Spill Trustee Council

645 G St.

Anchorage, AK 99501

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

by fax: 276-7178

original in mail

Dear Ms. McCammon:

It is my understanding that Chuck Meacham is on your nominee list for members to be selected to serve on the Exxon Valdez Trustee Council's Public Advisory group. The Resource Development Council (RDC) recommends Chuck highly and endorses his candidacy.

RDC has benefitted from Chuck's expertise many times. He has been guest speaker at RDC's breakfast meetings on a number of occasions over the years and has also participated in RDC annual conferences. His fisheries background in Alaska, as well as his grasp of state policies and politics on resource issues, will serve the EVOS advisory group well. Chuck is an excellent communicator. He listens well and speaks from a knowledge base broadened by being involved in fisheries science and public service in Alaska.

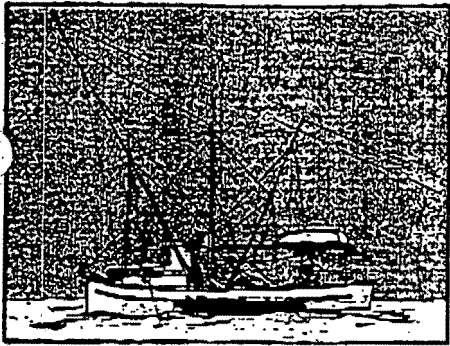
Please feel free to call me at 276-0700 if I can answer any questions.

Sincerely,

RESOURCE DEVELOPMENT COUNCIL
for Alaska, Inc.



Becky L. Gay
Executive Director



Alaska Trollers Association

130 Seward St., No. 505
Juneau, Alaska 99801
(907) 586-9400
(907) 586-4473 Fax

November 15, 1996

Molly McCammon, Executive Director
Exxon Valdez Oil Spill Trustee Council
645 G Street
Anchorage, AK 99501

Molly
Dear Ms. McCammon:

The Alaska Trollers Association (ATA) supports the appointment of Chuck Meacham to the Public Advisory Group of the Exxon Valdez Oil Spill Trustees Council (Trustees).

During his tenure with the Alaska Department of Fish and Game, Mr. Meacham was a strong advocate for the fisheries resource. His background in fisheries research and management, coupled with his involvement in the EVOS damage assessment process, makes him particularly well suited for a position on the Trustees Public Advisory Group.

We hope you will agree with our appraisal of Mr. Meacham's qualifications and thank you for considering our point of view.

Sincerely,

Dale A. Kelley

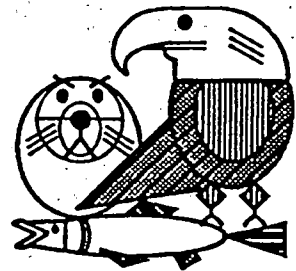
Dale A. Kelley
Executive Director

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

THROUGH: Molly McCann
Executive Director

FROM: Traci Cramer
Administrative Officer

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EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL
ADMINISTRATIVE RECORD
DATE: November 18, 1996

RE: Financial Report as of October 31, 1996

Attached is the Statement of Revenue, Disbursements and Fees, and accompanying notes for the *Exxon Valdez* Joint Trust Fund for the period ending October 31, 1996.

The following is a summary of the information incorporated in the notes and contained on the statement.

Liquidity Account Balance	\$77,226,043	
Less: Current Year Commitments (Note 5)	\$23,436,225	
Plus: Adjustments (Note 6)	<u>\$427,610</u>	
Uncommitted Fund Balance		\$54,217,428
Plus: Future Exxon Payments (Note 1)	\$350,000,000	
Less: Remaining Reimbursements (Note 3)	20,000,000	
Less: Remaining Commitments (Note 7)	<u>\$48,805,734</u>	
Total Estimated Funds Available		\$335,411,694
Restoration Reserve		\$35,996,170

If you have any questions regarding the information provided please give me a call at 586-7238.

attachments

cc: Agency Liaisons
Bob Baldauf

Trustee Agencies

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

NOTES TO THE STATEMENT OF REVENUE, DISBURSEMENTS AND FEES
FOR THE *EXXON VALDEZ* JOINT TRUST FUND
As of October 31, 1996

1. Contributions - Pursuant to the agreement Exxon is to pay a total of \$900,000,000.

Received to Date	\$550,000,000
Future Payments	\$350,000,000

2. Interest Income - In accordance with the MOA, the funds are deposited in the United States District Court, Court Registry Investment System (CRIS). All deposits with CRIS are maintained in United States government treasury securities with maturities of 100 days or less. Total earned since the last report is \$298,005.
3. Reimbursement of Past Costs - Under the terms of the agreement, the United States and the State are reimbursed for expenses associated with the spill. The remaining reimbursements represents that amount due the State of Alaska.
4. Fees - CRIS charges a fee of 10% for cash management services. Total paid since the last report is \$29,801.
5. Current Year Commitments - Includes \$1,570,600 for the Chenega-Area Shoreline Residual Oiling Project, \$66,000 for KAP 103, \$110,500 for KAP 115, \$73,500 for KAP 135, \$2,540,000 for KEN 54 and the following land payments.

<u>Seller</u>	<u>Amount</u>	<u>Due</u>
Seal Bay	\$3,075,625	November 1996
Akhiok-Kaguyak	\$7,500,000	September 1997
Koniag, Incorporated	\$4,500,000	September 1997
Shuyak	\$4,000,000	October 1997

6. Adjustments - Under terms of the Agreement, both interest earned on previous disbursements and prior years unobligated funding or lapse are deducted from future court requests. Unreported interest and lapse is summarized below.

	<u>Interest</u>	<u>Lapse</u>
United States	\$29,043	\$0
State of Alaska	\$398,567	\$0

7. Remaining Commitments - Includes the following land payments.

<u>Seller</u>	<u>Amount</u>	<u>Due</u>
Shuyak	\$16,000,000	October 1998 through 2001
Shuyak	\$11,805,734	October 2002
Koniag, Incorporated	\$4,500,000	September 1998
Koniag, Incorporated	\$16,500,000	September 2002

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Trustee Agencies

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

STATEMENT OF REVENUE, DISBURSEMENT, AND FEES
EXXON VALDEZ OIL SPILL JOINT TRUST FUND
As of October 31, 1996

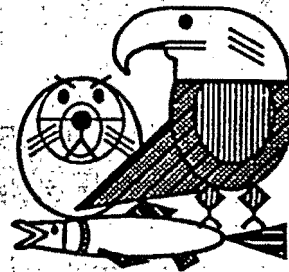
	1994	1995	1996	To Date 1997	Cumulative Total
REVENUE:					
Contributions: (Note 1)					
Contributions from Exxon Corporation	70,000,000	70,000,000	70,000,000	0	550,000,000
Less: Credit to Exxon Corporation for clean-up costs incurred					(39,913,688)
Total Contributions	70,000,000	70,000,000	70,000,000	0	510,086,312
Interest Income: (Note 2)					
Exxon Corporation escrow account					831,233
Joint Trust Fund Account	3,736,000	5,706,666	3,963,073	298,005	15,677,744
Total Interest	3,736,000	5,706,666	3,963,073	298,005	16,508,977
Total Revenue	73,736,000	75,706,666	73,963,073	298,005	526,595,289
DISBURSEMENTS:					
Reimbursement of Past Costs: (Note 3)					
State of Alaska	25,000,000		3,291,446		86,559,288
United States	6,271,600	2,697,000	0		69,812,045
Total Reimbursements	31,271,600	2,697,000	3,291,446	0	156,371,333
Disbursements from Liquidity Account:					
State of Alaska	44,546,266	41,969,669	43,340,950	0	154,945,198
United States	6,008,387	48,019,928	31,047,824	0	100,502,520
Transfer to the Restoration Reserve			35,996,231		35,996,231
Total Disbursements	50,554,653	89,989,597	110,385,005	0	291,443,949
FEES:					
U.S. Court Fees (Note 4)	364,000	586,857	396,307	29,801	1,553,965
Total Disbursements and Fees	82,190,253	93,273,454	114,072,758	29,801	449,369,246
Increase (decrease) in Liquidity Account	(8,454,253)	(17,566,788)	(40,109,685)	268,205	77,226,043
Liquidity Account Balance, beginning balance	143,088,564	134,634,311	117,067,523	76,957,838	
Liquidity Account Balance, end of period	134,634,311	117,067,523	76,957,838	77,226,043	
Current Year Commitments: (Note 5)					(23,436,225)
Adjustments: (Note 6)					427,610
Uncommitted Liquidity Account Balance					54,217,428
Remaining Reimbursements (Note 3)					(20,000,000)
Remaining Commitments: (Note 7)					(48,805,734)
Total Estimated Funds Available					335,411,694
Restoration Reserve					35,996,170

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

THROUGH: Molly McCammon
Executive Director

FROM: *Traci Cramer*
Traci Cramer
Administrative Officer

RECEIVED
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EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL
ADMINISTRATIVE RECORD

DATE: November 25, 1996

RE: Quarterly Financial Report for the period ending September 30, 1996

The attached reports consolidate the financial information submitted by the agencies for the quarter ending September 30, 1996.

The first report is a summary of activity by restoration category. This report reflects the total adjusted authorization and the total expended/obligated by Work Plan year and restoration category.

The second report displays the financial information by Work Plan. This report is used to determine what portion of the unexpended/unobligated balance or lapse, is available to off-set future court requests. As of September 30, 1996, it is estimated that \$2,131,758 is available.

The third report is a summary of financial information associated with the 1996 Work Plan. As of September 30, 1996, the unexpended and unobligated balance is \$2,899,238.

If you have any questions regarding the information provided, please do not hesitate to contact me at 586-7238.

attachments

cc: Agency Liaisons
Bob Baldauf

Trustee Agencies

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

Exxon Valdez Oil Spill Trustee Council
Quarterly Financial Report As of September 30, 1996
Category

Category	92' Work Plan			93' Work Plan			94' Work Plan		
	Adjusted Authorization	Expended/Obligated	Percent Obligated	Adjusted Authorization	Expended/Obligated	Percent Obligated	Adjusted Authorization	Expended/Obligated	Percent Obligated
Administration	5,076,100	4,293,933	84.59%	4,158,518	2,659,348	63.95%	4,917,716	4,107,593	83.53%
General Restoration	4,102,929	3,792,301	92.43%	4,216,047	3,342,084	79.27%	5,303,100	3,184,804	60.06%
Habitat Protection	0	0	0.00%	486,200	156,760	32.24%	3,747,292	2,882,173	76.91%
Monitoring							2,972,768	2,668,761	89.77%
Research							8,640,710	8,144,029	94.25%
Monitoring and Research	2,237,929	2,206,601	98.60%	4,628,716	4,012,718	86.69%	725,373	566,270	78.07%
Damage Assessment	7,807,100	6,416,109	82.18%	1,991,342	1,566,957	78.69%			
Other Authorizations				7,500,000	7,500,000		31,950,000	31,950,000	
Total	19,224,058	16,708,944		22,980,823	19,237,867		58,256,959	53,503,630	
Category	95' Work Plan			96' Work Plan			97' Work Plan		
	Adjusted Authorization	Expended/Obligated	Percent Obligated	Adjusted Authorization	Expended/Obligated	Percent Obligated	Adjusted Authorization	Expended/Obligated	Percent Obligated
Administration	4,253,526	3,211,793	75.51%	3,418,500	2,957,635	86.52%	2,857,100	0	0.00%
General Restoration	4,567,280	3,942,092	86.31%	3,870,100	3,446,477	89.05%	4,782,100	0	0.00%
Habitat Protection	1,716,737	1,550,472	90.32%	3,304,100	2,073,945	62.77%	1,282,600	0	0.00%
Monitoring	3,080,926	2,537,454	82.36%	1,576,400	1,491,835	94.64%	826,700	0	0.00%
Research	11,192,731	10,764,132	96.17%	13,706,700	13,006,670	94.89%	11,531,400	0	0.00%
Monitoring and Research									
Damage Assessment									
Other Authorizations	49,629,042	49,629,042		29,349,367	29,349,367		4,984,266	4,984,266	
Total	74,440,242	71,634,985		55,225,167	52,325,929		26,264,166	4,984,266	
Work Plan Time Periods:									
92' Work Plan- Oil Year 4 or March 1, 1992 through February 28, 1993									
93' Work Plan - Oil Year 5 or March 1, 1993 through September 30, 1993 (Seven Month Transition)									
94' Work Plan - October 1, 1993 through September 30, 1994									
95' Work Plan - October 1, 1994 through September 30, 1995									
96' Work Plan - October 1, 1995 through September 30, 1996									
97' Work Plan - October 1, 1996 through September 30, 1997									

Exxon Valdez Oil Spill Trustee Council
Quarterly Report as of September 30, 1996
Summary

DRAFT

WORK PLAN AND ASSOCIATED PROJECTS										
Fiscal Year	Authorized	Adjustments	Adjusted Authorization	EVOS Expenditures	RSA Expenditures	Obligations	Unobligated Balance	EVOS Lapse	Federal Lapse	State Lapse
1992	19,211,000	13,058	19,224,058	13,988,844	2,720,100	0	5,204,542	5,204,542	1,584,506	3,620,036
1993	15,498,826	-18,003	15,480,823	11,731,853		6,014	3,181,143	3,181,143	1,169,084	2,012,059
1994	26,306,959	0	26,306,959	21,476,966		76,664	3,713,529	3,713,529	1,413,438	2,300,091
1995	24,811,200	0	24,811,200	21,473,099		532,844	2,805,257	2,805,257	359,696	2,445,561
1996	25,875,800	0	25,875,800	17,870,100		5,106,462	2,899,238	0	0	
1997	21,279,900	0	21,279,900	0		0	21,279,900	0	0	
TOTAL	132,983,685	-4,945	132,978,740	86,540,862	2,720,100	5,721,984	39,083,609	14,904,471	4,526,724	10,377,747
Total Reported Lapse (1992 through 1995)								13,031,745	4,492,747	8,538,998
Unreported Lapse (1992 through 1995)								1,872,726	33,977	1,838,749
Unreported Interest								246,012	29,043	216,969
Other Revenue (Posters/Symposium Receipts)								13,020	0	13,020
Total Available to Off-set Future Court Requests								2,131,758	63,020	2,068,738
OTHER AUTHORIZATIONS										
	Agency	Description	Total	Expenditures	Obligations	Expended/ Obligated				
	ADNR	Kachemak Bay	7,500,000	7,500,000	0	7,500,000				
	ADNR	Seal Bay/Afognak	36,473,709	36,473,709	0	36,473,709				
	ADNR	Shuyak	10,194,266	10,194,266	0	10,194,266				
	ADNR	Small Parcels	5,020,500	4,760,500	260,000	5,020,500				
	ADF&G	Alaska SeaLife Center	24,956,000	4,041,795	20,914,205	24,956,000				
	DOI	Small Parcels	3,113,200	168,000	2,945,200	3,113,200				
	DOI	Old Harbor	11,250,000	11,250,000	0	11,250,000				
	DOI	Akhiok-Kaguyak	28,500,000	21,000,000	7,500,000	28,500,000				
	DOI	Koniag	12,500,000	8,000,000	4,500,000	12,500,000				
	USFS	Orca Narrows	3,650,000	3,650,000	0	3,650,000				
	USFS	Small Parcels	211,000	0	211,000	211,000				
		Total	143,368,675	107,038,270	36,330,405	143,368,675				

Footnote: The Unobligated Balances have been adjusted to reflect the carry forward of projects. This includes \$30,672 in FY 92', \$561,813 in FY 93' and \$1,039,800 in FY 94'.

Exxon Valdez Oil Spill								
Quarterly Report as of September 30, 1996								
1996 Work Plan Summary								
Project				Adjusted			Expended/	Unobligated
Number	Description	Authorized	Adjustments	Authorization	Expenditures	Obligations	Obligated	Balance
96001	Recovery of Harbor Seals: Condition and Health Status	214,100	0	214,100	53,422	149,229	202,651	11,449
96007A	Archaeological Index Site Monitoring	145,100	0	145,100	100,162	38,612	138,774	6,326
96007B	Site Specific Archaeological Restoration	78,400	0	78,400	78,209	0	78,209	191
96009D	Survey Octopuses in Intertidal Habitats	142,300	0	142,300	9,594	131,600	141,194	1,106
96012-BAA	Comprehensive Killer Whale Investigation	93,100	8,000	101,100	44,079	55,762	99,841	1,259
96025	Mechanism of Impact and Potential Recovery of Nearshore Vertebrate Predators	1,865,200	0	1,865,200	1,636,020	182,246	1,818,266	46,934
96027	Kodiak Archipelago Shoreline Assessment	35,200	0	35,200	33,933	248	34,181	1,019
96031	Development of a Productivity Index for Marbled and Kittlitz's	77,600	0	77,600	77,769	0	77,769	-169
96038	Publication of Seabird Restoration Workshop	22,200	0	22,200	17,705	0	17,705	4,495
96043B	Monitoring of Cutthroat Trout and Dolly Varden Habitat Improvement	29,600	0	29,600	22,271	0	22,271	7,329
96048-BAA	Historical Analysis of Sockeye Salmon Growth Among Populations	109,000	0	109,000	37,168	30,528	67,696	41,304
96052	Community Involvement and Use of Traditional Knowledge	271,000	0	271,000	267,256	246	267,502	3,498
96064	Monitoring, Habitat Use and Trophic Interactions of Harbor Seals in PWS	347,300	0	347,300	233,715	25,508	259,223	88,077
96074	Herring Reproductive Impairment	140,000	0	140,000	138,635	215	138,850	1,150
96076	Effects of Oiled Incubation Substrate on Survival and Straying of Wild Pink Salmon	377,800	0	377,800	353,559	20,794	374,353	3,447
96086	Herring Bay Monitoring and Restoration Studies	173,000	0	173,000	172,465	133	172,598	402
96090	Mussel Bed Restoration and Monitoring	205,100	-5,200	199,900	192,494	3,666	196,160	3,740
96100	Administration, Public Information and Scientific Management	3,418,500	0	3,418,500	2,680,297	277,338	2,957,635	460,865
96101	Removal of Introduced Foxes From Islands	8,400	0	8,400	6,736	0	6,736	1,664
96106	Subtidal Monitoring: Eelgrass Communities	253,100	0	253,100	196,338	28,121	224,459	28,641
96115	Sound Waste Management Plan	49,700	0	49,700	49,700	0	49,700	0
96126	Habitat Protection Acquisition Support	3,304,100	0	3,304,100	1,763,813	310,132	2,073,945	1,230,155
96127	Tatitlek Coho Salmon Release	26,600	0	26,600	15,624	7,927	23,551	3,049
96131	Chugach Native Region Clam Restoration	274,900	0	274,900	47,713	208,749	256,462	18,438
96139A1	Salmon Instream Habitat and Stock Restoration - Little Waterfall Barrier Bypass	55,000	0	55,000	24,138	6,059	30,197	24,803
96139A2	Spawning Channel Construction Project - Port Dick, Lower Cook Inlet	230,500	0	230,500	201,460	7,901	209,361	21,139
96139C1	Montague Riparian Rehabilitation Monitoring Program	9,700	0	9,700	8,358	0	8,358	1,342
96142-BAA	Status and Ecology of Kittlitz's Murrelet in PWS	160,800	0	160,800	94,436	62,937	157,373	3,427
96144	Common Murre Population Monitoring	70,500	0	70,500	65,167	0	65,167	5,333
96145	Cutthroat Trout and Dolly Varden: Relation Among and Within Populations of Anadromous and Resident Forms	200,000	0	200,000	119,109	80,891	200,000	0
96149	Archaeological Site Stewardship	74,400	0	74,400	54,619	23,594	78,213	-3,813
96154	Comprehensive Community Planning for Restoration of Archaeological Resources in PWS and Lower Cook Inlet	206,300	0	206,300	108,771	92,070	200,841	5,459
96159	Surveys to Monitor Marine Bird Abundance in PWS During Winter and Summer	262,900	0	262,900	260,978	0	260,978	1,922
96161	Harlequin Duck - Indicator Species for Ecological Monitoring and Recovery	87,400	0	87,400	80,620	0	80,620	6,780

Exxon Valdez Oil Spill								
Quarterly Report as of September 30, 1996								
1996 Work Plan Summary								
Project				Adjusted			Expended/	Unobligated
Number	Description	Authorized	Adjustments	Authorization	Expenditures	Obligations	Obligated	Balance
96162	Investigations of Disease Factors Affecting Declines of Pacific Herring Populations in PWS	635,000	0	635,000	453,851	152,898	606,749	28,251
96163A	Abundance and Distribution of Forage Fish and Their Influence on Recovery of Injured Species	406,600	0	406,600	23,916	380,000	403,916	2,684
96163B	Foraging of Seabirds	132,200	0	132,200	133,357	0	133,357	-1,157
96163C	Fish Diet Overlap Using Fish Stomach Content Analysis	69,000	0	69,000	53,978	315	54,293	14,707
96163D	Distribution of Forage Fish as Indicated by Puffin Diet Sampling	12,000	0	12,000	8,495	0	8,495	3,505
96163E	Black-legged Kittiwakes as Indicators of Forage Fish Availability	164,400	0	164,400	161,712	0	161,712	2,688
96163F	Factors Affecting Recovery of Pigeon Guillemot Populations	148,300	0	148,300	151,840	0	151,840	-3,540
96163G	Diet Composition, Reproductive Energetics, and Productivity of Seabirds	171,200	0	171,200	58,042	112,103	170,145	1,055
96163I	APEX Planning and Project Leader	182,700	0	182,700	179,824	0	179,824	2,876
96163J	Barren Islands Seabird Studies	104,000	0	104,000	99,468	0	99,468	4,532
96163K	Using Predatory Fish to Sample Forage Fish	4,700	0	4,700	4,366	0	4,366	334
96163L	Historical Review of Ecosystem Structure in the PWS/GOA Complex and Abundance and Distribution of Forage Fish in the Barren Islands	97,400	0	97,400	52,614	14,595	67,209	30,191
96163M	Lower Cook Inlet Study	214,000	0	214,000	214,000	0	214,000	0
96163N	Black-Legged Kittiwake Feeding Experiment	21,400	0	21,400	20,000	0	20,000	1,400
96163O	Statistical Review	21,400	0	21,400	20,000	0	20,000	1,400
96163P	Sand Lance Hydrocarbon Exposure	21,400	0	21,400	1,291	20,000	21,291	109
96164	Pacific Herring Program Leadership	0	0	0	0	0	0	0
96165	Genetic Discrimination of Prince William Sound Herring Populations	103,900	0	103,900	20,160	67,093	87,253	16,647
96166	Herring Natal Habitats	444,100	0	444,100	323,270	54,402	377,672	66,428
96170	Isotope Ratio Studies of Marine Mammals	150,400	0	150,400	44,484	97,368	141,852	8,548
96180	Kenai Habitat Restoration and Recreation Enhancement Project	560,600	0	560,600	230,924	243,844	474,768	85,832
96186	Coded Wire Tag Recoveries From Pink Salmon in Prince William Sound	254,900	0	254,900	217,484	275	217,759	37,141
96188	Otolith Thermal Mass Marking of Hatchery Reared Pink Salmon in PWS	93,200	0	93,200	80,662	112	80,774	12,426
96190	Construction of Linkage Map for Pink Salmon Genome	167,700	0	167,700	120,277	35,121	155,398	12,302
96191A	Oil-Related Embryo Mortalities in PWS Pink Salmon Populations	474,600	0	474,600	348,399	80,134	428,533	46,067
96191B	Injury to Salmon Eggs and Pre-emergent Fry Incubated in Oil Gravel	143,600	0	143,600	143,488	0	143,488	112
96195	Pristane Monitoring in Mussels and Predators of Juvenile Pink Salmon & Herring	106,700	0	106,700	115,550	3,475	119,025	-12,325
96196	Genetic Structure of Prince William Sound Pink Salmon	178,500	0	178,500	135,977	13,159	149,136	29,364
96210	Prince William Sound Youth Area Watch	115,000	0	115,000	98,804	12,411	111,215	3,785
96214	Documentary on Subsistence Harbor Seal Hunting in PWS	77,400	0	77,400	49,526	19,453	68,979	8,421
96220	Eastern PWS Wildstock Salmon Habitat Restoration	92,000	0	92,000	70,433	0	70,433	21,567
96222	Chenega Bay Salmon Restoration	16,100	0	16,100	3,848	0	3,848	12,252
96225	Port Graham Pink Salmon Subsistence Project	95,300	0	95,300	53,146	34,732	87,878	7,422

Exxon Valdez Oil Spill								
Quarterly Report as of September 30, 1996								
1996 Work Plan Summary								
Project				Adjusted			Expended/	Unobligated
Number	Description	Authorized	Adjustments	Authorization	Expenditures	Obligations	Obligated	Balance
96244	Community Based Harbor Seal Management and Biological Sampling	128,500	0	128,500	121,395	1,556	122,951	5,549
96255	Kenai River Sockeye Salmon Restoration	307,000	0	307,000	280,068	389	280,457	26,543
96256	Columbia and Solf Lakes Sockeye Salmon Stocking	60,800	0	60,800	52,418	0	52,418	8,382
96258A	Sockeye Salmon Overescapement Project	596,600	0	596,600	501,345	4,160	505,505	91,095
96259	Restoration of Coghill Lake Sockeye Salmon	265,700	0	265,700	195,469	200	195,669	70,031
96272	Chenega Chinook Release Program	52,300	0	52,300	47,049	744	47,793	4,507
96290	Hydrocarbon Data Analysis, Interpretation, and Database Maintenance	116,100	-2,800	113,300	108,510	3,088	111,598	1,702
96291	Chenega-Area Shoreline Residual Oiling Reduction	293,000	0	293,000	0	260,000	260,000	33,000
96320E	Salmon and Herring Predation	637,700	0	637,700	570,132	6,872	577,004	60,696
96320G	Phytoplankton and Nutrients	162,200	0	162,200	159,087	54	159,141	3,059
96320H	Zooplankton in the PWS Ecosystem	323,600	0	323,600	249,294	66,191	315,485	8,115
96320I	Isotope Tracers - Food Webs of Fish	270,300	0	270,300	150,461	117,217	267,678	2,622
96320J	Information Systems and Model Development	749,300	0	749,300	386,902	354,890	741,792	7,508
96320K	PWSAC: Experimental Fry Release	61,400	0	61,400	55,004	1,944	56,948	4,452
96320M	Physical Oceanography in PWS	645,800	0	645,800	304,730	337,815	642,545	3,255
96320N	Nekton/Plankton Acoustics	589,200	0	589,200	361,737	225,141	586,878	2,322
96320Q	Avian Predation on Herring Spawn	40,400	0	40,400	22,183	18,217	40,400	0
96320R	SEA Trophodynamic Modeling and Validation Through Remote	202,700	0	202,700	129,877	69,166	199,043	3,657
96320T	Juvenile Herring Growth and Habitat Partitioning	1,141,600	0	1,141,600	698,479	424,426	1,122,905	18,695
96320U	Energetics of Herring and Pollock	189,500	0	189,500	105,035	80,625	185,660	3,840
96320Y	Variation in Local Predation Rates on Hatchery-Released Fry	40,000	0	40,000	37,191	880	38,071	1,929
96320Z1	Synthesis and Integration	68,800	0	68,800	33,654	32,619	66,273	2,527
96326	Data Re-Analysis for NRDA Marine Mammal Study 6	11,400	0	11,400	11,400	0	11,400	0
96427	Harlequin Duck Recovery Monitoring	261,100	0	261,100	203,508	14,116	217,624	43,476
96507	EVOS Symposium Publication	35,000	0	35,000	35,000	0	35,000	0
96600	NOAA Program Management	105,400	0	105,400	88,753	156	88,909	16,491
95259	Restoration of Coghill Lake Sockeye Salmon Supplemental	21,900	0	21,900	21,900	0	21,900	0
	Unbilled GA (ADF&G Only)				0	0	0	0
	Sub-Total	25,875,800	0	25,875,800	17,870,100	5,106,462	22,976,562	2,899,238
	Akhiok-Kaguyak	0	0	0	0	0	0	0
	Seal Bay	3,294,667	0	3,294,667	3,294,667	0	3,294,667	0
	Koniag	12,500,000	0	12,500,000	8,000,000	4,500,000	12,500,000	0
	Shuyak	8,000,000	0	8,000,000	8,000,000	0	8,000,000	0
	Small Parcels	5,554,700	0	5,554,700	4,928,500	626,200	5,554,700	0
	Total	55,225,167	0	55,225,167	42,093,267	10,232,662	52,325,929	2,899,238

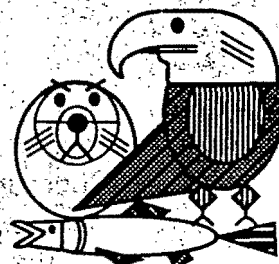
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Exxon Valdez Oil Spill Trustee Council

Restoration Office

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

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



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MEMORANDUM

TO: Exxon Valdez Oil Spill Trustee Council

FROM: Molly McCannan
Executive Director

RE: Natural Resource Damage Assessment (NRDA) Project Reports

DATE: November 22, 1996

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL
ADMINISTRATIVE RECORD

At its August 1996 meeting, the Council asked staff to put together information on (1) the status of final reports on Natural Resource Damage Assessment studies and (2) what it would take to complete a final report on each NRDA study which doesn't already have one underway. ("Final report" means a report encompassing 1989-1991 work that has been approved by the Chief Scientist and formatted per the Council's report writing procedures.)

Of the 75 NRDA studies funded in 1989, 1990, and 1991, all but 22 have a final report completed or near completion – the progress of which is tracked in the Project Status Summary and submitted to the Council quarterly. Of these 22, all but four have a draft report on file at OSPIC as well as at 19 other libraries around the state and in Washington, D.C. and are accessible through the Western Library Network. The fact that these drafts are not in the process of being finalized appears to be the result of a decision in 1992 to not provide funding for final reports on these projects. ("Draft report" means a report that has not been peer reviewed.)

In developing a recommendation on how to address the 22 studies without final reports, staff considered the following four options and **recommends Option #4**:

- #1 Require that a final report be prepared. This option would involve identifying PIs to take on the responsibility of completing the reports (some of the original PIs are no longer part of the EVOS process and may not be available or willing to take on this task). This is the highest cost option: funds would be needed to pay for the PIs' time, peer review, and printing/copying.
- #2 Bring the existing draft reports into our current system by simply putting a cover on the drafts with a disclaimer that they have not been peer reviewed. This

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

option raises the concern that the drafts may be of varying quality and thoroughness, contain confidential information, or include insupportable scientific conclusions. While of lesser cost than Option #1, funds would be needed to pay for the time to prepare report covers (including abstract, etc.) and printing/copying.

- #3 Maintain the status quo. As mentioned, the existing draft reports are available to the public – they are logged into the library system and can be retrieved through key word searches. There is no cost associated with this option.
- #4 Combination of the above. Decide on a study-by-study basis what to do with each report: maintain the status quo, put on a new cover and bring it into our system, or finalize the report (i.e., peer review and revise accordingly).

Proposed Implementation of Option #4

Bob Spies, the Chief Scientist, and Stan Senner, the Science Coordinator, will work with the relevant agency liaison for each NRDA study to determine which reports should be in which category, who should do the necessary work, and the cost and timeline for completing the work. The PIs on each NRDA study will also participate in the decision if they are available. We will then come back to the Trustee Council with a detailed recommendation and what I expect to be a modest request for funding.

For your information, a list of the 75 NRDA studies is attached. The status of each study's report is noted in the right-hand column. The shaded studies are those without a final report at OSPIC or in progress. In addition to NRDA studies, the list includes the five economics studies prepared by the State. These studies are final in the sense that no further review is required. Our recommendation on these reports will likely be that they have new covers prepared and be brought into our system.

STATUS OF REPORTS ON NRDA STUDIES

NUMBER	STUDY TITLE	PI/AUTHOR	AGENCY	YEARS	REPORT STATUS
ARCHAEOLOGY					
ARC1	Archaeological survey			90, 91	OSPIC *
AIR/WATER					
AW1	Geographic extent of oil			89	Report terminated
AW2	Injury subtidal sediment			89, 90, 91	OSPIC, combined with ST2B *
AW3	Hydrocarbons in water			89, 90, 91	OSPIC, combined with ST3A *
AW4	Injury to deep water			89	OSPIC, combined with AW2 *
AW5	Injury to air	G. Guay	ADEC	89	No known draft
AW6	Oil fate and toxicity			90	OSPIC, combined with ST4 *
BIRDS					
B1	Beached bird survey	K. Wohl, L. Denlinger	DOI/FWS	89, 90	Draft at OSPIC (also in Symposium Proceedings)
B2	Seasonal distribution/boat surveys			89, 90, 91	OSPIC *
B3	Seabird surveys/ murre			89, 90, 91	OSPIC *
B4	Bald eagles			89, 90, 91	OSPIC *
B5	Peregrine falcons	J. Hughes	ADFG	89, 90	Draft at OSPIC
B6	Marbled murrelets			89	OSPIC *
B7	Storm petrels			89	OSPIC *
B8	Black-legged kittiwakes			89	Under peer review *
B9	Pigeon guillemots			89	OSPIC *
B10	Glaucous-winged gulls	S. Patten	ADFG	89	Draft at OSPIC
B11	Sea ducks/harlequins			89, 90, 91	Peer reviewed; PI revising *
B12	Shorebirds			89	1 report at OSPIC, 1 accepted by Spies but not yet at OSPIC *
B13	Passerines		DOI/FWS	89, 90	No known draft
B14	Exposure N. Slope oil		DOI/FWS	89	No known draft
COASTAL HABITAT					
CH1	Intertidal studies			89, 90, 91	NOAA report at OSPIC, USFS report being copied for submittal to OSPIC *
FISH/SHELLFISH					
FS1	Salmon spawning			89, 90, 91	Final report being drafted *
FS2	Eggs/pre-emergent fry			89, 90, 91	OSPIC *
FS3	Coded-wire tagging			89, 90, 91	OSPIC *
FS4	Early marine injury			89, 90, 91	ADFG/NOAA reports at OSPIC *
FS5	Dolly varden			89, 90, 91	OSPIC *
FS6	Sport fishing	C. Whitmore, K. Roth, R. Holmes, P. Hansen	ADFG	89	Draft at OSPIC
FS7	Spawning injury outside PWS			89, 90	OSPIC, combined with FS8

* Included in Quarterly Project Status Report for '92 Work Plan

STATUS OF REPORTS ON NRDA STUDIES

FS8	Eggs/pre-emergent fry outside PWS			89, 90	OSPIC, combined with FS7
FS9	Early marine injury outside PWS	J. Raymond	ADFG	89	Draft at OSPIC
FS10	Dolly varden/sockeye lower Cook Inlet	N. Dudiak, et al	ADFG	89	Project canceled before any field work
FS11	Herring injury			89, 90, 91	Under peer review *
FS12	Herring outside PWS	K. Brennan	ADFG	89	Draft at OSPIC
FS13	Clam injury			89, 90, 91	Peer reviewed; returned to PI for revision*
FS14	Crab injury	J. Hilsinger, C. Trowbridge	ADFG	89	Draft at OSPIC
FS15	Shrimp injury			89, 90	OSPIC, combined with ST5 *
FS16	Oyster injury	M. Kaill, M. Babcock	ADFG, NOAA	89	Draft in ADF&G files
FS17	Rockfish injury			89, 90	OSPIC, combined with ST6 *
FS18	Trawl assessment			89, 90	OSPIC
FS19	Larval fish injury	B. Norcross	ADFG	89	Draft at OSPIC
FS20	Underwater observations	D. Huttunen, P. Skvorec	ADFG	89	Draft at OSPIC
FS21	Clams outside PWS			89	Combined with FS13*
FS22	Crab outside PWS			89, 90	OSPIC
FS23	Rockfish outside PWS			89	OSPIC, combined with FS 17 *
FS24	Demersal fish injury			89, 90	OSPIC, combined with ST7 *
FS25	Scallop mariculture	M. Kaill	ADFG	89	Draft at OSPIC
FS26	Sea urchin injury	W. Donaldson, S. Byersdorfer	ADFG	89	Draft at OSPIC
FS27	Sockeye overescapement			90, 91	OSPIC *
FS28	Run reconstruction			90, 91	OSPIC *
FS29	Life history modeling				OSPIC, combined with FS28 *
FS30	Database management			90, 91	OSPIC *
MARINE MAMMALS					
MM1	Humpback whale			89, 90	OSPIC *
MM2	Killer whale			89, 90, 91	OSPIC *
MM3	Cetacean necropsy	T. Loughlin	NOAA	89	Draft at OSPIC
MM4	Sea lion	D. Calkins	ADFG	89, 90	Draft at OSPIC
MM5	Harbor seal			89, 90, 91	OSPIC *
MM6	Sea otter injury			89, 90, 91	19 reports, 14 at OSPIC *
MM7	Rehabilitated sea otters			89, 90	Combined with MM6 *
SUBTIDAL					
ST1	Microbial and meiofaunal effects			91	NOAA and DEC reports at OSPIC *
ST2	Benthic communities			91	OSPIC *
ST3	Bio-availability/caged mussels			91	2 NOAA reports and DEC report at OSPIC *
ST4	Sediment toxicity			91	OSPIC *

STATUS OF REPORTS ON NRDA STUDIES

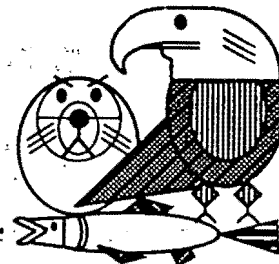
ST5	Injury to shrimp			91	OSPIC *
ST6	Injury to rockfish			91	OSPIC *
ST7	Injury to demersal fish			91	OSPIC *
TERRESTRIAL MAMMALS					
TM1	Sitka black-tailed deer	D. Calkins, J. Lewis	ADFG	89, 90	Draft at OSPIC
TM2	Black bear	B. McCracken	ADFG	89, 90	Draft at OSPIC
TM3	River otter and mink			89, 90, 91	OSPIC *
TM4	Brown bear	J. Lewis, R. Sellers	ADFG	89, 90, 91	Draft at OSPIC
TM5	Small mammals	D. Calkins	ADFG	89	Project canceled before any field work
TM6	Mink reproduction	R. White, G. Blake, M. Sousa, J. Rowell	ADFG	89, 90	No known draft
TECHNICAL SERVICES					
TS1	Hydrocarbon analysis			89, 90, 91	Combined with ST8, not yet at OSPIC *
TS2	Histopathology	G. Marty, D. Hinton	ADFG DOI/FWS	89, 90	Draft at OSPIC
TS3	GIS mapping			89, 90, 91	No report required *
ECONOMIC STUDIES					
	Contingent valuation				At OSPIC
	Recreational fishing				At OSPIC
	Sport fishing				At OSPIC
	Tourism				At OSPIC
	Replacement costs of birds and mammals				At OSPIC

Exxon Valdez Oil Spill Trustee Council

Restoration Office

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



MEMORANDUM

TO: Trustee Council

FROM: Molly McCammon
Executive Director

DATE: November 22, 1996

RE: Crab and shrimp update

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EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL
ADMINISTRATIVE RECORD

Those of you present at the Trustee Council's public hearing in Kodiak last spring will recall that several members of the public expressed interest in restoration of crab and shrimp in the spill area. This interest was also expressed in the six Kodiak villages I visited last spring, as well by several residents of lower Cook Inlet communities.

As a result, I asked Stan Senner and Bob Spies to compile whatever information existed on oil-spill impacts and the current status of restoration, research and management activities. The attached memorandum is that end product.

I have asked Stan to work with Communications Coordinator Joe Hunt to put this information into an easily understood, 1 or 2 page brochure for the general public. We plan to discuss this at the annual workshop in January with the community facilitators.

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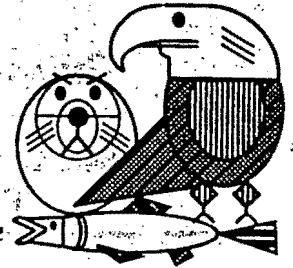
State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation
United States: National Oceanic and Atmospheric Administration, Departments of Agriculture and Interior

Exxon Valdez Oil Spill Trustee Council

Restoration Office

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MEMORANDUM

To: Molly McCammon, Executive Director

From: Stan Senner, Science Coordinator *Stan Senner*

Subject: Crab, Shrimp, and the *Exxon Valdez* Oil Spill

Date: October 29, 1996

This memorandum is in response to your request for information on the status of crab and shrimp populations in the oil-spill area. Specifically, you asked for information on oil-spill impacts, the kinds of restoration, research, and management activities now underway, and possibilities for future restoration and enhancement activities. You also asked for a recommendation on the possibility of small workshop or other means of addressing concerns about the status of crab and shrimp.

Much of the information presented below on the stock status and current and future restoration and management actions was provided by Gordon Kruse, Alaska Department of Fish and Game, Juneau. Doug Pengilly and William Donaldson, ADFG, Kodiak, and A.J. Paul, University of Alaska Institute of Marine Science, Seward, also were helpful. Any errors in fact or interpretation are my own, as are the recommendations at the end.

EVOS Impacts

There were several Natural Resources Damage Assessment studies that bear on injury to crab and shrimp. The results did not provide any clear evidence of significant or lasting injury to these shellfish due to the oil spill.

Subtidal Study No. 5 (Trowbridge 1995) addressed "Injury to Prince William Sound Spot Shrimp" (*Pandalus platyceros*). Evidence of injury included a lower catch per unit effort (CPUE) in oiled southwestern PWS compared to unoled northern PWS in 1989 and 1990, fewer eggs per female in the oiled area in 1989, and a higher proportion of inflammatory gill lesions on shrimp in the oiled area. Although the investigator concluded that probably there was injury to spot shrimp due to the oil spill, it was very difficult to assess due to geographic differences in commercial fishing histories (primarily, heavy prespill pressure in southwest PWS). This study was concluded in 1991.

Fish/Shellfish Study No. 14 (O'Clair 1990.) addressed "Injury to Prince William Sound Crabs." This study was intended to document exposure to and the effects of hydrocarbons on Dungeness crabs

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

(*Cancer magister*) and brown king crabs (*Lithodes aequispinosa*). Although a substantial sample of Dungeness crabs was obtained from eastern PWS, only a single crab was caught in western PWS. The investigator attributed the lack of crabs in western PWS to otter predation. With respect to brown king crabs, the investigator caught a substantial sample in western PWS. Some baseline data on rates of injury (limb loss can be a result of oil exposure) and other parameters were obtained, but there was no clear indication of injury from the oil spill. The study was discontinued after the initial year, 1989.

Fish/Shellfish Study No. 18 (Haynes et al. 1995) addressed "Impacts of the *Exxon Valdez* Oil Spill on Bottomfish and Shellfish in Prince William Sound." Much of this study concerned bottomfish (e.g., walleye pollock, *Theragra chalcogramma*), but there were some data on sidestripe shrimp (*Pandalopsis dispar*) and Tanner crab (*Chionoecetes bairdi*). A post-spill bottom trawl (1989) in PWS was compared with a similar survey in 1978. There were fewer tanner crabs (i.e., lower CPUE) in the 1989 survey than in 1978. Sidestripe shrimp had just the opposite pattern--there were more shrimp in the postspill survey. There is no clear interpretation of these data with respect to EVOS.

Fish/Shellfish Study No. 19 (Norcross) addressed "Injury to Larval Fish in Prince William Sound." In 1989, larval crustaceans and fish were collected on six cruises in Prince William Sound. Although some of the initial sorting of samples was accomplished, the study was terminated. No funds were provided to complete the identification and analysis of the samples.

Fish/Shellfish Study No. 22 (Freese and O'Clair 1995), addressed "Injury to Crabs Outside Prince William Sound." During 1989 and 1990, the investigators sampled bottom sediments and Dungeness crabs at numerous sites around Kodiak I. and on the eastern Alaska Peninsula. Eight of 15 sites at which crabs were caught had low levels of petroleum hydrocarbons in the sediment, but the residues at only two of the sites could be linked convincingly to EVOS. None of the crab tissues samples at any site showed evidence of hydrocarbon contamination. Thus, there was no evidence of EVOS injury to Dungeness crab in the Kodiak/eastern Alaska Peninsula area.

Finally, the Exxon Corporation also supported at least one study on the effects of the oil spill on crustaceans in Prince William Sound. Analyses of muscle tissues in Tanner crab and spot shrimp by Armstrong et al. (1995) generally showed low concentrations of total polyaromatic hydrocarbons (PAHs) in both oiled and unoiled samples from Prince William Sound. During one cruise in 1990, some localized mortality of juvenile Tanner crabs was documented, but the authors speculate that low bottom-water salinity may have been at least part of the cause. There was a statistically significant difference in the fecundity of coonstripe shrimp between oiled and unoiled areas in 1989-90, apparently due to the oil spill, but the authors do not believe that the difference was consequential given the population dynamics of the species.

Stock Status

Gulf of Alaska crab stocks are generally depressed, though the details depend on the specific area (stocks can even vary bay-by-bay) and species. Generally speaking, red king crab (*Paralithodes*

camtschaticus) stocks have been depressed since the early 1980s, and the Kodiak red king crab fishery has been closed since 1983. Most Tanner crab stocks have become depressed more recently. Both red king and Tanner crab stocks are at least fairly healthy in SE Alaska.

Aside from fish tickets and dockside samples, Dungeness crab stocks are not assessed. Catch records, however, show that landings from SE Alaska, Yakutat, and Kodiak tend to cycle in ways similar to well-known cycles of Dungeness crab populations from northern California to BC. Dungeness crabs at the northern end of their range (Prince William Sound and Lower Cook Inlet) are quite depressed, however. Stocks in PWS crashed well before the spill, and there is a common perception that sea otter predation is at least partially responsible. New fisheries have developed for other species of deepwater king and Tanner crabs, but these stocks are not assessed either.

In regard to shrimp, historically, the principal species harvested was the pink shrimp (*Pandalus borealis*). Many of these fisheries and stocks crashed in the early 1980s. A fairly stable beam-trawl shrimp fishery has been sustained over many years in SE Alaska, and there are some fairly small pot and trawl fisheries for other shrimp species in the eastern and central Gulf of Alaska.

In addition to information provided by Gordon Kruse, the work by Paul Anderson, National Marine Fisheries Service, and his colleagues is pertinent (Anderson et al. 1996). As part of the Alaska Predator Ecosystem Experiment project, Anderson et al. (1996) are reviewing data from NMFS and ADFG historical small-mesh trawl surveys to examine changes in the composition and abundance of forage fish and other marine life. This work is in progress, but preliminary results give evidence of important shifts among the major species groups in the Gulf of Alaska. Beginning in the late 1970s, there was an abrupt change from catches dominated by shrimp species to large proportions of fish, especially pollock, cod, and flatfish of several species, including Pacific halibut (*Hippoglossus stenolepis*) and arrowtooth flounder (*Atheresthes stamius*). The data from these research trawls correspond rather closely with the rapid declines in commercial landings of shrimp and then crab in the Gulf of Alaska. These changes may be linked to an increase in water temperature of about 2° C during the same time period, but the relationship between the ecological and oceanographic changes still is being explored.

Current Restoration, Research, and Management Activities

Management strategies have become more conservative for crabs and shrimps since their stocks crashed. Typically, managers tend to apply a fishery threshold to depressed stocks such that no fishing occurs when the stock falls below some level. Just this year ADFG implemented a new rebuilding strategy for the depressed red king crab stock in Bristol Bay and is working with the North Pacific Fishery Management Council to implement area closures to minimize impacts of groundfish trawling on these stocks. There has been some research towards enhancement of red king crabs via hatcheries (mostly Japanese researchers), but there may be little prospect that this approach is economically or biologically practical for Alaskan stocks.

Research on crab and shrimp in Alaska is conducted principally by ADFG, NMFS, and the University of Alaska Fairbanks. The University of Washington also has a history of crab research in Alaska. The most coordinated work is conducted on king and Tanner crabs, and there is a long-term research plan in place. Because federal funds support crab research, most of the work is directed toward stocks in the Bering Sea-Aleutian Island area, though some of the work applies to all stocks. The research has been directed at four principal areas of investigation: (1) stock identification--mainly allozyme and DNA-level genetic studies, (2) population estimation--mainly additional surveys on previously unsurveyed stocks and development of length-based models to improve population estimates, (3) studies of stock productivity--several studies of reproductive dynamics of king and Tanner crabs (e.g., importance of male size and shell condition), simulation of population dynamics including growth and mortality changes over time, studies of handling mortality, and investigations of stock-recruit and environment-recruit dynamics, and (4) harvest strategies--analyses through simulation modeling.

Studies on Dungeness crabs are very limited. The most recent studies have been conducted by UAF and NMFS in collaboration with the National Biological Service in Glacier Bay National Park--stock structure, reproductive condition, relationships with sea otters, etc. Most research on Dungeness crabs has been conducted in the west coast states and in BC. Alaska has not funded research on Dungeness crabs to any significant degree.

Studies on shrimp are limited outside of assessment surveys by ADFG and NMFS, although UAF is currently conducting a length-based analysis of the Kachemak Bay shrimp stock in coordination with ADFG. As with Dungeness crabs, Alaska has not funded a meaningful research program on shrimp, and very little is known about the status and even basic biology of key shrimp species.

One of the difficulties posed by depressed crab and shrimp populations is that it becomes difficult to justify requests for survey funds when funds are so limited and competition for dollars is intense. In regard to the small-mesh trawl surveys described on page 3, NMFS conducts annual surveys of Pavlof Bay, but this survey is in constant jeopardy of elimination due to reduced funding. The surveys carried out by ADFG are annual, but budget constraints have forced the agency to rotate the surveys through a series of bays (e.g., Kachemak Bay) on a triennial cycle: Each area is only surveyed once every three years rather than annually as had been the case.

Future Restoration and Enhancement Activities

There is so much that is not known about the biology and population dynamics of crabs and shrimp that it is hard to recommend a particular restoration-enhancement activity. If the goal is to provide new fishing alternatives on underutilized crab and shrimp species, then that goal would dictate one set of research projects. On the other hand, if the goal is to restore and maintain king and Tanner crab stocks, then that would dictate a very different set of research projects.

The goal for developing fisheries probably would lead to basic investigations of distribution, reproduction, growth, and mortality, since there currently is not enough information to support development of biologically-based management strategies for new resources. This could be a prime area for experimental management.

The goal of king and Tanner crab restoration could involve studies on basic ecology and life histories and possible causes for depressed populations. These might include further studies of reproductive dynamics, distributions, and biological communities associated with crab nurseries in relation to groundfish trawling and scallop dredging, role of groundfish predation on crab recruitment, and environmental factors that regulate recruitment processes. There might be a role for lab work with flowing seawater systems as well as field work. (Perhaps this is something that could be done at the Alaska SeaLife Center?) Comparisons between depressed (e.g., Kodiak and Cook Inlet) stocks with healthy stocks (e.g., SE AK) outside the spill area could be most insightful, and the Trustee Council has supported similar comparisons on harbor seals (*Phoca vitulina richardsi*).

In the Kodiak area, Pengilly and Donaldson mentioned a need to describe the geographic distribution of settling habitats for crabs. Once identified, prime settling habitats--areas that might serve as local "source" populations--might warrant special protection (e.g., in the event of another oil spill). There also is need for studies that tie crab settlement and recruitment with crab numbers 5-7 years later. Use of laser line scanning equipment might lead to improvements in stock assessments. Finally, in terms of an experimental approach, there might be value in fishing out a bay, and then seeing what happens to crustacean populations (this would tie in with the results of Anderson et al. on the possibility of a shift in ecosystem composition).

Aspects of the Trustee Council's Sound Ecosystem Project (SEA, /320) should prove to be valuable for crab and shrimp research and management. For example, models of physical oceanography (e.g., circulation patterns) and larval herring drift can be tested on the planktonic larvae of crab and shrimp, thus helping to identify ecological processes and critical habitats of importance to crustaceans. In turn, this enhanced understanding should improve management and predictability. As another example, the SEA fish-predator consumption bioenergetic models might be useful in determining losses of young crab and shrimp to bottomfish, such as cod and pollock.

Conclusion

Although there may have been some injury to crab and shrimp as a result of the oil spill, the nature, degree, and scope of the injury is not known, certainly not on the basis of the EVOS damage assessment studies. Given that most shrimp and crab stocks in the oil-spill area had crashed well before EVOS, probably due to some change in oceanographic conditions and possibly, in some cases, to the effects of harvests, there is no evidence that the oil spill accounts for the current depressed status of crab and shrimp of importance to commercial and subsistence users.

In terms of restoration action, it may be justified to approach work on crab and shrimp from the standpoint of replacement or enhancement. This is a policy decision. It is also evident, however, that there is no project "on the shelf" that will in any immediate sense directly restore, replace, or enhance crab and shrimp resources, particularly if the initial cause of the crashes was environmental. Clearly, there is much that can be done in terms of basic research and stock assessment, which would undoubtedly pay off over the long term through development of new fisheries or improved management of existing fisheries. I see no prospect, however, for an immediate benefit to commercial and subsistence users.

In regard to a possible workshop on this topic, I am sure that a workshop would generate additional ideas in the way of specific needs and opportunities, but it also could raise expectations of a Trustee Council commitment to follow through on the ideas generated. I would be leery of going further unless you and the Trustee Council are prepared to consider a significant multi-year financial commitment to crab and shrimp studies.

The above discussion about how little is known about the status of crab and shrimp and how little actually is being done on these resources underscores for me the importance of sustaining the historical small-mesh trawl surveys now conducted by NMFS and ADFG. These surveys are critical for the insights they provide into the composition of the biota in the Gulf of Alaska ecosystem, including crab and shrimp as well as forage fish, which are a key part of several on-going Trustee Council projects. Perhaps we should consider the importance of sustaining or enhancing this work in the context of the Trustee Council's interest in encouraging and participating in long-term ecological research and monitoring in the Gulf of Alaska.

Finally, after completion of the current phase of the SEA project in 1999, the Trustee Council may want to consider opportunities for "spin-off" research on crab and shrimp. Such work could test and extend the SEA project and improve understanding and management of crab and shrimp populations in Prince William Sound.

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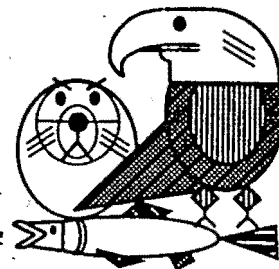
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Exxon Valdez Oil Spill Trustee Council

Restoration Office

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

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MEMORANDUM

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To: Members of the Trustee Council

From: Molly McCammon
Executive Director

Subject: Bibliography of Research Publications Sponsored by the Trustee Council

Date: November 21, 1996

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL
ADMINISTRATIVE RECORD

Carrie Holba and Stan Senner have prepared a first draft of a comprehensive bibliography of peer-reviewed publications on research sponsored by the Trustee Council. This list will be updated periodically. Undoubtedly some already published material was missed, and more work is published every month.

The intent is to include citations for which the authors or research were wholly or in part supported by Trustee Council funds. This is not always easily determined, particularly for some of the early work that evolved into Trustee-sponsored projects (e.g., some of the early sea otter rehab and veterinary work). We have included only full-length, peer-reviewed papers from open journals, symposium proceedings, books, and theses. No citations for abstracts are included, nor are there any government technical reports, except where a report series was used to publish a symposium proceedings. In general, papers on the EVOS response and cleanup are not included, unless there was substantial overlap with Trustee Council work (again, the early otter papers are an example). Finally, only papers that have actually appeared in print or are officially "in press" are cited here. Submitted-but-not-yet-accepted manuscripts will be included once they are in press.

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

The current version of the bibliography includes 163 citations. In terms of publication type, they include:

By topic

Mammals	35%
Fish	20%
Invertebrates/intertidal fauna & flora	14%
Fate of oil	14%
Birds	12%
Social/cultural/ archaeological/subsistence	5%
Other (e.g., restoration)	<1%

By type

Symposium proceedings	69%
Open journals	28%
Other (e.g., theses)	3%

Please let Carrie Holba or Stan Senner know if you have comments, questions, or suggestions.

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cc: Restoration Liaisons and Work Force
Dr. Robert Spies, Chief Scientist
"Core" scientific reviewers

DRAFT

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of
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Exxon Valdez Oil Spill Trustee Council

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Habitat Protection Program: Large Parcels Status Report November 26, 1996

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EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL
ADMINISTRATIVE RECORD

The *Exxon Valdez* Trustee Council funds the acquisition of land to protect the habitat of injured resources and services. The goals of habitat protection are to prevent additional injury to resources and services while recovery is taking place and to provide a long-term safety net for these resources.

In 1992, the Restoration Office evaluated 16 large parcels (over 1,000 acres) that were imminently threatened by development. In March 1993, the Restoration Office contacted 90 owners of large parcels in the spill area. Thirty-two landowners expressed interest in having their land considered for acquisition and 850,000 acres of land were subsequently evaluated.

As of November 1996, the Council has committed \$208.3 million to protect 489,000 acres of land, with parcels ranging in size from 2,000 to 119,000 acres. Seven large parcels have been purchased, including inholdings in Kachemak Bay State Park, land adjacent to Seal Bay/Tonki Cape on Afognak Island, commercial timber rights on land along Orca Narrows, lands owned by Akhiok-Kaguyak, Inc., Old Harbor Native Corporation and Koniag, Inc., and a 27,000-acre parcel on Shuyak Island.

In May 1996, the Council offered to acquire interests in 60,997 acres of land from the Chenega Corporation. In August 1996, the Council agreed to acquire interests in 66,443 acres of land owned by the Tatitlek Corporation. The acquisition of these parcels depends on shareholder votes. The Chenega vote will be on December 4.

Negotiations continue with five landowners to protect additional habitat. The landowners are Afognak Joint Venture, English Bay Corporation, Eyak Corporation, Koniag, Inc., and Port Graham Corporation.

Table 1 summarizes the status of land acquisitions as of November 1996 — whether acquisitions are complete, offers are pending or negotiations continue. Table 1 also indicates the acreage of each parcel and, if known, its purchase price, contributions from the joint trust fund, and contributions from other sources.

Table 1. Status of Large Parcel Acquisitions

November 26, 1996

Parcel Description	Acreage	Total Price (Incl. Interest)	Trust Fund	Other Sources
Acquisitions Complete				
Kachemak Bay State Park Inholdings ¹	23,800	\$22,000,000	\$7,500,000	\$14,500,000
Seal Bay / Tonki Cape	41,549	\$39,447,600	\$39,447,600	\$0
Orca Narrows (timber rights)	2,052	\$3,650,000	\$3,650,000	\$0
Akhiok - Kaguyak, Inc. ²	118,674	\$46,000,000	\$36,000,000	\$10,000,000
Old Harbor ^{2,3}	31,609	\$14,500,000	\$11,250,000	\$3,250,000
Koniag (fee title) ²	59,689	\$26,500,000	\$19,500,000	\$7,000,000
Koniag (limited term easement)	57,082	\$2,000,000	\$2,000,000	\$0
Shuyak Island	26,665	\$42,000,000	\$42,000,000	\$0
Subtotal:	361,120	\$196,097,600	\$161,347,600	\$34,750,000
Offers Pending				
Chenega ²	60,997	\$34,000,000	\$24,000,000	\$10,000,000
Tatitlek ^{2,4}	66,443	\$33,000,000	\$23,000,000	\$10,000,000
Subtotal:	127,440	\$67,000,000	\$47,000,000	\$20,000,000
TOTAL:	488,560	\$263,097,600	\$208,347,600	\$54,750,000
Negotiations Continuing⁵				
Afognak Joint Venture	112,827			
English Bay	33,350			
Eyak	72,000			
Koniag (fee title) ⁶	46,170			
Port Graham	264,347			
Subtotal:	264,347			
Total Acreage to be Protected:	752,907			

¹ Funding from other sources consists of a State of Alaska contribution of \$7 million from the Exxon plea agreement and \$7.5 million from the civil settlement with the Alyeska Pipeline Service Company.

² Funding from other sources consists of a Federal contribution from the Exxon plea agreement.

³ As part of the protection package, the Old Harbor Native Corporation agreed to protect an additional 65,000 acres of land on Sitkalidak Island as a private wildlife refuge.

⁴ Interest has not yet been calculated.

⁵ Acreage is estimated and may change as negotiations continue.

⁶ Negotiations with Koniag concern fee title to the 57,082 acres that are currently protected under a limited term nondevelopment easement.

Acquisitions Complete. Seven large parcels have been acquired.

Kachemak Bay. In August 1993, the state acquired surface title to 23,800 acres of private inholdings within Kachemak Bay State Park on the Kenai Peninsula. This acquisition protects a highly productive estuary, several miles of anadromous fish streams and intertidal shoreline and upland habitat for bald eagles, marbled murrelets, river otters, and harlequin ducks. The Council contributed \$7.5 million to this purchase and the State of Alaska contributed \$7 million from the Exxon plea agreement and \$7.5 million from the civil settlement with Alyeska Pipeline Service Company.

Seal Bay and Tonki Cape (Afognak Island). In November 1993, the state purchased surface title to 41,549 acres on northern Afognak Island. This mature spruce forest is adjacent to highly productive marine waters, includes anadromous fish streams, and provides excellent habitat for bald eagles and marbled murrelet nesting. The Council authorized \$39.4 million (including interest) for this purchase. In 1994, the Alaska State Legislature designated these lands as the Afognak Island State Park.

Orca Narrows Subparcel. In January 1995, the federal government purchased from the Eyak Corporation commercial timber rights on 2,052 acres of land in Orca Narrows. This parcel is near Cordova in Prince William Sound and contains anadromous fish streams, active bald eagle nests and favorable habitat for marbled murrelet nesting. The Council authorized \$3.65 million for this acquisition.

Akhiok-Kaguyak. In May 1995, the federal government agreed to purchase from Akhiok-Kaguyak, Inc., surface title to 76,211 acres of land and conservation easements on 42,463 acres, for a total of 118,674 acres. These lands are within the Kodiak National Wildlife Refuge. The Council contributed \$36 million to this acquisition and the federal government contributed \$10 million from the federal restitution fund.

Old Harbor. Also in 1995, the federal government purchased from the Old Harbor Native Corporation surface title to 28,609 acres of land and the corporation donated a conservation easement on 3,000 acres. These lands are within the Kodiak National Wildlife Refuge. In addition, the Old Harbor Native Corporation agreed to preserve 65,000 acres of land on nearby Sitkalidak Island as a private wildlife refuge. The Council contributed \$11.25 million to this acquisition and the federal government contributed \$3.25 million from the federal restitution fund.

Koniag. In November 1995, the federal government purchased from Koniag, Inc., surface title to 59,689 acres of prime habitat for bear, salmon, bald eagles, and other species in the Kodiak National Wildlife Refuge. This agreement protected an additional 57,082 acres under a nondevelopment easement through the year 2001. The

nondevelopment easement includes land along the Karluk and Sturgeon Rivers. The Council contributed \$21.5 million to this acquisition and the federal government contributed \$7 million from the federal restitution fund.

Shuyak Island. In December 1995, the Council approved \$42 million (including interest) to purchase from the Kodiak Island Borough surface title to 26,665 acres of prime habitat on Shuyak Island, at the northern tip of the Kodiak archipelago. The Kodiak Island Borough agreed to commit \$6 million from the land sale to expansion of Kodiak's Fishery Industrial Technology Center.

As part of the purchase agreement for lands on Shuyak Island, the Council authorized up to an additional \$1 million to purchase small parcels within the Kodiak National Wildlife Refuge that have been acquired by the Kodiak Island Borough as a result of the property owners' failure to pay borough taxes. These parcels are about 10 acres in size and occupy key waterfront locations along Uyak Bay on Kodiak Island. They are embedded in two highly ranked large parcels approved as part of the Kodiak purchase agreement.

Offers Pending. Offers on two large parcels are pending shareholder approval.

Chenega. In May 1996, the Council authorized \$24 million for an offer to purchase 60,997 acres from Chenega Corporation. An additional \$10 million would come from the federal restitution fund, for a total purchase price of \$34 million. The offer includes acquisition of surface title to 38,228 acres together with a conservation easement on an additional 22,769 acres. Public access will be allowed on all the land in the conservation easement except 3,330 acres on the southern portion of Chenega Island in the vicinity of the original Chenega village site. Two parcels to be acquired in fee simple, the Eshamy Bay and Jackpot Bay parcels, are among the highest ranked parcels in the oil spill area.

Tatitlek. In August 1996, the Council authorized \$23 million for an agreement to purchase 66,443 acres from Tatitlek Corporation. An additional \$10 million would come from the federal restitution fund, for a total of \$33 million. The agreement includes acquisition of surface title to 31,490 acres together with conservation easements on 34,953 acres. Two of the parcels in which interests will be acquired, Bligh Island and Two Moon Bay, were respectively the third and fourth highest ranked parcels in Prince William Sound. The offer includes a timber only conservation easement to be conveyed on the north shore of Port Fidalgo.

Negotiations Continuing. Negotiations continue on five additional large parcels.

Afognak Joint Venture. In December 1994, the Council authorized up to \$70 million for an offer to purchase from Afognak Joint Venture surface title to 48,728 acres on northern Afognak Island. The Council also authorized further negotiations about the acquisition of an additional 64,099 acres, for a total acquisition of 112,827 acres. The property consists of seven dispersed parcels, five of which are adjacent to or near the previously acquired Seal Bay parcel, one is adjacent to Shuyak Strait, and one is in the western part of Afognak Island. The appraisal of these parcels is nearing completion.

English Bay and Port Graham. The U.S. Department of the Interior, on behalf of the Council, is holding discussions with English Bay Corporation and Port Graham Corporation about the purchase of 79,520 acres, much of which is within Kenai Fjords National Park.

Eyak. Discussions continue with Eyak Corporation on how to protect about 72,000 acres of corporation lands, particularly Port Gravina, Sheep Bay, and Windy Bay. These lands include the "Core Parcels" and Orca Narrows.

Koniag. The Council is interested in acquiring fee interest in the 57,082 acres covered by the limited term nondevelopment easement acquired in November 1995, and has agreed to maintain unobligated funds totaling \$16.5 million for this purpose. The nondevelopment easement includes land along the Karluk and Sturgeon Rivers and expires on December 2, 2001.

Exxon Valdez Oil Spill Trustee Council

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Habitat Protection Program: Small Parcels

Status Report

November 26, 1996

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EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL
AND SERVICES INJURED
RECORD

One of the ways the Trustee Council protects habitat for resources and services injured by the *Exxon Valdez* oil spill is by buying land that has habitat value. The Council has already protected habitat on 489,000 acres of land in large tracts. In recognition of the unique habitat qualities and strategic value of smaller tracts of land (less than 1,000 acres), the Council initiated the Small Parcel Program in 1994.

In response to a public solicitation, 302 small parcels have been nominated. Council staff evaluate, score, and rank the parcels, taking into account the resource value of the parcel, adverse impacts from human activity, and potential benefits to management of public lands. The nomination period is open-ended. The Restoration Office continues to receive and evaluate nominations.

The Council has expressed interest in acquiring 51 of the parcels that have been nominated, along with a package of lands owned by the Kenai Natives Association and key waterfront parcels that were forfeited to Kodiak Island Borough for tax delinquency. The Council has authorized offers to purchase 35 small parcels at appraised fair market value, and contributions of \$4 million to the Kenai Natives Association Package and up to \$1 million for the Kodiak Island Borough Tax Parcels.

Table 1 summarizes the status of each of the offers. Sixteen small parcels (about 2,300 acres) have been acquired for \$7.9 million. Owners of 12 additional parcels (about 700 acres) have accepted offers for a total of \$3.3 million. Landowners are considering offers on five parcels, negotiations continue on the Kenai Natives Association Package, and the Kodiak Island Borough Tax Parcels are being appraised. The owners of two parcels have rejected offers to purchase their parcels at appraised fair market value.

The Council is also considering acquisition of the 16 parcels listed in **Table 2**, but has not yet authorized offers to purchase these parcels. **Table 3** is a list of 17 additional parcels that have been nominated in recent months.

Federal Trustees

U.S. Department of 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

Table 1. Status of Small Parcel Acquisitions and Offers
November 26, 1996

Parcel ID	Description	Acres	Value	Status
Acquisitions Complete				
PWS 17	Ellamar Subdivision	22.0	\$310,000	
PWS 17 A&D	Ellamar Subdivision	9.4	\$276,500	
PWS 17 B&C	Ellamar Subdivision	2.0	\$69,000	
PWS 52	Hayward Parcel	9.5	\$150,000	
KEN 10	Kobylarz Subdivision	20.0	\$320,000	
KEN 29	Tulin Parcel	220.0	\$1,200,000	
KEN 34	Cone Parcel	100.0	\$600,000	
KEN 54	Salamatof Parcel	1,377.0	\$2,540,000	
KEN 1006	Girves Parcel	110.0	\$1,835,000	
KEN 1014	Grouse Lake	64.0	\$211,000	
KAP 99	Shugak Parcel (Kiliuda Bay)	160.0	\$155,200	
KAP 105/142	Three Saints Bay	88.0	\$168,000	
KAP 135	Capjohn Parcel (Kiliuda Bay)	70.0	\$73,500	
Subtotal:		2,251.9	\$7,908,200	
Offers Accepted				
KEN 19	Coal Creek Moorage	53.0	\$260,000	
KEN 148	River Ranch	146.0	\$1,650,000	
KEN 1005	Ninilchik	16.0	\$50,000	
KEN 1009	Cooper Parcel	30.0	\$48,000	
KEN 1015	Lowell Point	19.4	\$531,000	
KEN 1049	Mansholt Parcel (Kenai River)	1.6	\$55,000	
KAP 98	Pestrikoff Parcel (Sitkalidak Strait)	80.0	\$128,000	
KAP 101	Haakanson Parcel (Sitkalidak Strait)	80.0	\$52,000	
KAP 103	Kahutak Parcel (Sitkalidak Strait)	40.0	\$66,000	
KAP 115	Johnson Parcel (Uyak Bay)	65.0	\$110,500	
KAP 131	Matfay Parcel (Kiliuda Bay)	40.0	\$68,000	
KAP 132	Peterson Parcel (Sitkalidak Strait)	160.0	\$256,000	
Subtotal:		731.0	\$3,274,500	
Offers Under Review				
KEN 55	Overlook Park	97.0	\$244,000	Appraisal is being updated.
KEN 1034	Patson Parcel	76.3	\$375,000	Discussions continue.
KAP 220	Mouth of Ayakulik R.	56.0	\$213,000	Willing to sell a larger package.
KAP 226	Karluk River Lagoon	21.5	\$146,000	Willing to sell a larger package.
KAP 1055	Abston Parcel (Uyak Bay)	160.0	\$281,300	
<i>Kenai Natives Association Package</i>		3,254.0	\$4,000,000	Legislation approved; signed by President.
<i>Kodiak Island Borough Tax Parcels</i>			\$1,000,000	Authorized in Shuyak Is. resolution; appraisal contract underway.
Subtotal:		3,664.8	\$6,259,300	

Table 1. Status of Small Parcel Acquisitions (contd.)

November 26, 1996

Offers Rejected

KEN 12	Baycrest	90.0	\$450,000	Counteroffer of \$720,000; appraisal is being updated.
KEN 1001	Deep Creek	91.0	\$672,000	Not ready to sell at this time.
Subtotal:		181.0	\$1,122,000	

Table 2. Parcels Under Consideration*

November 26, 1996

Parcel ID	Description	Acres	Fair Market Value / Comments
Appraisal Approved			
KEN 1038	Roberts Parcel	5.9	\$1,304,000
Subtotal:		5.9	\$1,304,000
Appraisal Under Review			
PWS 05	Valdez Duck Flats (USS 349 & 448)	42.0	
PWS 06	Valdez Duck Flats (USS 447)	24.7	
PWS 11	Horseshoe Bay	315.0	
PWS 1010	Jack Bay	942.0	Second appraisal rejected; third appraisal under review.
KEN 1039	Oberts Parcel (Big Eddy)	31.7	
KEN 1040	Oberts Parcel (Honeymoon Cove)	4.2	
KEN 1041	Oberts Parcel (Peterkin Hmstd.)	30.0	
KAP 91	Adonga Parcel (Sitkalidak Strait)	137.0	Awaiting probate.
KAP 114	Johnson Parcel (Uyak Bay)	55.0	
KAP 118	Cusack Parcel (Sturgeon Lagoon)	160.0	
Subtotal:		1,741.6	
Appraisal Underway			
KEN 1051	Salamatof Native Assn. (Kenai NWR)	16.0	
KEN 1052	Salamatof Native Assn. (Kenai NWR)	10.0	
KAP 145	Termination Point	1,028.0	
Subtotal:		1,054.0	

Table 2. Parcels Under Consideration* (contd.)

November 26, 1996

Owner Unwilling to Sell

KAP 22	The Triplets	65.0	Owner unwilling to sell at appraised fair market value (\$6,500).
KAP 150	Karluk	5.0	Owner unwilling to sell at appraised fair market value (\$105,000).
Subtotal:		70.0	

* Perl Island (KEN 149), a 156-acre parcel south of the Kenai Peninsula, is no longer under consideration because sponsorship has been withdrawn.

* Fleming Spit (PWS 1027), a 5.4-acre parcel in Cordova, is no longer under consideration because the Alaska Division of Parks has executed an agreement to purchase this parcel with State criminal settlement funds.

Table 3. Small Parcel Nominations

July 1995 to November 1996 *

Parcel ID	Description	Acres	Sponsor	Rank
PWS 1045	Dennis Parcel (Valdez Duck Flats)	4.3	Sponsorship withdrawn	Does not meet threshold criteria.
PWS 1056	Blondeau Parcel (Valdez)	100.0	No sponsor	Not yet evaluated.
KEN 1030	Anchor River	127.8	No sponsor	Does not meet threshold criteria.
KEN 1032	Matson Parcel (Ninilchik River)	7.4	ADFG	Low
KEN 1035	Mullen Parcel (Kenai River)	8.5	ADNR/ADFG	Low
KEN 1036	Weilbacher Parcel (Kenai River)	28.7	ADNR/ADFG	Low
KEN 1037	Coyle Parcel (Kenai City Boat Dock)	26.0	No sponsor	Does not meet threshold criteria.
KEN 1042	College Estates (Kenai River)	56.0	ADNR/ADFG	Low
KEN 1043	College Estates (Kenai River)	77.9	ADNR/ADFG	Low
KEN 1044	Breeden Parcel (Kenai River Flats)	25.0	ADNR/ADFG	Low
KEN 1046	Pollard Parcel (Kasilof River)	155.0	ADFG	Low
KEN 1047	Calvin Parcel (Kasilof River)	76.8	ADFG	Does not meet threshold criteria.
KEN 1057	Lowe Parcel (Kenai River)	22.0	ADNR	Not yet evaluated.
KAP 1050	Christiansen Parcel (Sitkalidak Strait)	159.0	USFWS	Low
KAP 1054	Christiansen Parcel (Kiliuda Bay)	160.0	USFWS	Low
KAP 1058	Leisnoi Parcel (Long Island)	1,442.0	No sponsor	Not yet evaluated
Total:		2,476.4		

* These parcels have been nominated since publication of *Comprehensive Habitat Protection Process: Small Parcel Evaluation & Ranking, Volume III*, Supplement July 15, 1995.

Exxon Valdez Oil Spill Trustee Council

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



MEMORANDUM

RECEIVED
DEC 03 1996

TO: Trustee Council

FROM: Molly McCannan
Executive Director

SUBJECT: Archaeological Restoration Planning Project

DATE: November 26, 1996

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL
ADMINISTRATIVE RECORD

In FY 96, the Trustee Council approved Project 96154 to "develop a comprehensive community plan for restoring archaeological resources in Prince William Sound and lower Cook Inlet, including strategies for storing and displaying artifacts at appropriate facilities within the spill area." The project was carried out by the Chugach Development Corporation under contract with the U.S. Forest Service.

The packet for the December 6 Council meeting includes a copy of the final report for this project. I refer you to the following key sections:

- Part I, pages 70-100, describes and evaluates eight alternatives for storing and displaying artifacts in the project area. One of the evaluation criteria is how the alternative addresses restoration objectives.
- Part II, pages 13-20, estimates the cost of each alternative.

The purpose of this memorandum is to:

1. Present the broad outlines of the report's eight alternatives for storing and displaying artifacts. I recommend that a final decision as to an appropriate course of action be made after public and legal review of the report. However, I would appreciate hearing any concerns or questions you may have about these alternatives or additional alternatives you would like to consider.
2. Suggest a schedule for review of the report leading to a decision on whether to invite proposals for FY 98. Please let me know if you concur.

ALTERNATIVES FOR STORING AND DISPLAYING ARTIFACTS

The report describes eight alternatives for storing and displaying spill-related artifacts. Each alternative consists of a different configuration of facilities or other vehicles (e.g., traveling exhibits or short-term loans) that would serve these functions.

Right now, spill-related artifacts are stored in a variety of museums and offices in Juneau, Anchorage and Fairbanks. Many of the artifacts from the Chugach region have not yet been placed in a permanent repository. Few of the artifacts are on display. The options explored in the report address different ways of affording local people the opportunity to view and learn about the cultural heritage of people in the spill area and thereby increase awareness and protection of injured archaeological resources.

There are 1,489 spill-related archaeological artifacts from public land in Prince William Sound and lower Cook Inlet. The largest number of artifacts are held by the U.S. Forest Service in their Anchorage and Juneau offices. The distribution of artifacts is as follows (detailed descriptions of artifacts are presented in the appendix to the draft report):

Organization - City	Artifacts
Univ. of Alaska - Fairbanks	204
USFS - Anchorage	770
USFS - Juneau	361
NPS - Anchorage	127
Museum of History and Art - Anchorage	21
Valdez Museum - Valdez	6
Total:	1,489

The Chugach Development Corporation estimates that the 1,489 artifacts and samples require 200-400 cu.ft. of storage space in cabinets and shelves, including 40 cu.ft. of refrigerator / freezer space for certain items. These storage requirements could be accommodated in an area of approximately 100 square feet. Additional square footage would be needed for work space or display areas.

These artifacts are associated most closely with three communities -- Chenega Bay, Port Graham and Nanwalek. The largest number of artifacts (attributed in the report to the Chugach region) are from the two sites excavated by the USFS on Knight Island and Eleanor Island near Chenega Bay.

Community	Artifacts
Chenega	92
Nanwalek	341
Port Graham	45
Chugach Region (near Chenega)	1,011
Total:	1,489

Chugach Alaska Corporation and the village corporations in Chenega Bay, English Bay and Port Graham were awarded damages from the Trans-Alaska Pipeline Liability Fund (TAPLF) for injury to oiled archaeological sites. Damages were to be used for excavation of sites and curation of artifacts.

The report frequently uses the following terms and assumptions:

Project area: Prince William Sound and lower Cook Inlet, including the communities of Cordova/Eyak, Valdez, Tatitlek, Chenega Bay, Seward/Qutecak, Nanwalek, Port Graham and Seldovia/Homer.

Repository: Facility that provides curatorial services and permanent storage for artifacts; complies with 36 CFR 79. The report refers to small local repositories in each community, slightly larger repositories in three communities, and a still larger regional repository in one or two of the communities. A repository could be located in a new or renovated facility.

Display area: A secure area suitable for display of artifacts. This space could be in a new or existing facility.

Assumptions about the size and cost of new facilities, including display cases and other special furniture :

Facility Type	Size	Capital Cost
Large regional repository (Alutiiq model)	9709 sf	\$2.1 million
Medium regional repository (Chenega proposal)	4563 sf	\$1.3 million
Medium local repository	1720 sf	\$739,800
Small local repository	1034 sf	\$512,800
Display area	650 sf	\$342,600

NOTE: The cost of renovations to existing facilities is likely to be lower than these estimates. Some proposals may request funds for smaller, less expensive facilities.

The eight alternatives fall into four groups:

- ▶ Alternatives 1 and 2 entail **local repositories**. The report indicates that these two alternatives are preferred by the Native communities in the project area.
- ▶ Alternatives 3, 4, 5 and 7 involve the use or expansion of **existing facilities**.
- ▶ Alternative 6 entails the construction of one or two **new museums**.
- ▶ Alternative 8 consists of **traveling exhibits or short-term loans** and could be combined with the facility configurations in Alternatives 1 through 7.

Alternative 1. *Local repository facilities in each community in the project area.*

The 1,489 artifacts would be divided among all eight communities. Capital cost estimate: \$3.9–\$10.1 million, depending on the size of the facilities.

Alternative 2. *Local repository facilities in Chenega, Port Graham and Nanwalek and local display facilities in the other communities in the project area.*

The artifacts would be stored in the communities most closely associated with them and would be put on display in the other communities. Capital cost estimate: \$3.8–\$5.6 million, depending on the size of the repositories.

Alternative 3. *Status quo.* Artifacts would be stored in various museums and offices in Juneau, Anchorage and Fairbanks. Some of the artifacts must eventually be sent to a permanent repository. No capital cost.

Alternative 4. *Use of the University of Alaska Museum, Fairbanks, as the repository for spill-related artifacts from the Chugach region.* This alternative would consolidate most spill-related artifacts in Fairbanks. No cost.

Alternative 5. *Use of one or two existing museums in the project area as repositories for spill-related artifacts from the Chugach region.* With varying degrees of facility improvement or expansion, one or two museums in Prince William Sound and/or lower Cook Inlet could serve as repositories. Some of the museums appear to be interested in submitting proposals to serve as repositories. Unknown capital cost.

Alternative 6. *Construction of one or two new facilities in the project area to serve as repositories for spill-related artifacts from the Chugach region.* The Chenega Corporation has requested funding for a regional repository (Project 97277). The project was not funded in FY 97, but is likely to be resubmitted in FY 98. Capital cost: \$1.3 million for a facility patterned after the Chenega proposal and \$2.1 million for a large regional repository like the Alutiiq Cultural Center.

Alternative 7. *Use of the Alutiiq Cultural Center in Kodiak as the repository for spill-related artifacts from the Chugach region.* In 1995, the Alutiiq Cultural Center submitted a proposal to modify its facility to accommodate artifacts from the Chugach region. Capital cost: \$535,000.

Alternative 8. *Traveling exhibit and/or short-term loans to project area.* The draft report indicates that the Native communities appear to support this alternative, but would rather have it combined with a Native-operated repository. A variation of this alternative would be to consider modest proposals for the construction or improvement of display areas throughout the project area.

Site Stewardship Program. The communities in the project area have also expressed interest in a site stewardship program as a lower priority than the return of artifacts to the spill area. The draft report acknowledges that the Trustee Council initiated a three-year pilot site stewardship project in FY 96 (96149) and that a site stewardship program in the Chugach region should build upon the pilot project.

PROPOSED SCHEDULE

I suggest the following as a possible schedule for review of the report and consideration of guidelines for the *FY 98 Invitation*. This schedule is ambitious and may not allow sufficient time for adequate public and legal review for incorporation into the *FY 98 Invitation*. An alternative is to issue a separate invitation later in the spring.

Dec. 4	Presentation of draft report to community facilitators.
Dec. 6	Trustee Council briefing and discussion.
Dec. 9	The Restoration Office distributes the report and/or other review documents to project participants (village councils, cities, museums, agencies, listed on Part I, p. 4) and also to agency attorneys for legal review. Comments will be directed to the Restoration Office.
Jan. 22-25	Discussion of report and <i>FY 98 Invitation</i> at annual Restoration Workshop.
Jan. 27	Close of public comment period; receipt of legal review. Restoration Office staff drafts invitation.
Jan. 30 (tent.)	Public Advisory Group discussion of draft <i>FY 98 Invitation</i> .
Feb. 5	Based on public comment and legal advice, Council members provide guidance on <i>FY 98 Invitation</i> .
Feb. 15	Distribution of <i>FY 98 Invitation</i> .

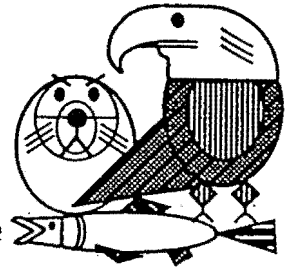
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Exxon Valdez Oil Spill Trustee Council

Restoration Office

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

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



MEMORANDUM

RECEIVED
DEC 9 1996

TO: Trustee Council

FROM: Molly McCammon
Executive Director

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL
ADMINISTRATIVE RECORD

SUBJECT: Restoration Reserve Planning: Proposed Time Line

DATE: November 22, 1996

The purpose of this memorandum is to propose a time line for planning the future of the Restoration Reserve, a fund established by the Trustee Council to support future restoration efforts beyond the last payment from Exxon in 2001. The Council has thus far approved \$48 million in deposits into the Reserve. Annual deposits of \$12 million in each of the five years remaining in the settlement period would bring the total reserve to \$108 million plus interest. The Council has made no decisions about the long-term management or use of the Reserve Fund.

1996-1997	Staff brainstorms with interested parties and Public Advisory Group, identifies issues, develops options. Preliminary legal review of options.
December 1997	Trustee Council decides which options to consider further.
Spring 1998	Staff conducts in-depth research and legal review; prepares for public workshops.
Fall/Winter 1998	Staff conducts public workshops and other forms of outreach throughout spill area and in Anchorage, Fairbanks and Juneau.
March 1999	Trustee Council makes its decision about the future management and use of the Restoration Reserve.
March 1999-Sept. 2001	Required changes are made in legislation and court orders, if needed.
Sept. 2002	Required administrative changes are made, if needed.

Trustee Agencies

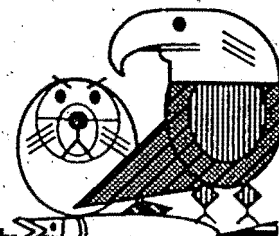
State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation
United States: National Oceanic and Atmospheric Administration, Departments of Agriculture and Interior

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: Exxon Valdez Oil Spill Trustee Council

FROM: Molly McCammon
Executive Director

RE: Protocols for Including Traditional Ecological Knowledge in the Restoration Process

DATE: November 21, 1996

RECEIVED

DEC 03 1996

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL
ADMINISTRATIVE RECORD

Attached are draft protocols for including Traditional Ecological Knowledge (indigenous knowledge) in the EVOS restoration process. The protocols are submitted for your adoption as a guiding document for the collection of TEK by EVOS researchers.

The effort to adopt protocols was initiated at the request of Alaska Native communities in the spill area. Simultaneous with requests to be further involved in the restoration process and suggestions on how Traditional Ecological Knowledge (TEK) can contribute to restoration, community representatives asked that guidelines for collecting TEK be established. The guidelines (i.e., protocols) are intended to facilitate collaboration between Alaska Natives and EVOS researchers by describing the expectations of Alaska Native communities in this regard.

The first draft was developed at a two-day workshop in April 1996 attended by the community facilitators hired through the Community Involvement Project (/052), some Restoration Work Force members, some Principal Investigators, and Restoration Office staff. That first draft was revised to accommodate comments and concerns raised by Trustee Council agencies. The attached revised draft has been agreed to by the Restoration Work Force and the community facilitators, and is now out for formal approval by the village councils in the spill area. Village council resolutions are to be submitted to the Restoration Office by December 1, 1996.

I would like to point out that two significant issues raised by the Restoration Work Force in regard to the original draft of the protocols have been addressed in the attached draft:

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

1. To which projects do the protocols apply?
A purpose section was added to the Introduction to make clear that the protocols apply to those EVOS researchers planning to work with local respondents in the collection of traditional knowledge or whose proposed research is likely to affect subsistence activities. The protocols do not require that EVOS projects collect traditional knowledge.
2. How do the protocols affect existing laws regarding paying research participants, confidentiality, and who has access to the data once it is collected?
Protocol 4 says that research agreements entered into by researchers and village councils on EVOS projects must be consistent with existing laws. In developing a research agreement, the researcher and the community must consider compensation of participants, anonymity and confidentiality of personal and other sensitive information, and final disposition of data (among other things). These items must be discussed so that village residents are aware of how the information they provide might be used, whether or not they will be paid, and so on, so that they can make an informed decision about whether or not to participate in a particular EVOS study.

In addition, a number of other, more minor revisions and clarifications were made, also in response to Restoration Work Force comments.

Attachment

10/8/96 DRAFT

PROTOCOLS FOR INCLUDING INDIGENOUS KNOWLEDGE IN THE *EXXON VALDEZ* OIL SPILL RESTORATION PROCESS

Exxon Valdez Oil Spill Trustee Council
October 1996

RECEIVED
DEC 03 1996

Introduction, Purpose, and Objectives

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL
ADMINISTRATIVE RECORD

Indigenous knowledge, including traditional ecological knowledge (TEK), provides an important perspective that can help the *Exxon Valdez* Oil Spill (EVOS) restoration effort by providing information and analysis of the environment and resources affected by the oil spill. Fishers, hunters, and gatherers have detailed descriptions of animal behavior and ecology. For many species, subsistence harvesters possess the following information:

- where it is found in any season
- what it eats
- how it moves from place to place
- when it mates
- where its young are born
- what preys on it
- how it protects itself
- how best to hunt for it
- population cycles

As astute observers of the natural world and as repositories of knowledge on the long term changes in their biophysical environment, practitioners of traditional ecological knowledge (TEK) can provide western biologists and ecologists with systematic and analytical observations that cover many years. While the differences between

indigenous and scientific ways of knowing must be understood, restoration projects which successfully incorporate both perspectives will improve our collective understanding of the natural processes involved in the EVOS-affected region.

Working in and with Alaska Native communities requires sensitivity to their cultures, customs, traditions, and history. Successful working relationships are built on mutual respect and trust. The people of the communities of the oil spill area have experienced severe dislocations in their lives due to the *Exxon Valdez* Oil Spill. Subsistence and commercial fishing activities have been interrupted. Researchers and agency personnel have used the communities as logistical bases. Disruptions related to the clean up, litigation, and increased bureaucratic demands have impacted the people's ability to conduct their daily business.

As a consequence of these stresses to their privacy and out of concern to preserve respect for their traditions, the Alaska Native communities of the area affected by the spill, assisted by EVOS staff, the Chugach Regional Resources Commission, and staff from Trustee Council agencies, have developed a series of protocols formalizing their relationship with outside researchers. These protocols provide a set of guidelines that will facilitate collaboration between Alaska Natives and scientists in meeting the goals of EVOS restoration. The protocols describe the major elements of a research

partnership, but their application depends on common sense and courtesy. For those researchers planning to collaborate with local respondents in the collection of indigenous knowledge or whose proposed research is likely to affect subsistence activities, the EVOS Trustee Council requires consideration of these protocols prior to the initiation of research.

The objectives of these protocols are:

1. Provide guidelines for restoration project planning and review
2. Identify a set of ethical principles that establishes the parameters for a research partnership between Alaska Native communities and restoration scientists
3. Establish procedures for facilitating the collection of indigenous knowledge in restoration projects
4. Provide guidance on the development of research agreements between Alaska Native communities and researchers.

Protocols

1. Project planning and review.
 - a) In developing projects that include the collection and use of indigenous knowledge, researchers and community residents should keep in mind how this information will be used in improving restoration, management, education, and future research.

- b) In designing restoration projects that include indigenous knowledge, researchers should recognize that local communities' knowledge of and interest in natural resources extends beyond the physical boundaries of the communities themselves to their harvest areas and beyond.
- c) All research proposals involving indigenous knowledge will be reviewed by the TEK Specialist, the Community Facilitators, and village councils, and their recommendations will be forwarded to the Executive Director. The overall program of research involving indigenous knowledge will be reviewed annually.
- d) In developing proposals and research plans and budgets for projects involving indigenous knowledge, researchers should include the costs of a research program that is consistent with these protocols.

2. Ethical principles. EVOS research which involves the collection and use of indigenous knowledge should follow the ethical principles for research listed below, which are based upon guidelines adopted by the Alaska Federation of Natives (AFN) Board of Directors in May 1993 (attached).

- e) Advise Alaska Native communities and people who are to be involved in or affected by the study of the purpose, goals, and time-frame of the research, the proposed data-gathering techniques, and the potential positive and negative implications and impacts of the research.

- f) Obtain the informed consent of the appropriate governing bodies and of individual participants
- g) Protect the knowledge and cultural/intellectual property of the Alaska Native people
- h) Seek to hire local community research assistants, and provide meaningful training to Alaska Native people to develop research skills, as appropriate
- i) Use the local Alaska Native language whenever English is the second language
- j) Address issues of confidentiality of sensitive material
- k) Include Alaska Native viewpoints in the final study report
- l) Acknowledge the contributions of local research assistants and respondents in project reports
- m) Provide the communities with a summary of the major findings of the study in non-technical language.
- n) Provide copies of the annual and final project reports and related publications to the local library

The AFN Guidelines also include establishing and funding a "Native Research Committee." This may not be necessary in most EVOS Restoration Projects, depending upon the scope of the collection of indigenous knowledge and the wishes of the local community. Also, a new entity may not be necessary. For example, the traditional council may serve as such a review body. This point should be addressed in

a "research agreement," as discussed in #4, below.

3. Facilitating the collection of indigenous knowledge.

- o) Initial contacts should be made through the TEK Specialist hired under Project 97052B to discuss the potential collection of indigenous knowledge in a project.

The TEK Specialist will then pass the requests on to the communities concerned, and assist in establishing contact between the researcher and the Community Facilitator. The TEK Specialist will also inform the Spill Area Wide Coordinator of such requests.

- p) Once contact has been established through the TEK Specialist, researchers should use the Community Facilitator or designee as the primary community contact.

- q) The Community Facilitator or designee will arrange for the researcher to meet with the Village Council (or other appropriate body authorized by the Village Council) to discuss the project's goals, scope, methods, expectations, benefits and risks. The Facilitator or designee will help orient the researcher to the community and its customs.

4. Research agreements.

The researcher and the Village Council (or other appropriate body authorized by the Village Council), assisted by the Community Facilitator, will work together to set up a

research agreement. In developing the agreement, the following topics should be considered: the nature of the research, the form of consent that will be required, the need for local research assistants, compensation of participants, acknowledgments, anonymity and confidentiality of personal and other sensitive information, project monitoring, project review, final disposition of data, and provision of study results. The agreement may take one of several forms, such as a binding contract, a memorandum of agreement, a letter of agreement, or a village resolution. In any agreement, the responsibility and expectations of the researcher and the community should be spelled out. Terms and conditions should be clear and understandable to all parties, should not place unreasonable or unfair burdens on the participants, and must be consistent with applicable laws.

AFN BOARD ADOPTS POLICY GUIDELINES FOR RESEARCH

At its quarterly meeting in May, the AFN Board of Directors adopted a policy recommendation that includes a set of research principles to be conveyed to scientists who plan to conduct studies among Alaska Natives.

The principles will be sent to all Native organizations and villages in the hope that compliance by researchers will deter abuses such as those committed in the past which lately have come to light.

Alaska Natives share with the scientific community an interest in learning more about the history and culture of our societies. The best scientific and ethical standards are obtained when Alaska Natives are directly involved in research conducted in our communities and in studies where the findings have a direct impact on Native populations.

AFN recommends to public and private institutions that conduct or support research among Alaska Natives that they include a standard category of funding in their projects to ensure Native participation.

AFN conveys to all scientists and researchers who plan to conduct studies among Alaska Natives that they must comply with the following research principles:

- * Advise Native people who are to be affected by the study of the purpose, goals, and time-frame of the research, the data-gathering techniques, the positive and negative implications and impacts of the research.
- * Obtain the informed consent of the appropriate governing body.
- * Fund the support of a Native Research Committee appointed by the local community to assess and monitor the research project and ensure compliance with the expressed wishes of Native people.
- * Protect the sacred knowledge and cultural/intellectual property of Native people.
- * Hire and train Native people to assist in the study.
- * Use Native language whenever English is the second language.
- * Guarantee confidentiality of surveys and sensitive material.
- * Include Native viewpoints in the final study.
- * Acknowledge the contributions of Native resource people.
- * Inform the Native Research Committee in a summary and in non-technical language of the major findings of the study.
- * Provide copies of studies to the local library.

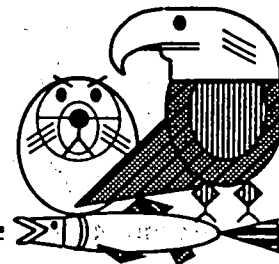
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Exxon Valdez Oil Spill Trustee Council

Restoration Office

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

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



MEMORANDUM

To: Trustee Council

From: Molly McCammon, Executive Director

Subject: Data Ownership and Archiving

Date: November 22, 1996

RECEIVED
DEC 03 1996

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL
ADMINISTRATIVE RECORD

From time to time questions arise about public access to and maintenance of data and other products from restoration projects. Both the November 1994 *Restoration Plan* and the August 1996 *Procedures* make clear that since the restoration program is funded by public money the public owns the results of restoration projects.

It would be useful if we could amplify this policy for the benefit of our investigators and for those people who in the future will apply to receive restoration funds. To that end, the Restoration Office staff has drafted a short statement that amplifies what already is in the *Restoration Plan*. Both legal counsel and the Restoration Work Force have reviewed this draft.

The intent is to state more clearly what is already a matter of state and federal law. This statement, in itself, does not resolve ownership and archiving issues, and it may need to be refined as we learn more. If the Trustee Council adopts this statement, I would expect to work with the agency liaisons to ensure that all contracts and funding agreements contain "boilerplate" language about data ownership. This would serve to address questions about ownership up-front rather than after the fact. The archiving question is especially complicated, but the language proposed here makes incremental progress in that there will now be a clear obligation for each project investigator to leave a trail indicating what data exist and where they are located when a project is concluded. This leaves larger questions unanswered, such as whether EVOS data should be maintained at a central repository and at what cost, but is progress nonetheless.

We will discuss this topic on December 6. In the meantime, if you have comments or questions, please let me or Stan Senner know.

encl: (1)

Trustee Agencies

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

DRAFT

EXISTING POLICY

According to policy number 20 in the *Exxon Valdez Oil Spill Restoration Plan* (November 1994):

Restoration must reflect public ownership of the process by timely release and reasonable access to information and data.

Information from restoration projects must be available to other scientists and to the general public in a form that can be easily used and understood. An effective restoration program requires the timely release of such information. This policy underscores the fact that since the restoration program is funded by public money, the public owns the results.

In addition, item number 5 under Professional Services Contracts in the Trustee Council *Procedures* adopted August 29, 1996 states:

Special Considerations. All notes and other data developed by the contractor shall remain the sole property of the contracting agency.

PROPOSED CLARIFICATION

We now propose to clarify this statement of Trustee Council policy by adoption of the following:

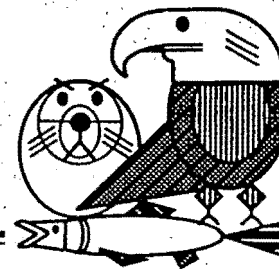
Therefore, consistent with state and federal laws, any data or other products resulting from any project to which the Trustee Council has contributed financially are in the public domain and as such must be available to the public. Data means recorded information, regardless of form or the media on which it is recorded, including computer programs, data bases, and software. Each final report on a restoration project shall include a brief description of data gathered in the project, including definition of the types of data gathered, the form or forms in which the data are recorded, the location of the data, and a permanent contact at a public institution such that the data are accessible to the public, including scientific users, after completion of the project.

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: Exxon Valdez Oil Spill Trustee Council

FROM: Molly McCammon
Executive Director

RE: FY 97 Work Plan: Deferred Projects

DATE: November 22, 1996

RECEIVED
DEC 03 1996

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL
ADMINISTRATIVE RECORD

My recommendation on FY 97 projects for which the Trustee Council deferred funding in August is attached. This recommendation brings total funding for the FY 97 Work Plan to just under our \$16 million target. Achievement of the budget target is the result of strong cooperation from principal investigators and Restoration Work Force members in regard to individual project budgets and overall program goals.

Approved in August:	\$15,390,300
Recommendation on Deferreds:	609,200
TOTAL:	\$15,999,500

The \$15, 995,500 represents funding for 69 projects, including the three large ecosystem projects (Sound Ecosystem Assessment, Nearshore Vertebrate Predators, and Alaska Predator Ecosystem Experiment), 50 other continuing projects, and 16 new projects.

Attachment: Numbers-only spreadsheet (cluster order)
Text spreadsheet (numerical order)

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

EXECUTIVE DIRECTOR'S RECOMMENDATION ON DEFERRED PROJECTS -- FY 97 WORK PLAN

Proj. No.	Project Title	97 Revised Request	FY 97 Approved	FY 97 Deferred	ExecDir Recom.	FY 98 Estimate	FY 99 Estimate	Total FY97-02	Exec. Director's Recommendation
Pacific Herring		\$380.3	\$200.0	\$180.3	\$140.3	\$0.0	\$0.0	\$340.3	
97166	Herring Natal Habitats	\$340.3	\$200.0	\$140.3	\$140.3			\$340.3	Fund
97248	Collection Historical Data/Local Knowledge	\$40.0	\$0.0	\$40.0		\$0.0	\$0.0	\$0.0	Continue defer
Sockeye Salmon		\$301.3	\$0.0	\$294.3	\$43.7	\$0.0	\$0.0	\$43.7	
97239	Salmon Carcasses and Juvenile Chinook	\$134.5	\$0.0	\$127.5	\$0.0	\$0.0	\$0.0	\$0.0	Do not fund
97251-CLO	Akalura Lake Restoration	\$43.7	\$0.0	\$43.7	\$43.7	\$0.0	\$0.0	\$43.7	Fund
97254	Delight and Desire Lakes Restoration	\$123.1	\$0.0	\$123.1	\$0.0	\$0.0	\$0.0	\$0.0	Do not fund
Marine Mammals		\$157.5	\$1.5	\$156.0	\$156.0			\$157.5	
97012-BAA	Killer Whale Investigation	\$157.5	\$1.5	\$156.0	\$156.0			\$157.5	Fund
Nearshore Ecosystem		\$1,836.6	\$1,705.8	\$130.8	\$45.6	\$1,669.4	\$450.0	\$3,870.8	
97025	Nearshore Vertebrate Predators (NVP)	\$1,821.5	\$1,705.8	\$115.7	\$30.5	\$1,669.4	\$450.0	\$3,855.7	Fund contingent
97026-CLO	Report Writing: Microbial Sediments	\$15.1	\$0.0	\$15.1	\$15.1	\$0.0	\$0.0	\$15.1	Fund
Seabird/Forage Fish and Related Projects		\$154.5	\$45.1	\$109.4	\$74.4	\$78.1	\$83.8	\$294.2	
97159-CLO	Marine Bird Abundance Surveys	\$60.1	\$45.1	\$15.0	\$15.0			\$60.1	Fund

EXECUTIVE DIRECTOR'S RECOMMENDATION ON DEFERRED PROJECTS -- FY 97 WORK PLAN

Proj. No.	Project Title	97 Revised Request	FY 97 Approved	FY 97 Deferred	ExecDir Recom.	FY 98 Estimate	FY 99 Estimate	Total FY97-02	Exec. Director's Recommendation
97169	Genetics of Murres, Guillemots, Murrelets	\$59.4	\$0.0	\$59.4	\$59.4	\$78.1	\$83.8	\$234.1	Fund
97305	Stable Isotope Analysis of Seabirds	\$35.0	\$0.0	\$35.0	\$0.0	\$0.0	\$0.0	\$0.0	Do not fund
Archaeological Resources		\$318.5	\$0.0	\$318.5	\$0.0			\$0.0	
97277	Chenega Bay Archaeological Repository	\$318.5	\$0.0	\$318.5	\$0.0			\$0.0	Do not fund
Subsistence		\$131.4	\$0.0	\$165.8	\$81.4	\$157.3	\$92.6	\$560.5	
97247	Kametlook River Coho Salmon	\$31.4	\$0.0	\$31.4	\$31.4	\$13.8	\$14.1	\$103.4	Fund
97256A	Columbia Lake Sockeye Salmon Stocking	\$0.0	\$0.0	\$34.4	\$0.0	\$0.0	\$0.0	\$0.0	Not feasible
97256B	Solf Lake Sockeye Salmon Stocking	\$50.0	\$0.0	\$50.0	\$50.0	\$143.5	\$78.5	\$457.1	Fund
97281	Forest Workshops	\$50.0	\$0.0	\$50.0	\$0.0	\$0.0	\$0.0	\$0.0	Do not fund
Habitat Improvement		\$67.8	\$0.0	\$67.8	\$67.8	\$0.0	\$0.0	\$67.8	
97230	Valdez Duck Flats Restoration	\$67.8	\$0.0	\$67.8	\$67.8	\$0.0	\$0.0	\$67.8	Fund
Administration, Science Management, and Public Information		\$143.2	\$0.0	\$137.5	\$0.0	\$0.0	\$0.0	\$0.0	
97275	Applied Field-Based Research Program	\$37.5	\$0.0	\$37.5	\$0.0	\$0.0	\$0.0	\$0.0	Do not fund
97301	Television Pilot	\$105.7	\$0.0	\$100.0	\$0.0	\$0.0	\$0.0	\$0.0	Do not fund

EXECUTIVE DIRECTOR'S RECOMMENDATION ON DEFERRED PROJECTS -- FY 97 WORK PLAN

Proj. No.	Project Title	97 Revised Request	FY 97 Approved	FY 97 Deferred	ExecDir Recom.	FY 98 Estimate	FY 99 Estimate	Total FY97-02	Exec. Director's Recommendation
Total:		\$3,491.1	\$1,952.4	\$1,560.4	\$609.2	\$1,904.8	\$626.4	\$5,334.8	

Approved in August: \$15,390.3

New Total: \$15,999.5

EXECUTIVE DIRECTOR'S RECOMMENDATION ON DEFERRED PROJECTS -- FY 97 WORK PLAN

Proj.No./ Research Cluster	ProjectTitle	Proposer	Lead Agency	New or Cont'd	FY97 Revised Request	FY97 Approved	FY97 Deferred	Exec. Dir. Recommend	FY98 Estimate	Total FY97-02 Estimate
97012-BAA <i>Marine Mammals</i>	Comprehensive Killer Whale Investigation in Prince William Sound	C. Matkin/North Gulf Oceanic Society	NOAA	Cont'd 5th yr. 5 yr. project	\$157.5	\$1.5	\$156.0	\$156.0		\$157.5

Project Abstract

This project continues the monitoring of the damaged AB pod and other Prince William Sound killer whales that has occurred on a yearly basis since 1984. It provides further analysis of a GIS database on killer whales. When coupled with genetic and acoustic data, the analysis will evaluate recovery of killer whales, recognize changes in behavioral ecology, estimate killer whale predation on harbor seals, and estimate impacts of the harbor seal decline on the potential recovery of killer whales. Year round residency of killer whales will be assessed using a remote hydrophone system. Environmental contaminant levels in the blubber of specific whales will be determined and potential effects on recovery evaluated.

Chief Scientist's Recommendation

This proposal is excellent, combining well-established techniques and some innovative methods. The publication record of the principal investigator has improved. A successful review was held in November 1996 and I recommend that the work proposed for FY 97 be funded. Funding beyond FY 97 will be contingent on developing objectives and milestones for completion of this project.

Executive Director's Recommendation

Fund. However, funding beyond FY 97 will be contingent on developing objectives and milestones for completion of the project. This project is providing valuable information about the long-term effects of the oil spill on resident and transient pods of killer whales in Prince William Sound and correlates the effects in part to their prey.

EXECUTIVE DIRECTOR'S RECOMMENDATION ON DEFERRED PROJECTS -- FY 97 WORK PLAN

Proj.No./ Research Cluster	ProjectTitle	Proposer	Lead Agency	New or Cont'd	FY97 Revised Request	FY97 Approved	FY97 Deferred	Exec. Dir. Recommend	FY98 Estimate	Total FY97-02 Estimate
97025 Nearshore Ecosystem	Mechanisms of Impact and Potential Recovery of Nearshore Vertebrate Predators (NVP)	L. Holland-Bartels, et al/NBS-DOI	DOI	Cont'd 3rd yr. 5 yr. project	\$1,821.5	\$1,705.8	\$115.7	\$30.5	\$1,669.4	\$3,855.7

Project Abstract

The Nearshore Vertebrate Predator project (NVP) makes an integrated assessment of trophic, health, and demographic factors across a suite of apex predators injured by the spill to determine mechanisms constraining recovery and to improve knowledge of the status of recovery. Primary hypotheses are: 1) Recovery of nearshore resources injured by EVOS is limited by recruitment processes; 2) Initial and/or residual oil in benthic habitats and in or on benthic prey organisms has had a limiting effect on the recovery of benthic foraging predators; and 3) EVOS-induced changes in populations of benthic prey species have influenced the recovery of benthic foraging predators.

Chief Scientist's Recommendation

This project uses an ecosystem approach to examine recovery of injured species in the nearshore ecosystem. It was reviewed in depth at a workshop in February 1996. Recently, the results from the avian copredator work have become available, indicating that some continuing work on Barrow's goldeneyes and gulls is advisable but that other aspects of the work can be safely eliminated. In addition, funds to prepare pre-NVP sea otter publications should be contingent on acceptance by the Chief Scientist of reports from Project MM6. Budget increases over previous projections for on-going components (i.e., not including the avian copredator component) were substantial, but the project proposers have reduced these budgets. Fund.

Executive Director's Recommendation

Fund, including an additional \$30,500 for the final year of limited avian copredator work which was deferred by the Trustee Council in August (final analyses in FY 98 will be conducted within the \$1,669,400 expected to be approved for FY 98). Funding for the avian copredator component is contingent on receipt of the report on 95320Q. Funding for preparation of sea otter publications (\$10,000 approved in August) is contingent on acceptance by the Chief Scientist of the reports from Project MM6. The researchers conducting sea otter surveys under this project should explore ways of involving local sea otter hunters in their research/monitoring efforts. In general, the nearshore ecosystem, including intertidal habitat and organisms, was the area hardest hit by the oil spill. This project monitors recovery of intertidal organisms and closely linked vertebrate predators and addresses the question of whether continuing contamination is slowing recovery of vertebrate predators.

EXECUTIVE DIRECTOR'S RECOMMENDATION ON DEFERRED PROJECTS -- FY 97 WORK PLAN

Proj.No./ Research Cluster	ProjectTitle	Proposer	Lead Agency	New or Cont'd	FY97 Revised Request	FY97 Approved	FY97 Deferred	Exec. Dir. Recommend	FY98 Estimate	Total FY97-02 Estimate
97026-CLO Nearshore Ecosystem	Report Writing: Integration of Microbial and Chemical Sediment Data	J. Braddock/UAF	ADEC	Cont'd 1st yr. 1 yr. project	\$15.1	\$0.0	\$15.1	\$15.1	\$0.0	\$15.1

Project Abstract

This project will provide funds to complete final data analysis and report writing begun under Project 95026/Hydrocarbon Monitoring: Integration of Microbial and Chemical Sediment Data. In FY 95, work began late on the project due to a delay in the processing of an RSA from the Department of Environmental Conservation to the University of Alaska Fairbanks. The \$15,100 requested here is an amount equal to the amount of FY 95 funds that lapsed before the project could be completed. The analysis of the combined microbial/chemical data sets will allow estimates of removal rates of hydrocarbons from contaminated sediments by biological processes.

Chief Scientist's Recommendation

Funding for additional analyses are recommended for completion of this project with the stipulation that the results of this work be published in open, peer-reviewed scientific literature.

Executive Director's Recommendation

Fund. This project will conclude the analysis and report writing begun under Project 95026, and includes preparation of a manuscript for publication.

EXECUTIVE DIRECTOR'S RECOMMENDATION ON DEFERRED PROJECTS -- FY 97 WORK PLAN

Proj.No./ Research Cluster	ProjectTitle	Proposer	Lead Agency	New or Cont'd	FY97 Revised Request	FY97 Approved	FY97 Deferred	Exec. Dir. Recommend	FY98 Estimate	Total FY97-02 Estimate
97159-CLO Seabird/Forage Fish and Related Projects	Surveys to Monitor Marine Bird Abundance in Prince William Sound During Winter and Summer: Report and Publication Writing	B. Agler/DOI-FWS	DOI	Cont'd 4th yr.	\$60.1	\$45.1	\$15.0	\$15.0		\$60.1

Project Abstract

In FY 97, this project will fund report and publication writing. Data collected during March 1990, 1991, 1993, 1994, and 1996 and July 1989, 1990, 1991, 1993, and 1996 will be used to examine trends by determining whether populations in the oiled zone changed at the same rate as those in the unoiled zone. Overall population trends for Prince William Sound from 1989-96 will also be examined. In addition, marine bird damage assessment information will be prepared for publication.

Chief Scientist's Recommendation

This project is developing a valuable long-term dataset regarding recovery status of injured species, and the statistical power to detect trends in these highly variable datasets should be reached with FY 96 data. The out-year budgets seem excessive, and any future commitments must be considered annually. Fund at level of revised request, which includes \$15,000 for additional statistical analyses. The additional \$15,000 should be approved with the stipulation that results of this work be published in the open, peer-reviewed scientific literature.

Executive Director's Recommendation

Fund, including \$15,000 for the services of a statistician to assist in preparation of publication of marine bird damage assessment information. Funding also includes preparation of a final report (including 1 month to conduct regression analysis) and two other manuscripts (# 4 and #6 in the proposal) on marine bird abundance. The abundance surveys provide basic information on the status and recovery of seabirds (and sea otters) in Prince William Sound and should now be adequate to detect trends in seabird populations. The need for future surveys should be determined after review of the final report.

EXECUTIVE DIRECTOR'S RECOMMENDATION ON DEFERRED PROJECTS -- FY 97 WORK PLAN

Proj.No./ Research Cluster	ProjectTitle	Proposer	Lead Agency	New or Cont'd	FY97 Revised Request	FY97 Approved	FY97 Deferred	Exec. Dir. Recommend	FY98 Estimate	Total FY97-02 Estimate
97166 <i>Pacific Herring</i>	Herring Natal Habitats	M. Willette/ADFG	ADFG	Cont'd 4th yr. 6 yr. project	\$340.3	\$200.0	\$140.3	\$140.3		\$340.3

Project Abstract

The oil spill coincided with the spring migration of Pacific herring to spawning grounds in Prince William Sound. Studies of oil spill injuries to herring documented damage from oil exposure in adult herring, reduced hatching success of embryos, and elevated levels of physical and genetic abnormalities in newly hatched larvae. The Prince William Sound herring spawning population has drastically declined since 1993, and pathology studies have implicated viral hemorrhagic septicemia (VHS) and *ichthyophonus* as potential sources of mortality as well as indicators of stress. This project will monitor the abundance of the herring resource in Prince William Sound using SCUBA and hydroacoustic techniques.

Chief Scientist's Recommendation

This project has been carried out for several years since the oil spill to provide basic information about the spawning biomass of Pacific herring in Prince William Sound. The proposal for FY 97 would compare egg-based estimates of biomass with biomass estimates obtained from acoustic methods. The absence of any absolute abundance measure will make it necessary for the Alaska Department of Fish and Game to eventually choose among age-weight-length analyses from test fishing, aerial surveys of shoreline spawning, hydroacoustic measures, egg-deposition-based abundance and juvenile abundance survey methods developed in the SEA project (/320). The low cost and initial encouraging results from hydroacoustic surveys make this method a likely candidate for a future management tool. Also, 1997 is likely to be a period of continuing rebuilding of the stock. Therefore, the continuation of hydroacoustics is warranted in FY 97. However, it is likely that in FY 98 not all methods now supported by the Trustee Council will be continued.

Executive Director's Recommendation

Fund, including the hydroacoustics component and completion of the herring recruitment model (which were deferred by the Trustee Council in August). In FY 98, fund only one survey method based on peer reviewers' concerns about the difficulty in comparing the herring spawn deposition technique with the hydroacoustic survey. The Alaska Department of Fish and Game has now provided a plan to take over full support of this work after FY 98. This project continues abundance surveys of Pacific herring and supports fisheries management decisions that protect the recovery of the stock.

EXECUTIVE DIRECTOR'S RECOMMENDATION ON DEFERRED PROJECTS -- FY 97 WORK PLAN

Proj.No./ Research Cluster	ProjectTitle	Proposer	Lead Agency	New or Cont'd	FY97 Revised Request	FY97 Approved	FY97 Deferred	Exec. Dir. Recommend	FY98 Estimate	Total FY97-02 Estimate
97169 Seabird/Forage Fish and Related Projects	A Genetic Study to Aid in Restoration of Murres, Guillemots, and Murrelets to the Gulf of Alaska	V. Friesen/Queen's University, J. Piatt/DOI-FWS	DOI	New 1st yr. 4 yr. project	\$59.4	\$0.0	\$59.4	\$59.4	\$78.1	\$234.1

Project Abstract

Populations of common murres, pigeon guillemots, and marbled and Kittlitz's murrelets from the Gulf of Alaska are failing to recover from the oil spill. This project will use state-of-the-art genetic techniques to aid in their restoration by 1) determining the geographic limits and structure of populations, i.e., the extent to which colonies are genetically isolated or comprise metapopulations, 2) detecting cryptic species and subspecies, 3) identifying sources and sinks, 4) providing genetic markers for the identification of breeding populations of birds killed by the spill, 5) identifying appropriate reference or control sites for monitoring or reintroductions, and 6) determining the role of inbreeding and small effective population sizes in restricting recovery.

Chief Scientist's Recommendation

The Trustee Council is interested in application of genetic techniques to questions about seabird biology. This project has been revised in response to peer review comments with regard to narrowing the objectives, clarifying use of various genetic methods, and reducing travel costs. This project is now recommended for funding.

Executive Director's Recommendation

Fund: The FY 97 Invitation encouraged proposals on the genetics of common murres, marbled murrelets, and pigeon guillemots in order to better understand the relationship between different populations of these species. This proposal was responsive to the Invitation and the PIs have responded to concerns about the objectives and methodologies of the study.

EXECUTIVE DIRECTOR'S RECOMMENDATION ON DEFERRED PROJECTS -- FY 97 WORK PLAN

Proj.No./ Research Cluster	ProjectTitle	Proposer	Lead Agency	New or Cont'd	FY97 Revised Request	FY97 Approved	FY97 Deferred	Exec. Dir. Recommend	FY98 Estimate	Total FY97-02 Estimate
97230 Habitat Improvement	Valdez Duck Flats Restoration Project	J. Winchester/PWS Economic Development Council	ADNR	New 1st yr. 1 yr. project	\$67.8	\$0.0	\$67.8	\$67.8	\$0.0	\$67.8

Project Abstract

The Alaska Department of Natural Resources has identified the waters of Valdez Duck Flats and nearshore waters east to the mouth of the Lowe River as crucial estuarine habitat in the Prince William Sound Area Plan. Wildlife species injured by the oil spill are threatened by crowding, disturbance, plastics pollution, and active human disturbance. The area provides important habitat for water birds, anadromous fish, and other estuarine and intertidal species. This proposal will further identify injured resources, aid in the recovery of spill impacted populations, mitigate effects of visitor traffic, design a local volunteer monitoring program, and educate the public about the value of tidelands.

Chief Scientist's Recommendation

The apparent goal is to prevent loss of habitat values on the Valdez Duck Flats, an area which has some link to injured resources, including pink and sockeye salmon. Several tracts on the Duck Flats are under consideration for possible small-parcel acquisitions by the Trustee Council. The proposal has a heavy up-front emphasis on engineering and construction, but the proposers will first assess wildlife habitat needs and alternative ways of addressing those needs in the face of increasing development and visitor pressures. To their credit, the proposers seem to have the interest and cooperation of a number of key agencies and constituencies.

Executive Director's Recommendation

Fund development of a concept plan for protection of habitat on the Valdez Duck Flats. One option for protecting the flats is affected by the acquisition of three small parcels, for which the appraisals are being reviewed. The Valdez Duck Flats are a large and complex intertidal mudflat and salt marsh that offer valuable habitat to several injured resources and services. A locally developed plan for protecting habitat on the Duck Flats will increase the probability that future use of the flats will promote the recovery of injured resources and services given increased public usage.

EXECUTIVE DIRECTOR'S RECOMMENDATION ON DEFERRED PROJECTS -- FY 97 WORK PLAN

Proj.No./ Research Cluster	ProjectTitle	Proposer	Lead Agency	New or Cont'd	FY97 Revised Request	FY97 Approved	FY97 Deferred	Exec. Dir. Recommend	FY98 Estimate	Total FY97-02 Estimate
97239 <i>Sockeye Salmon</i>	Salmon Carcasses and Juvenile Chinook Salmon Production in the Kenai River Ecosystem	D. Schmidt/ADFG	ADFG	New 1st yr. 2 yr. project	\$134.5	\$0.0	\$127.5	\$0.0	\$0.0	\$0.0

Project Abstract

This project will investigate the role sockeye salmon carcasses play in primary and secondary production within the Kenai River and the potential symbiotic role sockeye salmon escapements have on nutrients and secondary productivity. An ecosystem approach to restoration of this system requires examination of the role salmon carcasses play in freshwater life history of other species. Chinook salmon production may be positively influenced by nutrient additions to the Kenai River. An important feature of the Kenai River studies is to ascertain if there are significant benefits to chinook salmon juveniles with increased escapements.

Chief Scientist's Recommendation

This is an innovative proposal that would examine the sources of carbon and nitrogen for juvenile chinook salmon production in the Kenai River system. The proposal hypothesizes that the nutrients released from sockeye salmon carcasses may provide a significant source of nutrients for juvenile chinook salmon. This approach may provide insight into the importance of sockeye carcasses to the Kenai River ecosystem, but it is somewhat narrowly focused on one species. Although the project would evaluate the broad effects of large sockeye escapements, which may benefit the economically important chinook fishery, the management value of the project is not clear. Lower priority; do not fund.

Executive Director's Recommendation

Do not fund; lower priority for funding this year. This project was designed to contribute to an ecosystem-level understanding of the Kenai River system by examining the benefits of sockeye escapement to other in-river processes. Although the project was favorably reviewed by the science reviewers, its potential management value needs to be clarified.

EXECUTIVE DIRECTOR'S RECOMMENDATION ON DEFERRED PROJECTS -- FY 97 WORK PLAN

Proj.No./ Research Cluster	ProjectTitle	Proposer	Lead Agency	New or Cont'd	FY97 Revised Request	FY97 Approved	FY97 Deferred	Exec. Dir. Recommend	FY98 Estimate	Total FY97-02 Estimate
97247 Subsistence	Kametolook River Coho Salmon Subsistence Project	J. McCullough & L. Scarborough/ADFG	ADFG	New 1st yr. 6 yr. project	\$31.4	\$0.0	\$31.4	\$31.4	\$13.8	\$103.4

Project Abstract

This project is a continuation of a project funded in 1996 through the EVOS criminal settlement. In FY 96 and FY 97, an assessment of methods to restore the Kametolook River's coho run to historic levels will be conducted. Instream incubation boxes (designed to increase the egg-to-fry survival rate) and habitat manipulation (such as clearing blocked river channels) to improve access to spawning and rearing habitat will be evaluated. Actual installation of instream incubation boxes is scheduled for summer 1997.

Chief Scientist's Recommendation

This appears to be a reasonable replacement for subsistence that apparently declined after the spill. The revised proposal and subsequent correspondence with the state geneticist indicate that the proposal conforms to the state genetics guidelines and with EVOS supplementation criteria.

Executive Director's Recommendation

Fund. This project is designed to enhance a small coho salmon run near the Alaska Peninsula village of Perryville as a replacement for subsistence resources injured by the oil spill. The project has a strong community involvement component, including the hiring of Perryville residents as local assistants on the project. In the winter/spring of 1997 the evaluation of instream incubation boxes will be completed and an Environmental Assessment prepared, with installation of large capacity incubation boxes scheduled for summer 1997. Trustee Council funding is anticipated for six years (through 2002), at which time the run is expected to be self-sustaining.

EXECUTIVE DIRECTOR'S RECOMMENDATION ON DEFERRED PROJECTS -- FY 97 WORK PLAN

Proj.No./ Research Cluster	ProjectTitle	Proposer	Lead Agency	New or Cont'd	FY97 Revised Request	FY97 Approved	FY97 Deferred	Exec. Dir. Recommend	FY98 Estimate	Total FY97-02 Estimate
97248 <i>Pacific Herring</i>	Collection of Historical Data and Local Environmental Knowledge of Forage Fish and Herring	J. Seitz	ADFG	New 1st yr. 1 yr. project	\$40.0	\$0.0	\$40.0		\$0.0	\$0.0

Project Abstract

Using personal interviews, surveys, and mapping, this project will collect historical and contemporary knowledge about the ecology of herring and other forage fish and map information on their distribution; create an ascii file of mapped data; and create a subject index of textual information on the ecology and life cycle of the fish by species. Data and reports will be provided to participating projects -- SEA (/320) and APEX (/163).

Chief Scientist's Recommendation

This project could contribute to the redevelopment of confidence in fish resources by subsistence users, and possibly provide information on recovery using traditional and local knowledge of pre-spill abundance. The institutional arrangements and project management responsibilities are inadequately defined, and it may be beneficial to formally link this project with other efforts attempting to develop traditional ecological knowledge. Reconsider revised proposal after assessment of all traditional ecological knowledge projects.

Executive Director's Recommendation

Defer decision on funding until Project 97052B/Traditional Ecological Knowledge is underway and a determination has been made as to how the objectives of this project can best be achieved. This project is designed to address restoration objectives for herring and seabirds by contributing indigenous and local knowledge on herring and other forage fish.

97251-CLO <i>Sockeye Salmon</i>	Akalura Lake Sockeye Salmon Restoration	C. Swanton/ADFG	ADFG	Cont'd 1st yr. 1 yr. project	\$43.7	\$0.0	\$43.7	\$43.7	\$0.0	\$43.7
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Project Abstract

This project will substantiate that the Akalura Lake sockeye salmon stock is naturally recovering from damage caused by the oil spill through continued increased production of sockeye salmon smolts. This will be accomplished if the size of the 1997 smolt emigration is at or above approximately 200,000 fish. Funding will be for a single year of field studies identical to what was conducted during 1996 and a report coupling previous findings (Project /258-Sockeye Overescapement) with those of the 1997 field studies.

Chief Scientist's Recommendation

This project is appropriate for sustained salmon management. However, it is not clear that the current low escapements to Akalura Lake are related to the spill. Zooplankton levels and smolt production in the lake are at good levels as is marine survival of sockeye from Kodiak Island. Fund.

Executive Director's Recommendation

Fund for one year only, including field work and preparation of a final report. This project will conclude the smolt emigration studies on Akalura Lake, which will assist in determining the recovery status of the Akalura sockeye stock.

EXECUTIVE DIRECTOR'S RECOMMENDATION ON DEFERRED PROJECTS -- FY 97 WORK PLAN

Proj.No./ Research Cluster	ProjectTitle	Proposer	Lead Agency	New or Cont'd	FY97 Revised Request	FY97 Approved	FY97 Deferred	Exec. Dir. Recommend	FY98 Estimate	Total FY97-02 Estimate
97254 <i>Sockeye Salmon</i>	Delight and Desire Lakes Restoration	N. Dudiak/ADFG	ADFG	New 1st yr. 2 yr. project	\$123.1	\$0.0	\$123.1	\$0.0	\$0.0	\$0.0

Project Abstract

The project is intended to accelerate the recovery of the currently depressed wildstock sockeye salmon of Delight and Desire lakes through lake fertilization. Application of liquid fertilizer would increase the forage base for rearing sockeye salmon fry through nutrient enrichment. The expected result would be larger, more numerous sockeye smolt with a corresponding increase in marine survival rates.

Chief Scientist's Recommendation

This appears to be, in theory, a reasonable resource replacement proposal. The initial limnological work proposed in FY 97 appears reasonable. Questions remain, however, about the appropriateness of fertilization if it were to be undertaken. For example, would the project produce fish at a time that would make them suitable replacements? Do not fund; lower priority.

Executive Director's Recommendation

Do not fund. In FY 97 this project would explore the feasibility of fertilization to enhance the sockeye runs in Delight and Desire lakes for commercial and sport fish use. However, unanswered questions about the appropriateness of fertilization and the likelihood of other funding sources for actual implementation make this project a low priority for Trustee Council support. In addition, in light of the uncertain economic situation for salmon fisheries, creating replacement fisheries is a low priority for the Council, with the exception of small scale, targeted enhancement projects for subsistence purposes.

EXECUTIVE DIRECTOR'S RECOMMENDATION ON DEFERRED PROJECTS -- FY 97 WORK PLAN

Proj.No./ Research Cluster	ProjectTitle	Proposer	Lead Agency	New or Cont'd	FY97 Revised Request	FY97 Approved	FY97 Deferred	Exec. Dir. Recommend	FY98 Estimate	Total FY97-02 Estimate
97256A Subsistence	Sockeye Salmon Stocking at Columbia Lake	D. Gillikin/USFS	USFS	Cont'd 2nd yr. 7 yr. project	\$0.0	\$0.0	\$34.4	\$0.0	\$0.0	\$0.0

Project Abstract

This project is designed to benefit subsistence users of northern Prince William Sound by stocking sockeye salmon in Columbia Lake. The lake is a predominantly clearwater lake that has recently become accessible to anadromous fish as Columbia Glacier has retreated. There are two phases to this project. The feasibility phase of the project (FY 96 and FY 97) will determine the ability of Columbia Lake to support a resident population of sockeye salmon. Phase 2 of the project will be to stock the lake with sockeye salmon. If the project is found to be feasible, stocking of the lake could begin in 1999. The stocking program will take five years to establish a self-sustaining run.

Chief Scientist's Recommendation

Feasibility survey conducted by U.S. Forest Service and Alaska Department of Fish and Game concluded that Columbia Lake is not able to support a viable sockeye salmon population. Do not fund.

Executive Director's Recommendation

Do not fund based on feasibility study, which concluded that Columbia Lake is not productive enough to support a viable population of sockeye salmon.

EXECUTIVE DIRECTOR'S RECOMMENDATION ON DEFERRED PROJECTS -- FY 97 WORK PLAN

Proj.No./ Research Cluster	ProjectTitle	Proposer	Lead Agency	New or Cont'd	FY97 Revised Request	FY97 Approved	FY97 Deferred	Exec. Dir. Recommend	FY98 Estimate	Total FY97-02 Estimate
97256B Subsistence	Sockeye Salmon Stocking at Solf Lake	D. Gillikin/USFS	USFS	Cont'd 2nd yr. 7 yr. project	\$50.0	\$0.0	\$50.0	\$50.0	\$143.5	\$457.1

Project Abstract

This project is designed to benefit subsistence users of Prince William Sound and especially residents of Chenega Bay. Habitat improvements were made in 1978, 1980 and 1981 to provide access to Solf Lake for anadromous fish. Investigations suggest that the lake is fishless and has adequate zooplankton biomass to support a salmon population. There are two phases to this project. The feasibility phase (FY 96) will verify the ability of Solf Lake to support a population of sockeye salmon. Phase 2 will stock the lake with sockeye salmon and ensure adequate anadromous access to the lake. If the project is found to be feasible, stocking of the lake could begin in 1998.

Chief Scientist's Recommendation

This appears to be a reasonable supplementation project in view of the pre-earthquake sockeye salmon population in Solf Lake. The FY 97 project will complete Phase I objectives and it appears technically feasible to then proceed to implement Phase II objectives, which will reestablish a sockeye population in Solf Lake for the benefit of subsistence communities in Prince William Sound. Fund.

Executive Director's Recommendation

Fund. This project is intended to provide sockeye salmon as a replacement for subsistence and sport fishing resources injured by the oil spill, particularly for the residents of Chenega Bay.

EXECUTIVE DIRECTOR'S RECOMMENDATION ON DEFERRED PROJECTS -- FY 97 WORK PLAN

Proj.No./ Research Cluster	ProjectTitle	Proposer	Lead Agency	New or Cont'd	FY97 Revised Request	FY97 Approved	FY97 Deferred	Exec. Dir. Recommend	FY98 Estimate	Total FY97-02 Estimate
97275 Administration, Science Management, and Public Information	Rural Development Applied Field-Based Research Program in Oil Spill Affected Areas	G. Pullar/UAF-College of Rural Alaska	ADFG	New 1st yr. 6 yr. project	\$37.5	\$0.0	\$37.5	\$0.0	\$0.0	\$0.0

Project Abstract

Human resources will be strengthened through an interdisciplinary Bachelor's degree program in Rural Development and community restoration through applied research, distance education, and mentoring. Trustee Council priorities will be addressed integrating western science and indigenous knowledge. Students will be provided with a broad understanding of rural development in a global economy and a mastery of specific tools for effective community leadership. Specialization in one of five areas is linked to jobs in communities. Coursework will be delivered through interactive video and other distance delivery techniques and intensive rural development seminars.

Chief Scientist's Recommendation

This proposal is an excellent idea with a sound technical approach. However, it is justified based on an implied lack of leadership in the community, which does not seem to be apparent. There would be more incentive to fund this proposal if village leaders had requested it from the Trustee Council. In addition, the proposal lacks sufficient relationship to restoration objectives. Do not fund.

Executive Director's Recommendation

Do not fund. The decision on funding this project was deferred by the Trustee Council in August, pending further review of the Detailed Project Description and commitments from PIs to incorporate student research into specific restoration projects. The project proposer has not confirmed commitments from PIs.

EXECUTIVE DIRECTOR'S RECOMMENDATION ON DEFERRED PROJECTS -- FY 97 WORK PLAN

Proj.No./ Research Cluster	ProjectTitle	Proposer	Lead Agency	New or Cont'd	FY97 Revised Request	FY97 Approved	FY97 Deferred	Exec. Dir. Recommend	FY98 Estimate	Total FY97-02 Estimate
97277 Archaeological Resources	Archaeological Repository and Cultural Facility in Chenega Bay	C. Totemoff/Chenega Corporation	USFS	New 1st yr. 3 yr. project	\$318.5	\$0.0	\$318.5	\$0.0		\$0.0

Project Abstract

This project will fund an archaeological repository in Chenega Bay. Additional programming under the project will include stewardship of the facility, preservation and curation of artifacts, and educational/cultural programs. During 1997, the work planned for the period includes site control, architectural and engineering final proposals, and program development (in league with Chugach Heritage Foundation), as well as artifact and site inventorying, cataloging, and collecting. Completion of the operations and maintenance plan is also expected during this phase.

Chief Scientist's Recommendation

Although this project would contribute to archaeological restoration objectives with respect to Chenega Bay, there are major long-term issues to be resolved in regard to operation of the facility. This raises both financial and policy questions, which must be addressed by others. Based on this limited proposal and the unresolved long-term issues, I cannot recommend funding at this time.

Executive Director's Recommendation

Do not fund this year. Proposals for archaeological repositories will be considered as part of the FY 98 Invitation.

EXECUTIVE DIRECTOR'S RECOMMENDATION ON DEFERRED PROJECTS -- FY 97 WORK PLAN

Proj.No./ Research Cluster	ProjectTitle	Proposer	Lead Agency	New or Cont'd	FY97 Revised Request	FY97 Approved	FY97 Deferred	Exec. Dir. Recommend	FY98 Estimate	Total FY97-02 Estimate
97281 Subsistence	Habitat Improvement Through Redesigned Forest Workshops	R. Ott/Native Village of Eyak Tribal Council	USFS	New 1st yr. 1 yr. project	\$50.0	\$0.0	\$50.0	\$0.0	\$0.0	\$0.0

Project Abstract

This project will promote habitat improvement by providing Alaska Natives and community leaders with tools for self determination of culturally appropriate economic development of forested lands. These tools will be provided through a series of facilitated workshops that will reexamine all possible land use options in light of the effects of logging on the ecosystem. Cultural needs of the traditional and customary users of the natural resources associated with those lands will be prioritized at the same time as recognizing the priority for maintaining a strong economic base for the land owners. These land use options will provide a much more cost effective way to provide habitat improvement than outright acquisition.

Chief Scientist's Recommendation

While reforestation and sustained uses of forests have a link to habitat protection as a restoration objective, this proposal gives little detail as a basis for technical evaluation. To be successful, any work along the lines of what is proposed would need full support and participation of the Eyak Village Corporation and the Chugach Native Corporation, which are the land owners/managers. Based on the merits of the proposal as presented, the reviewers cannot recommend funding.

Executive Director's Recommendation

Do not fund. The Trustee Council deferred a decision on funding this project until the proposer confirms joint sponsorship by key stakeholders (e.g., Chugach Alaska Corporation, the village corporations, and other village councils). Although the proposer has requested support from key stakeholders, no commitments have been confirmed.

EXECUTIVE DIRECTOR'S RECOMMENDATION ON DEFERRED PROJECTS -- FY 97 WORK PLAN

Proj.No./ Research Cluster	ProjectTitle	Proposer	Lead Agency	New or Cont'd	FY97 Revised Request	FY97 Approved	FY97 Deferred	Exec. Dir. Recommend	FY98 Estimate	Total FY97-02 Estimate
97301 Administration, Science Management, and Public Information	<u>The Alaska Laboratory Series</u> Television Pilot	S. Reed/Alaska Public Telecommunications , Inc.	ADFG	New 1st yr. 3 yr. project	\$105.7	\$0.0	\$100.0	\$0.0	\$0.0	\$0.0

Project Abstract

This project will create a television program that will document ongoing restoration and rehabilitation efforts in Prince William Sound and other spill affected areas. This program will be a pilot to launch The Alaska Laboratory, a national science education series on science and research in Alaska. Many episodes, including the pilot, will center on marine research, rehabilitation, and restoration efforts in Prince William Sound, the Kenai Peninsula and the Gulf of Alaska. APTI, in cooperation with the Alaska SeaLife Center, will produce and distribute the series through national networks, cable, and on Alaska's PBS stations.

Chief Scientist's Recommendation

The proposed television program could increase awareness, both within and beyond Alaska, about the restoration program. This particular proposal is more of an idea than a full proposal. I do not know what priority the Trustee Council wants to give to educational projects such as this television program, but the idea does have merit and may deserve going forward. If deemed appropriate by the Trustee Council, a more complete proposal should be invited.

Executive Director's Recommendation

Do not fund this proposal. Consider further the possibility of funding some elements of this proposal together with media footage to be used for various educational/outreach efforts.

EXECUTIVE DIRECTOR'S RECOMMENDATION ON DEFERRED PROJECTS -- FY 97 WORK PLAN

Proj.No./ Research Cluster	ProjectTitle	Proposer	Lead Agency	New or Cont'd	FY97 Revised Request	FY97 Approved	FY97 Deferred	Exec. Dir. Recommend	FY98 Estimate	Total FY97-02 Estimate
97305 Seabird/Forage Fish and Related Projects	Monitoring Response of Seabirds to Changing Prey Availability Using Stable Isotope Analysis	J. Piatt/DOI-NBS	DOI	New 1st yr. 4 yr. project	\$35.0	\$0.0	\$35.0	\$0.0	\$0.0	\$0.0

Project Abstract

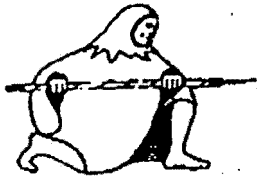
A key component of the ecosystem-level study (APEX-/163) designed to evaluate the response of seabirds to fluctuations in forage fish density following the oil spill is the accurate evaluation of seabird diet through time. Recent advances in the use of naturally occurring stable isotopes of carbon and nitrogen to trace food webs can be applied to seabird communities. This technique will allow trophic dynamics and location of feeding to be traced in association with intra- and inter-seasonal changes in seabird prey. Moreover, the measurement of several tissues of seabirds, including those of their eggs, will be used to establish diet of birds integrated over various time periods.

Chief Scientist's Recommendation

Stable isotope measurement of seabird tissues could contribute much to our understanding of declines of seabird populations relative to food sources. It is recommended that samples gathered in the APEX program in 1995 and 1996 be initially analyzed under Project /170. Lower priority; do not fund.

Executive Director's Recommendation

Do not fund. There is the potential for samples gathered in the APEX project (/163) to be analyzed under Project 97170 using stable isotope analysis.



The Eyak Corporation

P.O. Box 340 Cordova, Alaska 99574
(907) 424-7161 Fax (907) 424-5161

November 20, 1996

RECEIVED
DEC 03 1996

Via Facsimile: 907-276-7178

Martha Vlasoff
EVOS Trustee Council
645 G St., Suite 401
Anchorage, Alaska 99501-3451

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL
ADMINISTRATIVE RECORD

Re: Project #97281

Dear Martha:

The purpose of this letter is to offer our support for the aforementioned project proposed by the Native Village of Eyak Tribal Council.

We need to first state that we may not totally agree with the entire content of proposal #97281 as written, but we will remain actively involved with the project to promote enhancement of the lifestyles of the area's Alaska Native people.

Determining needs and setting priorities within our community is critical for cultural survival and creating a proactive stance toward development. It is critical that we obtain our native communities opinion of needs and measure the extent of those needs. Only when such information is gathered can programs to meet the needs of the area's natives be readily prioritized and developed.

If any money is to be spent in assisting our local community it is our opinion that it is best spent working to help create the opportunity for Alaska Natives to maintain a stable and self-sustainable community.

At this time, The Eyak Corporation is unable to contribute any money directly to the management of project #97281. Please be aware that although we can not give cash in order to leverage the support of this project by the Council, The Eyak Corporation is beginning work to create a similar needs assessment and survey of our shareholders. This work is necessary in order to help us identify areas, which our long range planning can be built around to best assist in promoting education, entrepreneurship, and cultural values for our shareholders.

November 20, 1996
EVOS Trustee Council
Page Two

We believe that our survey effort will produce information about our shareholders which will be useful to project #97281. At this time we can offer only this type of in-kind contribution.

We are always looking for opportunities to gain an advantage for our local native community through cooperative relationships with other contributors to the area's overall economy. Through these relationships the cost of doing business for the area's native people is reduced. Thank you for your consideration to fund project #97281, through this project the Council has a means to help promote economic benefits for local native people.

Sincerely,

THE EYAK CORPORATION



Brian J. Lettich
General Manager

cc: NVE
R. OTT

APPLIED
marine
SCIENCES

RECEIVED
OCT 11 1996

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

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

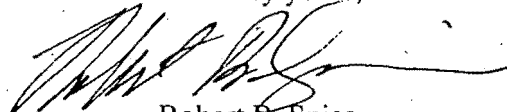
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EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL
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Dear Molly,

At the August 29th Council Meeting Trustee Deborah Williams asked staff look into the potential for logging on Afognak Island to affect the monitoring and enhancement project 97139 A "Salmon instream habitat and stock restoration-Little Waterfall Creek Barrier Bypass Improvement". As a result FY 1997 funding was contingent on clarification of this issue. At your request I have looked into the matter with the help of Mr. Stan Senner.

In a September 24th letter to you, Mr. Steve Honnold of ADF&G addresses the concern about logging in the vicinity of the project and about other native species in the system that earlier had been identified by peer reviewers as an issue in an enhancement project of this type. There is currently no logging in the basin of the Little Waterfall Lake Drainage, but there are plans to extend logging into the basin in the future. According to the State Forest Practices Act, logging must leave a buffer strip around the streams and lakes in order to protect aquatic resources. Pink salmon, which is the principle species that will be increased in the upper reaches of Little Waterfall Creek drainage, will not reach the Lake as there is still an impassable falls below the Lake that has not been rendered passable by this project. So the Lake will remain a buffer between the logging and the spawning fish downstream. The bypasses in the lower reaches of the stream have already been constructed to allow pink and Coho salmon to reach the upper reaches of the stream. The proposal for FY1997 involves only monitoring of the system to see how successful the project has been. We should be monitoring in FY1997 in order to assess project effectiveness. We should consider the possibility of monitoring in later years as the need arises and as activities that might influence the success of this project are carried out.

Sincerely yours,


Robert B. Spies
Chief Scientist