

01/19/07

Exxon Valdez Oil Spill Trustee Council

September 29, 2008

Agenda

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11.19.07



Exxon Valdez Oil Spill Trustee Council

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

EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL DRAFT AGENDA

September 29, 2008 9:00 a.m.

Trustee Council Members:

TALIS COLBERG

Attorney General

Alaska Department of Law

LARRY HARTIG

Commissioner

Alaska Department of

Environmental Conservation

DENBY S. LLOYD

Commissioner

Alaska Department of Fish

and Game

JAMES BALSIGER

Administrator, Alaska Region

National Marine Fisheries Service

RANDALL LUTHI

Director

U.S. Minerals Management Service

JOE MEADE

Forest Supervisor

U.S. Department of Agriculture

Forest Service

Meeting at 441 W 5th St., Suite 500 - Anchorage

Teleconference number: 800.315.6338 (code 826#)

Federal Chair: Steve Zemke

1. Call to Order – 9:00 a.m.
 2. Consent Agenda
 - a. Approval of Agenda*
 - b. Approval of Meeting Notes* August 28, 2008
 3. Public Advisory Committee (PAC) comments
 4. Public comment – 9:45 a.m. (3 minutes per person)
 5. Executive session – PAC membership and personnel item
 6. PAC membership*
 7. Personnel item*
 8. Habitat protection*
 9. Integrated Herring Restoration Program (IHRP) – update
 10. Project 090100-FY09 Annual Program Development and Implementation*
 11. Sole source – short film production*
 12. FY08 project amendments for FY09*
- Adjourn

Trustee Council

Trustee Council

Trustee Council

Carol Fries

JoEllen Lottsfeldt

Lynette Schroeder

Rebecca Talbot

JoEllen Lottsfeldt

*Indicates action items

Federal Trustees

U.S. Department of the Interior

U.S. Department of Agriculture

National Oceanic and Atmospheric Administration

State Trustees

Alaska Department of Fish and Game

Alaska Department of Environmental Conservation

Alaska Department of Law

Motions for Sept 29 Trustee Council Meeting

Item 2a, Agenda:

Motion to approve the Trustee Council's September 29, 2008 meeting agenda.

Item 2b, Meeting Notes:

Motion to approve the Trustee Council's August 28, 2008 meeting notes.

Item 5, Executive Session:

Motion to go into executive session to discuss Public Advisory Committee selection and personnel issues.

Item 6, PAC Membership Selection:

Motion to approve the following nominees for appointment by the Secretary of the Interior to the Public Advisory Committee's 2008-2010 term:

- Aquaculture/Mariculture - Gary Fandrei
- Commercial Fishing – Robert (RJ) Kopchak
- Commercial Tourism – Amanda Bauer
- Conservation/Environmental – Jennifer Gibbons
- Local Government – Tim Joyce
- Marine Transportation – Torie Baker
- Native Land Owners – Larry Evanoff
- Public at Large – Jason Brune
JoAnn Vlasoff
- Recreational Users – Stacy Studebaker
- Regional Monitoring – John French
- Science/Technical – Bill Rosetti
- Sport Hunting and Fishing – Kurt Eilo
- Subsistence – Patience Anderson-Faulkner
- Tribal Government - Sue (Lori) Johnson

Item 7, Personnel Item:

Motion(s) as necessary to address personnel issues.

Item 8, Habitat Protection (3):

Three motions approving specific authorization of funds for purchases on Northern Afognak.

Item 10, Admin Budget:

Motion to approve Project 090100, FY 09 Annual Program Development and Implementation Budget.

Item 11, Sole Source for Film Production:

Motion to approve Kevin Hartwell as a sole source contractor in the amount of \$28,000 for production of a 12-13 minute video in advance of the 20th anniversary of the spill.

Item 12, FY 08 project amendments:

Motion to approve the FY 08 project amendments recommended for funding by the acting executive director in the FY 09 Draft Work Plan.

TC 8/28/08 Meeting
Notes

Exxon Valdez Oil Spill Trustee Council

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TRUSTEE COUNCIL MEETING NOTES

Anchorage, Alaska

August 28, 2008

DRAFT 08/28/08

DRAFT

Chaired by: Talis Colberg
Trustee Council Member

Trustee Council Members Present:

Steve Zemke, USFS*
Randall Luthi, USMMS
Craig O'Connor, NOAA **

Talis Colberg, ADOL
Denby Lloyd, ADF&G
Larry Hartig, ADEC

- Chair
- * Steve Zemke alternate for Joe Meade
- ** Craig O'Connor alternate for James Balsiger

The meeting convened at 9:00 a.m., August 28, 2008 in Anchorage at the EVOS Conference Room.

1. Approval of the Agenda

APPROVED MOTION: Motion to approve the August 28, 2008 draft agenda

Motion by Hartig, second by Luthi

2. Approval of June 26, 2008 meeting notes

APPROVED MOTION: Motion to approve the June 26, 2008

Motion by O'Connor, second by Zemke

Public Advisory Committee (PAC) comments: none offered

Public comment period began at 9:05 a.m.

One public comment was received.

Public comment closed at 9:12 a.m.

3. Council's Vision Statement

APPROVED MOTION: Motion to approve releasing a draft Vision Statement for Public Advisory Committee and public review and comment with comments due before the September 24, 2008 Trustee Council meeting

Motion by Luthi, second by O'Connor

4. Additional participant to IHRP Working Group

APPROVE MOTION: Motion to approve adding Scott Pegau to the Integrated Herring Restoration Plan Working Group

Motion by O'Connor, second by Hartig

5. Sole-Source – IHRP Working Group facilitator

APPROVED MOTION: Motion to approve Taylor Brelsford, URS Corporation, as a sole-source provider for facilitation services at the fourth Integrated Herring Restoration Plan Working Group's September 8-11, 2008 meeting in Cordova

Motion by Hartig, second by O'Connor

6. Science and Restoration Working Group participants

APPROVED MOTION: Motion to approve Stephen Braund, Ron O'Dor, Gary Cherr, Robert Spies, Charles Peterson,

Norman Meade, Marilyn Sigman, and James Winton as the Science and Restoration Working Group

Motion by O'Connor, second by Zemke

7. ARLIS Memorandum of Understanding

APPROVED MOTION: Motion to approve the Memorandum of Understanding among the Department of Interior (DOI) Agencies, *Exxon Valdez* Oil Spill Trustee Council (EVOS TC), University of Alaska Anchorage (UAA), and Alaska Department of Fish and Game (ADF&G) relating to the Organization and Operation of the Alaska Resources Library and Information Services

Motion by O'Connor, second by Hartig

The meeting moved to executive session at 10:20 a.m. without motion. The Trustees adjourned from the executive session at 11:00 a.m. without action or reconvening with the public.

Item 3 – PAC 9/3, 17/08
Meeting Summary

PAC Chair Comments to EVOS Trustee Council on September 29, 2008

Good Morning Trustee Council Members,

The PAC met two times by teleconference this month, September 3rd and as a continuation of that meeting on September 17th since much of the material required for the PAC to review and make recommendations on was not available at the first meeting.

The PAC was disappointed that the draft Trustee Council Vision Statement that we had received and were supposed to comment on had been pulled from consideration. We generally supported the content of the draft but agreed that it needed to include something on public transparency in Trustee Council operations. We look forward to a round of discussions on the next draft of the Vision Statement when it is available from the next Executive Director. We want to emphasize the importance of the Vision Statement and hope you all will have something for us to look at in the near future and at our next meeting.

Lynette reported on the FY09 Administrative Budget. The PAC supported the major differences between the '08 and '09 budgets. These include the Herring Plan and the new position of Herring Coordinator recommended by the Herring Work Group. Also supported by the PAC is the budget for the 20-year EVOS anniversary and money for a PAC trip to Prince William Sound next year to examine beaches with residual oil. The PAC then discussed the idea of a joint PAC and Trustee Council meeting and field trip to visit the oiled beaches for a photo that could be used at the 20 year anniversary and be included in the EVOS "20-Years-After" publicity and sessions at the 2009 Alaska Forum on the Environment.

Catherine gave us an update on the efforts of the Herring Work Group and the 40-page Herring Restoration Plan that we all have been waiting anxiously to see for many months. One of our PAC members, Gary Fandrei, has served actively in this group as chairman throughout this lengthy process and he is to be commended and is greatly appreciated by the PAC for his Herculean efforts. Two other Cordova residents and PAC members, RJ Kopchak and Torie Baker, have also been participating in the Herring Plan discussions. We all agreed that a public "roll-out" and briefing of the plan would be a very good thing to do following its approval. The 10-member Herring Work Group has already put in about 1000 hours of face-to-face time in meetings and countless more time for writing and research. This has been a thorough process involving not only scientific expertise but also good public input.

We were also briefed on the Science Panel's recommendations to grant funding extensions for some of the FY08-funded projects into FY09 and we were given a summary of each project. The PAC unanimously approved the Science Panel recommendations to fund 12 of the 13 FY08 projects proposed for continuation in FY09. This makes better sense given the delays in creating the full-blown FY09 Work Plan before the Herring Restoration Plan is completed. We understand that due to the delays, the next invitation will be for FY10 and it will include the herring plan information.

Carol Fries gave an update on current habitat protection projects and appraisals for the Northern Afognak Island parcels as identified as Shuyak 2A and 2B, Uganik 3A and 3B and timber rights on 5A. The sense of the PAC, as well as the general public, is that the Habitat Restoration Program has been very popular and is a successful component of the overall restoration efforts to date. The PAC supports the acquisition of these parcels, especially because these parcels will

help to bridge a gap in Delphin Bay in the continuous corridor of protected forested habitat on the north end of Afognak Island. Having lived in Kodiak for the last 28 years and having spent most of the summer on North Afognak doing botanical survey work for the Fish and Wildlife Service, I can personally attest to the richness and diversity of this marvelous wild area. Streams full of salmon, bays with abundant marine mammals, pristine forests full of nesting Marbled murrelets and bears. In a wetland meadow near a grove of Sitka Spruce, I also documented the first nesting record for the Solitary Sandpiper in the Kodiak Archipelago. Plant-wise, we collected nearly 600 specimens, documented over 25 new species for the refuge and about 5 new species for the Kodiak Archipelago.

Rebecca Talbot briefed us on the Communication Plan for next year, including events for the 20-year anniversary. The PAC is very supportive of this plan especially the updated "Darkened Waters" traveling display, participation in the Alaska Forum on the Environment, the funding of a short film on "20 Years After the Oil Spill", and local community events during March. Public outreach of the EVOS Restoration program has slowed down greatly in recent years and the PAC is very pleased to see Rebecca come on board and devote her time and expertise to getting out the message of what we've learned working our way toward restoration over the last 20 years. The PAC wants to see a clear and bold message conveyed from this office to the world media during the 20th anniversary. That message is that restoration is by no means over and the impacts from lingering oil and ecosystem disruption on our injured resources and economy continue to this day from the nations worst human-caused, environmental disaster.

The PAC also wants to commend Michael Baffrey for his work as the EVOS Executive Director as he was fabulous to work with on rebuilding the program and its processes over the past couple of years. We all will miss him and wish him the best in his next professional life. We also thank the great staff members, especially Cherri Womac, who since 1991, has provided more stability and professionalism to this program than can be measured.

So concluded the last meeting of this particular group of PAC members. They have been a wonderful bunch to work with as chair – very diverse, smart, vocal, opinionated, and generally took their civic duty seriously. However, at least half have opted not to re-up their membership mainly because they feel a great disconnect between the PAC and the Trustee Council. There has also been frustration over not having an annual schedule like we had under the Molly McCammon years. I hope we can fix both of those problems in the next two years. Today you will be selecting some new PAC members and I look forward to working with them, if you decide to keep me on. Torie Baker and myself came on the PAC at the same time in 1996 and have the longest tenure, which is probably a good thing for historical perspective considering the otherwise high turnover of PAC members.

Thank you,

Stacy Studebaker
PAC Chair

Meeting Summary

A. GROUP: *Exxon Valdez Oil Spill (EVOS) Public Advisory Committee (PAC)*

B. DATE/TIME: September 3 and 17, 2008

C. LOCATION: Anchorage, Alaska

D. MEMBERS IN ATTENDANCE: (T = via teleconference)

September 3:

<u>Name</u>	<u>Principal Interest</u>
Kurt Eilo (T)	Sport Hunting/Fishing
Gary Fandrei (T)	Aquaculture/Mariculture
Pat Lavin (T)	Conservation/Environmental
Steve Lewis (T)	Regional Monitoring
Ed Zeine (T)	Local Government

September 17:

<u>Name</u>	<u>Principal Interest</u>
Torie Baker (T)	Marine Transportation
Jason Brune (T)	Public-at-Large
Kurt Eilo (T)	Sport Hunting/Fishing
Larry Evanoff	Native Landowners
Gary Fandrei (T)	Aquaculture/Mariculture
RJ Kopchak (T)	Commercial Fishing
Stacy Studebaker (T)	Recreation Users
Ed Zeine (T)	Local Government

E. NOT PRESENT:

<u>Name</u>	<u>Principal Interest</u>
Martha Vlasoff	Subsistence Users
Mark King	Tribal Government
Vern McCorkle	Public-at-Large
Ron Peck	Commercial Tourism
Martin Robards	Science/Technical

F. OTHER PARTICIPANTS:

<u>Name</u>	<u>Organization</u>
Michael Baffrey (9/3)	Executive Director, Trustee Council
Doug Mutter	Designated Federal Officer, U.S. Dept. of the Interior
Carrie Holba	Trustee Council Staff & ARLIS Librarian
Cherri Womac	Trustee Council Staff
Catherine Boerner	Trustee Council Staff
Rebecca Talbott	Trustee Council Staff
Michael Schlei	Trustee Council Staff

Shane Sinclair	Trustee Council Staff
JoEllen Lottsfeldt	Trustee Council Staff
Lynette Schroeder-Einwiller	Trustee Council Staff
Lynette Ortolano	Trustee Council Staff
Brendan McGee	Trustee Council Staff
Barat LaPorte (T)	Patton Boggs
Steve Zemke	U.S. Forest Service
Carol Fries (T)	Alaska Department of Natural Resources
Dede Bohn (T)	U.S. Geological Survey
Jennifer Kohout	U.S. Fish and Wildlife Service
Howard Ferrin (9/3)	Alaska SeaLife Center
Kathryn Macdonald (T)	U.S. Dept. of Justice
Teresa Obermeyer (9/3)	Public
Pete Hagen	National Oceanic and Atmospheric Administration
Elise Hsieh (9/17)	Alaska Department of Law

G. SUMMARY:

At 9:03 a.m. on September 3, Pat Lavin, PAC Vice-Chairperson, opened the session with a welcome and introductions. Doug Mutter conducted a roll call, a quorum was not present.

The meeting was opened for public comment. Teresa Obermeyer commented on the recent Supreme Court decision on the Exxon suit by a number of plaintiffs. She also distributed a handout on the Permanent Fund Dividend program.

Since much of the material required for the PAC to review and make recommendations on was not available, and will not be until before September 17, the following agenda items were deferred until that time: FY09 Admin Budget, Integrated Herring Restoration Program, Habitat Acquisition Program, FY08-09 Project Extensions, FY09 Invitation to Submit Proposals, and the Communications Plan.

Michael Baffrey provided the Executive Director's report. He noted that both he and Catherine Boerner would be leaving by the end of September and that interim replacements would be appointed. He is preparing a position description for a Herring Coordinator (funded by the Trustee Council) to be located either at the Alaska Department of Fish and Game offices in Cordova or at the EVOS offices in Anchorage, for Trustee Council approval at their September 24 meeting. The Trustee Council has issued a draft Vision Statement for public review and comment, and action at their September 24 meeting. There will be no update of the Injured Resources and Services List for 2008.

Ed Zeine said he was sorry to see Baffrey leave the EVOS program, and appreciated all his hard work. Gary Fandrei, Steve Lewis, and Lavin echoed that sentiment.

Rebecca Talbott summarized the draft Communication Plan for the 2009 20-year anniversary of the oil spill. The plan will be further discussed September 17. If PAC members have comments, send them to Rebecca. She noted that support of community activities in March 2009, tracks at the Alaska Forum on the Environment, and updating and displaying the Homer Pratt Museum's exhibit of the oil spill, "Darkened Waters," were key elements of next year's activities. She is looking for a storage space in Anchorage for the museum exhibit (about 40 x 10 x 8 feet).

Lavin asked that informational materials, both new and those currently in hand, be sent to the PAC members as soon as possible before the September 17 meeting date.

In closing, Lewis said he would not be able to attend the 17th meeting and this would be his last PAC meeting. Zeine and Lavin indicated they will not be re-applying for PAC seats next term. Baffrey thanked them for their services. Fandrei thanked Catherine Boerner for her work on the Herring Restoration Plan.

The meeting was recessed at 9:45 until 9:00 a.m. September 17, to be resumed at the EVOS offices.

The meeting was reconvened on September 17 at 9:00 a.m. by Stacy Studebaker, PAC Chairperson. Mutter conducted a roll call, a quorum was present.

Studebaker asked about commenting on the draft Trustee Council Vision Statement. Cherri Womac and Elise Hsieh noted that it had been pulled from consideration at this time. Comments from the PAC on a vision for the restoration program were still welcome, but the draft document was not on the table at this time. Kurt Eilo said that the vision statement needed more clarity on public transparency in Trustee Council operations.

Zeine asked about the status of the Executive Director. Carrie Holba, Acting Executive Director, said that Baffrey had moved up his departure time and was gone. The Trustee Council will probably announce something at their September 29 meeting. RJ Kopchak asked if PAC comments on a vision statement should be on hold pending a new Executive Director. Holba replied yes.

Lynette Schroeder-Einwiler reported on the FY 09 Administrative Budget (previously distributed). The document has been reviewed by the Liaisons and is ready for Trustee Council action. Studebaker asked what the major differences were between 09 and 08. Schroeder-Einwiler highlighted the Herring Plan, personnel changes, and the 20-year EVOS anniversary. There is money in the PAC budget for a field trip into Prince William Sound next year to examine beaches with residual oil. Kopchak said he appreciated including a Herring Coordinator and community involvement. Studebaker and Eilo voiced support for a joint Trustee Council and PAC visit to oiled beaches next year and for the inclusion of EVOS "20-years after" sessions at the 2009 Alaska Forum on the Environment.

Boerner gave an update on the Herring Work Group efforts. She said the group met last week in Cordova. They are making recommendations to the Trustee Council in the 40-page Herring Restoration Plan. This will be reviewed with the Agency Liaisons and peer-reviewed before being submitted for approval. She expects the document to be available for PAC review in January. PAC member Fandrei serves on the Work Group. Kopchak and Torie Baker have been observing the process. Fandrei reported that a lot of effort has gone into the plan and there has been good participation. Kopchak commented that a challenge has been the lack of a Herring Coordinator, but that position is included in the plan. Studebaker asked about public participation. Boerner and Talbott responded that there has been some. Kopchak noted that unofficial interactions have been extensive and useful. Talbott suggested perhaps a public "roll-out" briefing at some time. Baker said there has been good local media coverage in Cordova. Kopchak stated that meetings were held during commercial fishing season, so turnout was light,

but there was plenty of buzz about the program—he agrees that a public roll-out would be appropriate. Fandrei noted that there was not a big role for the public, as this was a working, writing effort. He said there were 12 one-day meetings with about 10 people at each. Boerner noted that there was also a lot of time between meetings in writing and refining.

Boerner reported on the extension of FY 08-funded projects into FY 09. Twelve of the 13 projects proposed for continuation funding during FY 09 have been recommended for funding by the EVOS Science Panel. She summarized each of the projects (see the table on pages 2-3 of the EVOSTC FY 2009 Draft Work Plan of 9/16/2008). The one project not recommended was determined to be a new scope of work, rather than a continuation of a currently approved data collection effort. Zeine moved, second by Fandrei, that **the PAC approves the Science Panel recommendations to fund the 12 FY 08 project extensions in FY 09.** Passed unanimously.

Carol Fries gave a brief update on current habitat protection projects. Two Afognak parcels, totaling about \$1.9 million in matching EVOS funding, will be up for action at the upcoming Trustee Council meeting. Additional work is underway on parcels at Shuyak and Uganik and other locations. A couple of new parcels are entering the review process. Studebaker asked about the Termination Point parcel on Kodiak. Fries said they need to receive a written letter of interest from Lesnoi Corporation.

Elise Hsieh said that, due to several delays, at this late date the FY 09 invitation to submit proposals would not be issued. The next invitation will be for FY 10, probably in February, and it will include the herring plan information. Studebaker stated that this was a good idea. Kopchak said he was disappointed that information on the impacts of the spill on commercial fishing services were not to be addressed in an invitation at this time.

Talbott provided a recap of the draft Communication Plan for next year, including events for the 20-year spill anniversary. She has been visiting with agency staff and community representatives about elements of the program. This program is included in the FY 09 Administrative Budget to go before the Trustee Council at their upcoming meeting. The Pratt Museum's "Darkened Waters" exhibit will be shipped to Alaska and updated for display next year. Studebaker said she would like to get the exhibit to travel to Kodiak. Talbott said they had discussed preparing a smaller travelling version. A short film will be developed, several tracks and speakers will be included at the February Alaska Forum on the environment, and support for local community events during March is proposed. Eilo noted that the focus at the Forum would be on restoration results and progress over the last 20 years. He suggested PAC members join in with Talbott to help on these events next year. Talbott said the Trustee Council was hosting an on-line forum for community and event planners to use to coordinate activities. The group discussed, and supported, having the PAC and perhaps the Trustee Council meet at the Forum. Studebaker supported this also as an opportunity for the Trustee Council to meet new PAC members. Talbott noted that media interest is already on the rise in anticipation of the 20-year anniversary, and that the ARLIS staff were responding to information requests. A press packet will be available in January.

It was moved by Fandrei, second by Kopchak, that **the PAC approves the summaries for the last two PAC meetings.** Passed unanimously.

It was moved by Jason Brune, second by Zeine, that **the PAC commends Michael Baffrey for his work as the EVOS Executive Director, he was fabulous to work with.** Passed

unanimously. The PAC wishes him the best in his directions.

In closing comments, Zeine stated that he was leaving the PAC and not reapplying for the next two-year term. Cordova Mayor Tim Joyce has been nominated for the local government PAC seat. He said he appreciates the work and has enjoyed working with Cherri Womac and Doug Mutter. He thanked Stacy Studebaker for her good leadership.

Brune asked about the status of the National Environmental Policy Act (NEPA) documentation for the restoration program. Steve Zemke said it was on the back burner. Pete Hagen replied that federal agencies needed to examine the need for updating the NEPA documentation, but nothing was going on at this time.

Kopchak congratulated the outgoing EVOS staff for the hard work on rebuilding the program and its processes over the past couple of years.

Studebaker said thanks and good-bye to those PAC members not coming back or re-applying. She also appreciated the work of the outgoing staff. She will report on the PAC meeting at the upcoming Trustee Council meeting.

The meeting adjourned at 10:50.

H. FOLLOW-UP:

1. PAC members should send ideas on the Communications Plan to Rebecca Talbott, who will email information and a request for assistance.
2. Studebaker will present a PAC status report at the September 29 Trustee Council meeting.
3. Fries will send out her habitat briefing information.

I. NEXT MEETINGS: To be determined, probably the first week in February 2009

[NOTE: the annual Alaska Marine Science Symposium is scheduled for January 19-23 in Anchorage]

J. ATTACHMENTS (handed out at the meeting): None

K. CERTIFICATION:

PAC Chairperson

Date

Public Advisory Committee nominations sent in separate binder.

Item 8 - Habitat

AGENDA ITEM 8
Habitat Protection Program Status – September 29, 2008

Northern Afognak Efforts

On March 17th, 2008 the Trustee Council authorized up to \$10,000,000 for the purchase of parcels on Northern Afognak Island. Resolution 08-05 addressed the acquisition of the Shuyak, Uganik, and Natives of Kodiak parcels as well as the remaining timber rights on parcel 5A. Parcel 5A was previously acquired from Afognak Joint Venture (AJV). Actions requested today are consistent with Resolution 08-05 and will utilize \$5,100,000 of this authorization, leaving a balance of \$4,900,000.

Since the adoption of the above referenced resolution, appraisals and appraisal reviews have been completed for the Shuyak and Uganik parcels, and parcel 5A timber rights establishing Fair Market Value as follows:

- Shuyak 2A and 2B - \$2,900,000
- Uganik 3A and 3B - \$2,000,000
- 5A Timber Rights - \$1,200,000

ACTION REQUESTED

The resolutions before you authorize specific funding amounts to be released upon the fulfillment of the conditions specified therein. Although authorized at this point in time, funds will remain within the investment account until closing.

Shuyak Parcels 2A and 2B: The resolution before you authorizes \$1,900,000 as matching funds for a Forest Legacy grant which will contribute to the purchase of Shuyak parcels 2A and 2B at \$2,900,000.

Suggested Motion: I move that we authorize one million nine hundred thousand dollars (\$1,900,000) to be used as matching funds for the purchase of Shuyak parcels 2A and 2 subject to the terms and conditions specified in the resolution for these parcels.

Uganik Parcels 3A and 3B: The resolution before you authorizes \$2,000,000 for the purchase of Uganik parcels 3A and 3B and closing costs of \$8,000.

Suggested Motion: I move that we authorize two million eight thousand dollars (\$2,008,000) for the purchase of Uganik parcels 3A and 3B subject to the terms and conditions specified in the resolution for these parcels.

Afognak Timber Harvest Unit 5A: The resolution before you authorizes \$1,200,000 for the purchase of 5A Timber Rights from Rocky Mountain Elk Foundation and The American Land Conservancy and \$5,000 in closing costs.

Suggested Motion: I move that we authorize one million two hundred five thousand dollars (\$1,205,000) for the purchase of Timber Rights on parcel 5A subject to the terms and conditions specified in the resolution for this parcel.

Background

Rocky Mountain Elk Foundation and The American Land Conservancy (RMEF/ALC) have continued negotiations with Shuyak Natives, Inc. and Uganik Natives, Inc. and have secured option agreements with these landowners to purchase the parcels. As directed in Resolution 08-05, these parcels are now coming back to the Council for specific authorization of Trustee Council funds from within this overall allocation.

In 2005 RMEF/ALC and the State of Alaska jointly implemented two National Coastal Wetlands grants resulting in the purchase of the Waterfall parcel located just to the north and east of Shuyak 2A as well as the timber rights on timber harvest unit 5B from AJV. Title to both the Waterfall parcel and the timber rights on 5B vested with the State. Concurrent with this transaction, in an effort to both protect resource values and facilitate negotiations with AJV, RMEF/ALC also purchased the timber rights on timber harvest unit 5A. At this point in time RMEF/ALC would like to transfer their interest in 5A to the State and recover the \$1,200,000 value of these timber rights. The timber rights were valued at \$1,200,000 in 2004 and that value has been reviewed and confirmed as of July 11, 2008.

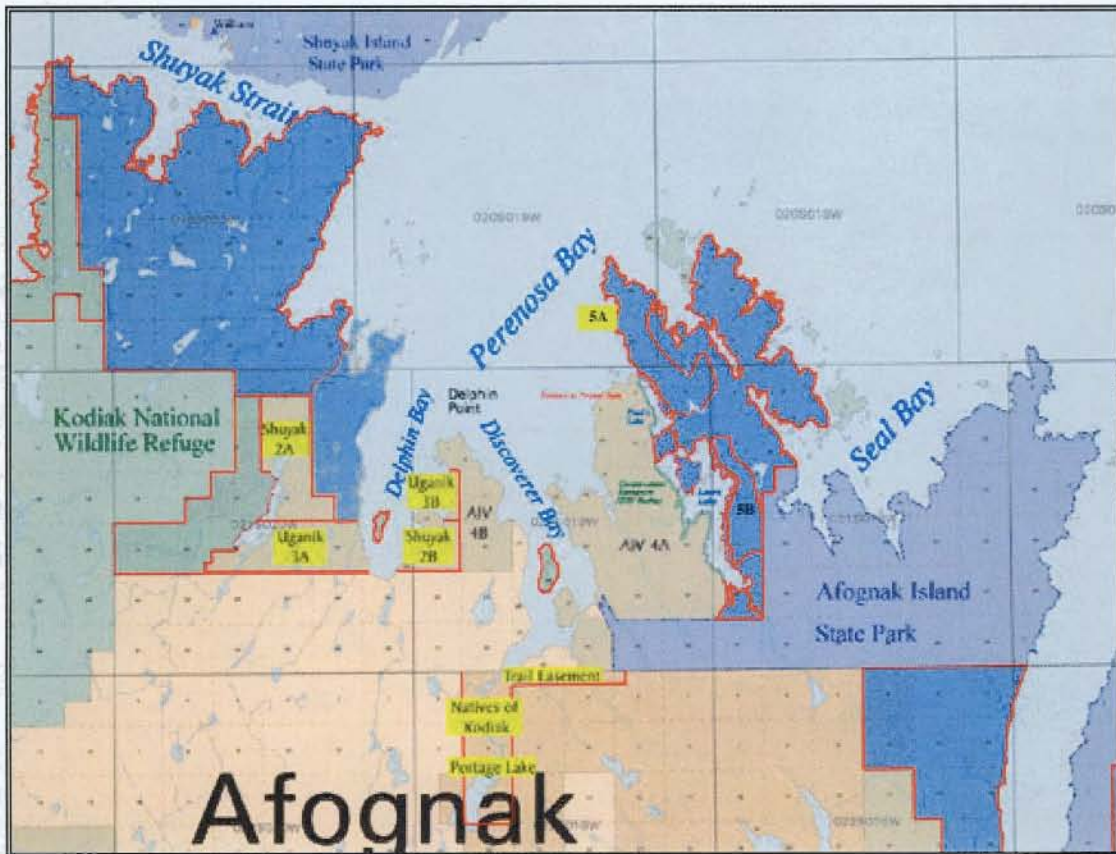
The many restoration benefits of these acquisitions have been documented in Resolution 02-02 adopted by the Council in December 2001 (please see attached). It is expected that restoration benefits will accrue to anadromous fish, river otters, harlequin ducks, bald eagles, marbled murrelets, black oystercatchers, common murre, and pigeon guillemots as well as other injured resources and services. In addition, the nearshore waters of Perenosa Bay offer feeding, pupping, and calving habitat for many species of marine mammals including harbor seals and sea otters.

Previous Afognak Resolutions

- *Resolution 02-02*, Adopted December 11, 2001 regarding the resource values and benefits of protection of lands in Perenosa Bay. (Attached)
- *Resolution 03-01*, Adopted October 29, 2002 regarding matching funds for the Northern Afognak effort.
- *Resolution 07-05*, Adopted June 27, 2007 authorizing due diligence funds for Northern Afognak
- *Resolution 08-05*, Adopted March 17, 2008, authorizing up to \$10,000,000 for the purchase of lands on Northern Afognak.

Budget Summary

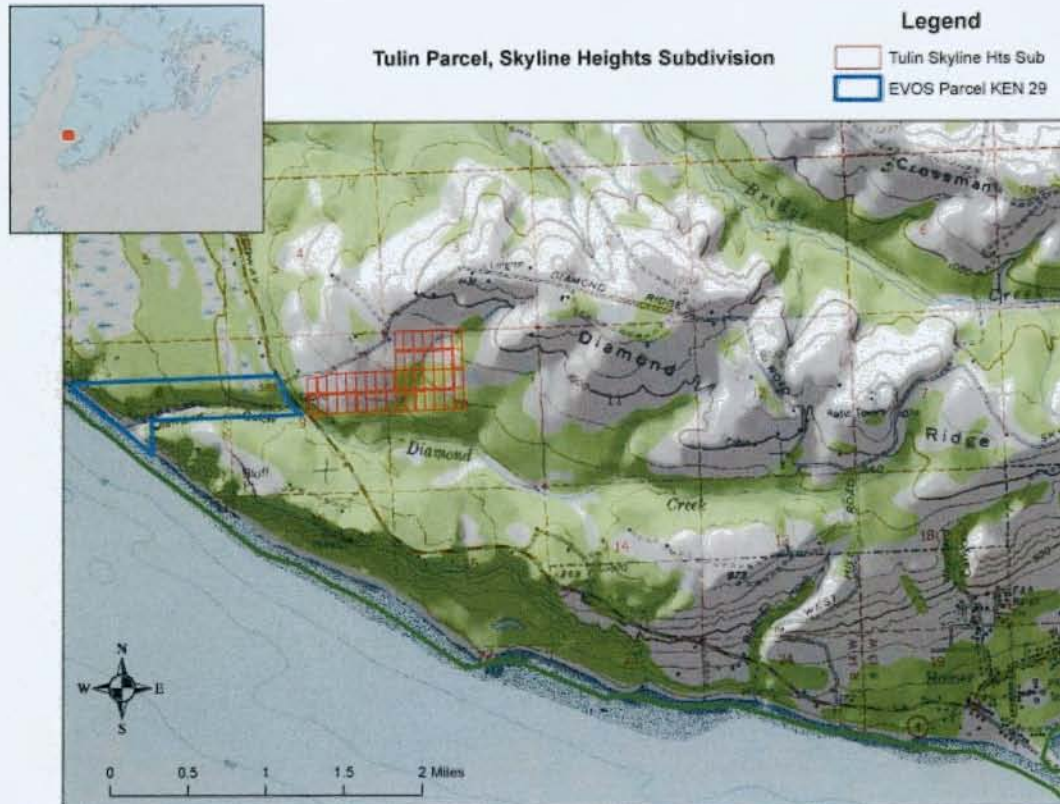
Parcel	Operating Funds	Acquisition Funds
Shuyak 2A and 2B		\$1,900,000
Uganik 3A and 3B	\$8,000	\$2,000,000
5A Timber Rights	\$5,000	\$1,200,000
Total Authorization	\$13,000	\$5,100,000



UPDATE ON SMALL PARCEL NOMINATIONS:

Tulin, Skyline Heights Subdivision, Homer - KEN 3004

We received a nomination for purchase of the Skyline Heights Subdivision located just outside of Homer owned by the Tulins. This parcel is on the east side of the Sterling Highway, east of the previously purchased Tulin parcel KEN 29.

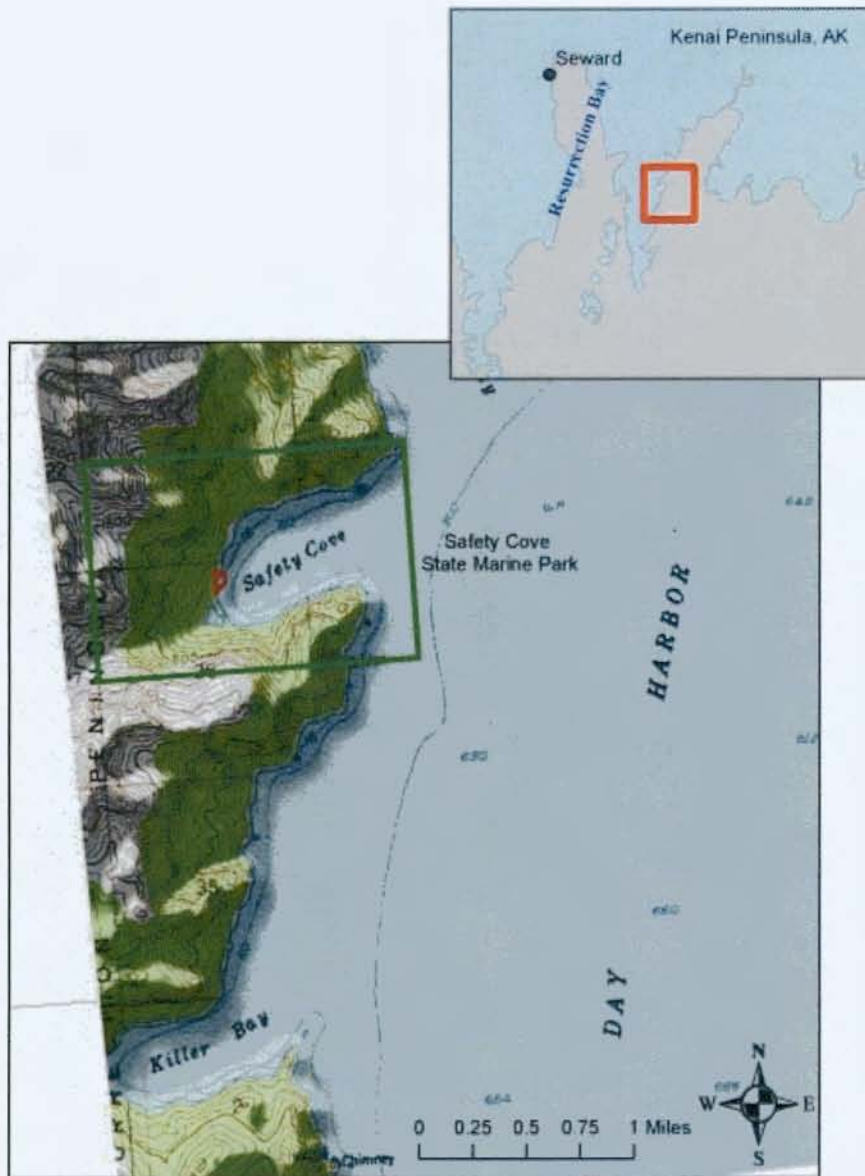


Best Parcel, Safety Cove – KEN 3003

We have received a nomination for the 2 acre Best parcel located in Safety Cove State Park within Day Harbor located outside and to the east of Resurrection Bay. This parcel was previously nominated and pursued by the Council through The Conservation Fund. Because of changes in the Council at that time, no further action was taken. Preliminary review of this parcel indicates that it continues to be worthy of further consideration. A limited appraisal of this property secured by The Conservation Fund in 2003 indicated the value was \$28,000. However, discussions with the appraiser indicate that market conditions in the area have changed. We would like to utilize existing funds to appraise the parcel.

ACTION REQUESTED

Approval to utilize existing funds to secure an appraisal of the Best property.



**Best Parcel, Safety Cove State Marine Park
Kenai Peninsula, Alaska**

**RESOLUTION 02-02 OF THE
EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL
CONCERNING
PROTECTION OF LANDS IN PERENOSA BAY**

WHEREAS the Trustee Council has invested nearly \$156 million to acquire and protect habitat on and near northern Afognak Island that is critical for several species injured by the oil spill, consisting of 41,549 acres along Seal Bay and Tonki Cape acquired from the Seal Bay Timber Company in 1993, 26,665 acres acquired on Shuyak Island from the Kodiak Island Borough in 1996, and 41,750 acres acquired on northern Afognak Island from the Afognak Joint Venture (AJV) in 1998;

WHEREAS the Kodiak Brown Bear Trust, American Lands Conservancy, and Rocky Mountain Elk Foundation are proposing to seek private foundation dollars to leverage public funds to further the habitation protection and restoration efforts begun by the Trustee Council on northern Afognak Island;

WHEREAS the first phase of the effort is focused on 18,000 acres of coastal habitat in Perenosa Bay currently held by AJV;

WHEREAS the AJV lands lie within and near the lands purchased by the Trustee Council that are now within Afognak Island State Park and Shuyak Island State Park, and include timber rights on 2,000 acres of land east of Pauls and Laura Lakes on which the Trustee Council acquired surface title, and their protection would help preserve the integrity of the Trustee Council's investment in the area;

WHEREAS the Trustee Council sought to acquire these additional lands in order to provide contiguity in protection, land management strategies, and ownership but had insufficient funds available to purchase them;

WHEREAS protecting contiguous tracts of land provides further protection of wildlife movement corridors, consistency in land management strategies, and facilitates public recreational use in concert with protection of injured species and supporting habitats;

WHEREAS the AJV lands, as well as the timber reservation near Pauls and Laura Lakes, are among the lands most highly ranked for restoration value and biological significance by the Trustee Council's habitat protection process and support critical habitat for several species injured by the *Exxon Valdez* oil spill including pink salmon, Dolly Varden, Pacific herring, bald eagles, black oystercatchers, harbor seals, harlequin ducks, marbled murrelets, pigeon guillemots, river otters, and sea otters;

WHEREAS the Sitka spruce within the timber reservation represents some of the most valuable habitat for wildlife, particularly marbled murrelets and bald eagles, as well as providing stable riparian zones for pink and sockeye salmon and Dolly Varden;

WHEREAS this area has many documented anadromous streams which support populations of pink salmon, coho salmon, sockeye salmon, rainbow trout and steelhead which have significant importance to commercial fishing, subsistence fishing, sportfishing, guiding, as well as bears, eagles, and marine mammals;

WHEREAS Pacific herring spawn in Perenosa Bay and feed in nearshore waters;

WHEREAS six species of birds injured by the *Exxon Valdez* oil spill – marbled murrelet, pigeon guillemot, black oystercatcher, harlequin duck, bald eagle, and common murre -- use northern Afognak and the protected offshore waters for all or parts of their lifecycles;

WHEREAS the adjacent marine waters are highly productive and are inhabited by northern sea lions, northern fur seals, harbor porpoises, and several species of whales, with the nearshore waters of Perenosa Bay offering feeding, pupping, and calving habitat for many species of marine mammals including harbor seals and sea otters;

WHEREAS in addition to injured species, elk, deer and brown bear utilize the habitats proposed for protection and the resources they support;

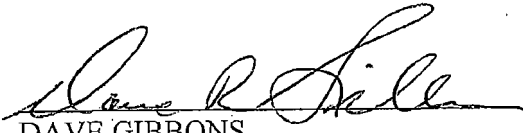
WHEREAS the AJV lands in this general area contain significant archaeological and cultural resources, with some sites listed as Important by the State Historic Preservation Office;

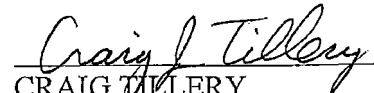
WHEREAS protection of this area will further the Trustee Council's restoration objectives by maintaining water quality and riparian habitat for anadromous fish, river otters, and harlequin ducks; maintaining nesting opportunities for bald eagles, marbled murrelets and pigeon guillemots; minimizing disturbance to nearshore and intertidal habitat used by a variety of species; and maintaining opportunities for recreational use by Alaskans and tourists alike;

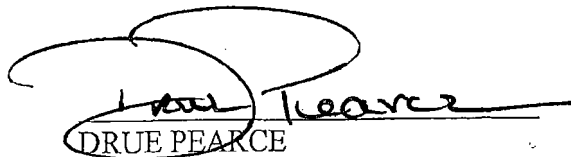
WHEREAS the Kodiak Brown Bear Trust, American Lands Conservancy, and Rocky Mountain Elk Foundation bring together knowledge of Alaska, successful experience in completing large and complex land acquisitions, private foundation support, and a significant national constituency;

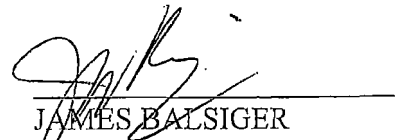
THEREFORE BE IT RESOLVED that the Trustee Council strongly supports and encourages the efforts underway by the Kodiak Brown Bear Trust, American Lands Conservancy, Rocky Mountain Elk Foundation and others to seek funds for protection of the coastal habitat in Perenosa Bay.

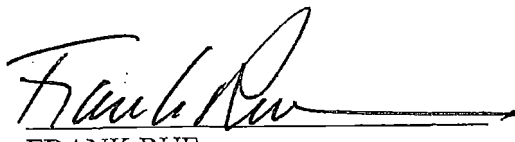
Approved by the Council at its meeting of December 11, 2001 held in Anchorage,
Alaska, as affirmed by our signatures affixed below:



DAVE GIBBONS
Alaska Region
USDA Forest Service


CRAIG TILLERY
Assistant Attorney General
State of Alaska


DRUE PEARCE
Senior Adviser
to the Secretary for Alaskan Affairs
U.S. Department of the Interior


JAMES BALSIGER
Director, Alaska Region
National Marine Fisheries
Service


FRANK RUE
Commissioner
Alaska Department of
Fish and Game


MICHELE BROWN
Commissioner
Alaska Department of
Environmental Conservation

RESOLUTION 08-16
OF THE
EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL
SHUYAK, PARCELS 2A AND 2B

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

1. Shuyak, Inc. ("Shuyak"), owns the surface estate of lands located on Afognak Island, Alaska, including the lands as described in Attachment A and generally depicted on the map at Attachment B as parcels 2A and 2B, referred to collectively herein as the Lands. Rocky Mountain Elk Foundation and The American Land Conservancy (Sellers) have an option agreement to acquire the Lands.

2. The Lands were conveyed pursuant to the authority in the Alaska Native Claims Settlement Act (ANCSA) and the Alaska National Interest Lands Conservation Act (ANILCA) to Afognak Joint Venture (AJV). The subsurface estate associated with the Lands was conveyed to Koniag, Inc. an Alaska Native Regional Corporation.

3. Shuyak, Inc. was formerly a member of the AJV that has partitioned its interests and certain lands from the AJV and has received a conveyance of such lands (the Lands) in such partition.

4. The Lands are within the oil spill area as defined by the Council in the Final Restoration Plan approved November 2, 1994.

5. Pursuant to a Resolution adopted June 27, 2007, the Council authorized funds for an appraisal of the Lands. The appraisal has been completed and reviewed by

the state and federally approved review appraiser. The fair market value for parcels 2A and 2B is \$2,900,000.

6. Pursuant to a Resolution adopted March 17, 2008 the Council authorized the expenditure of up to \$10,000,000 for the purchase of parcels on Northern Afognak.

7. The Lands include important habitat for various species of fish and wildlife for which significant injury resulting from the oil spill has been documented through the Council's habitat acquisitions analysis. The restoration benefits to oil spill injured resources and services are documented in Trustee Council Resolution 02-02.

8. Existing laws and regulations, including but not limited to the Alaska Forest Practices Act, the Alaska 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 activities on the lands. However, restoration, replacement and enhancement of resources injured by the Exxon Valdez oil spill present a unique situation. Without passing judgment on the adequacy or inadequacy of existing law and regulations to protect resources, scientists and other resource specialists agree that, in their best professional judgment, protection of habitat in the spill area to levels above and beyond that provided by existing laws and regulations will have a beneficial effect on recovery of injured resources and lost or diminished services provided by these resources.

9. There has been widespread public support within Alaska as well as on a national basis for the acquisition of lands.

10. The purchase of this Land is an appropriate means to restore a portion of the injured resources and services in the oil spill area. Acquisition of this parcel is

consistent with the Final Restoration Plan.

11. The Lands are the objective of a Forest Legacy grant and the utilization of Council funds as match furthers the restoration objectives of the Council as well as the objectives of the Forest Legacy Program.

THEREFORE, we resolve to provide matching funds for the State of Alaska to purchase all the Seller's rights and interests in the Lands as described in Exhibit A at a purchase price of two million, nine hundred thousand dollars (\$2,900,000) pursuant to the following conditions:

(a) the amount of funds (hereinafter referred to as the "Match") to be provided by the Council to the State of Alaska shall be one million, nine hundred thousand dollars (\$1,900,000) for parcels 2A and 2B;

(b) authorization for funding for any acquisition described in the foregoing paragraph shall terminate if a purchase agreement is not executed by September 30, 2009;

(c) filing by the United States Department of Justice and the Alaska Department of Law of a notice, as required by the Third Amended Order for Deposit and Transfer of Settlement Proceeds, of the proposed expenditure with the United States District Court for the District of Alaska and with the Investment Fund established by the Trustee Council within the Alaska Department of Revenue, Division of the Treasury ("Investment Fund"), and transfer of the necessary monies from the Investment Fund to the State of Alaska Department of Natural Resources;

(d) a title search satisfactory to the State of Alaska and the United States is completed, and the Sellers are willing and able to convey fee simple title by limited warranty deed;

(e) no timber harvesting, road development or any alteration of the land will be initiated on the Lands without the express agreement of the State of Alaska and the United States prior to purchase of this parcel;

(f) a hazardous materials survey satisfactory to the State of Alaska and United States is completed;

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

(h) a conservation easement on parcels 2A and 2B shall be conveyed to the United States which must be satisfactory in form and substance to the United States Department of Justice and the State of Alaska Department of Law.

It is the intent of the Council that the above-referenced conservation easement will provide that any facilities or other development on the Lands shall be of limited impact and in keeping with the goals of restoration, that there shall be no commercial use except as may be consistent with applicable state or federal law and the goals of restoration to pre-spill conditions of any natural resource injured, lost, or destroyed as a result of the EVOS, and the services provided by that resource or replacement or substitution for the injured, lost or destroyed resources and affected services, as described in the Memorandum of Agreement and Consent Decree between the United States and the State of Alaska entered August 28, 1991 and the Restoration Plan as approved by the Trustee Council.

By unanimous consent, following execution of the purchase agreement between the seller and the State of Alaska and written notice from the Executive Director ("Executive Director") of the Trustee Council that the terms and conditions set forth herein and in the purchase agreement have been satisfied, we request the Alaska Department of Law and the Assistant Attorney General of the Environment and Natural

Resources Division of the United States Department of Justice to take such steps as may be necessary for withdrawal of the Match for the above-referenced parcels from the appropriate account designated by the Executive Director.

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

Approved by the Council at its meeting of September 29, 2008 held in Anchorage, Alaska, as affirmed by our signatures affixed below:

Joe L. Meade
Forest Supervisor
Forest Service Alaska Region
U. S. Department of Agriculture

Talis J. Colberg
Attorney General
Alaska Department of Law

Randall Luthi
Deputy Director
U.S. Fish and Wildlife Service
U.S. Department of Interior

Craig O'Connor
Special Counsel
National Oceanic & Atmospheric
Administration
U.S. Department of Commerce

Denby S. Lloyd
Commissioner
Alaska Department of Fish and Game

Larry Hartig
Commissioner
Alaska Department of Environmental
Conservation

RESOLUTION 08-17
OF THE
EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL
UGANIK PARCELS 3A AND 3B

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

1. Uganik, Inc. ("Uganik"), owns or will own the surface estate of lands located on Afognak Island, Alaska, including the lands as described in Attachment A and generally depicted on the map at Attachment B as parcels 3A and 3B, referred to collectively herein as the Lands. Rocky Mountain Elk Foundation and The American Land Conservancy (Sellers) have an option agreement to acquire the Lands.

2. The Lands were conveyed pursuant to the authority in the Alaska Native Claims Settlement Act (ANCSA) and the Alaska National Interest Lands Conservation Act (ANILCA) to Afognak Joint Venture (AJV). The subsurface estate associated with the Lands was conveyed to Koniag, Inc. an Alaska Native Regional Corporation.

3 Uganik, Inc. was formerly a member of the AJV that is partitioning its interests and certain lands from the AJV and has received or will receive a conveyance of such the Lands in such partition.

4. The Lands are within the oil spill area as defined by the Council in the Final Restoration Plan approved November 2, 1994.

5. Pursuant to a Resolution adopted June 27, 2007, the Council authorized funds for an appraisal of the Lands. The appraisal has been completed and reviewed by

the state and federally approved review appraiser. The fair market value for parcels 3A and 3B is \$2,000,000.

6. Pursuant to a Resolution adopted March 17, 2008 the Council authorized the expenditure of up to \$10,000,000 for the purchase of parcels on Northern Afognak.

7. The Lands include important habitat for various species of fish and wildlife for which significant injury resulting from the oil spill has been documented through the Council's habitat acquisitions analysis. The restoration benefits to oil spill injured resources and services are identified in Trustee Council Resolution 02-02.

8. Existing laws and regulations, including but not limited to the Alaska Forest Practices Act, the Alaska 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 activities on the lands. However, restoration, replacement and enhancement of resources injured by the Exxon Valdez oil spill present a unique situation. Without passing judgment on the adequacy or inadequacy of existing law and regulations to protect resources, scientists and other resource specialists agree that, in their best professional judgment, protection of habitat in the spill area to levels above and beyond that provided by existing laws and regulations will have a beneficial effect on recovery of injured resources and lost or diminished services provided by these resources.

9. There has been widespread public support within Alaska as well as on a national basis for the acquisition of lands.

10. The purchase of this Land is an appropriate means to restore a portion of the injured resources and services in the oil spill area. Acquisition of this parcel is

consistent with the Final Restoration Plan.

THEREFORE, we resolve to provide funds for the State of Alaska to purchase all the Seller's rights and interests in the Lands as described in Exhibit A and to provide funds necessary for closing costs, pursuant to the following conditions:

(a) the amount of funds (hereinafter referred to as the "Purchase Price") to be provided by the Council to the State of Alaska shall be two million dollars (\$2,000,000) for parcels 3A and 3B;

(b) the amount of funds authorized for closing costs are \$8,000.

(c) authorization for funding for any acquisition described in the foregoing paragraph shall terminate if a purchase agreement is not executed by September 30, 2009;

(d) filing by the United States Department of Justice and the Alaska Department of Law of a notice, as required by the Third Amended Order for Deposit and Transfer of Settlement Proceeds, of the proposed expenditure with the United States District Court for the District of Alaska and with the Investment Fund established by the Trustee Council within the Alaska Department of Revenue, Division of the Treasury ("Investment Fund"), and transfer of the necessary monies from the Investment Fund to the State of Alaska Department of Natural Resources;

(e) conveyance to Seller of title to the Lands.

(f) a title search satisfactory to the State of Alaska and the United States is completed, and the Seller is willing and able to convey fee simple title by limited warranty deed;

(g) no timber harvesting, road development or any alteration of the land will be initiated on the Lands without the express agreement of the State of Alaska and the United States prior to purchase of this parcel;

(h) a hazardous materials survey satisfactory to the State of Alaska and United States is completed;

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

(j) a conservation easement on parcels 3A and 3B shall be conveyed to the United States which must be satisfactory in form and substance to the United States Department of Justice and the State of Alaska Department of Law.

It is the intent of the Council that the above-referenced conservation easement will provide that any facilities or other development on the Lands shall be of limited impact and in keeping with the goals of restoration, that there shall be no commercial use except as may be consistent with applicable state or federal law and the goals of restoration to pre-spill conditions of any natural resource injured, lost, or destroyed as a result of the EVOS, and the services provided by that resource or replacement or substitution for the injured, lost or destroyed resources and affected services, as described in the Memorandum of Agreement and Consent Decree between the United States and the State of Alaska entered August 28, 1991 and the Restoration Plan as approved by the Council.

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

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

Approved by the Council at its meeting of September 29, 2008 held in Anchorage, Alaska, as affirmed by our signatures affixed below:

Joe L. Meade
Forest Supervisor
Forest Service Alaska Region
U. S. Department of Agriculture

Talis J. Colberg
Attorney General
Alaska Department of Law

Randall Luthi
Deputy Director
U.S. Fish and Wildlife Service
U.S. Department of Interior

Craig O'Connor
Special Counsel
National Oceanic & Atmospheric
Administration
U.S. Department of Commerce

Denby S. Lloyd
Commissioner
Alaska Department of Fish and Game

Larry Hartig
Commissioner
Alaska Department of Environmental
Conservation

RESOLUTION 08-18
OF THE
EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL
AFOGNAK TIMBER HARVEST UNIT 5A

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

1. Rocky Mountain Elk Foundation and The American Land Conservancy (RMEF/ALC), own the timber rights of lands located on Afognak Island, Alaska, as described in Attachment A and generally depicted on the map at Attachment B as parcel 5A, referred to herein as the Timber Rights.

2. The Timber Rights were acquired by RMEF/ALC from Afognak Joint Venture (AJV) in December 2005 concurrent with a grant-funded acquisition on the western side of Perenosa Bay. The remaining rights associated with the surface estate and the corresponding subsurface estate, were previously acquired by the State of Alaska using Trustee Council funds.

3. RMEF/ALC purchased the Timber Rights on parcel 5A based upon a 2004 appraised value of \$1,200,000. An opinion as to the relevance of the 2004 value conclusion has been secured from the appraiser and review appraiser. The appraiser and reviewer have determined that there has been no significant change in the conclusion of value reported for the Timber Rights as of September 20, 2004.

4. The Timber Rights are within the oil spill area as defined by the Council in the Final Restoration Plan approved November 2, 1994.

5. Pursuant to a Resolution adopted March 17, 2008 the Council authorized the expenditure of up to \$10,000,000 for the purchase of parcels on Northern Afognak.

6. The Timber Rights provide important habitat for various species of fish and wildlife for which significant injury resulting from the oil spill has been documented through the Council's habitat acquisitions analysis. The restoration benefits to oil spill injured resources and services are identified in Trustee Council Resolution 02-02.

7. Existing laws and regulations, including but not limited to the Alaska Forest Practices Act, the Alaska 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 activities on the lands. However, restoration, replacement and enhancement of resources injured by the Exxon Valdez oil spill present a unique situation. Without passing judgment on the adequacy or inadequacy of existing law and regulations to protect resources, scientists and other resource specialists agree that, in their best professional judgment, protection of habitat in the spill area to levels above and beyond that provided by existing laws and regulations will have a beneficial effect on recovery of injured resources and lost or diminished services provided by these resources.

8. There has been widespread public support within Alaska as well as on a national basis for the acquisition of interests in lands.

9. The purchase of this interest in land is an appropriate means to restore a portion of the injured resources and services in the oil spill area. Acquisition of the Timber Rights is consistent with the Final Restoration Plan.

THEREFORE, we resolve to provide funds for the State of Alaska to purchase the Timber Rights in the Lands as described in Exhibit A and to provide funds necessary for closing costs, 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 State of Alaska shall be one million, two hundred thousand dollars (\$1,200,000) for Parcel 5A timber rights;

(b) funds in the amount of \$5,000 are authorized for closing costs;

(c) authorization for funding for any acquisition described in the foregoing paragraphs shall terminate if a purchase agreement is not executed by September 30, 2009;

(d) filing by the United States Department of Justice and the Alaska Department of Law of a notice, as required by the Third Amended Order for Deposit and Transfer of Settlement Proceeds, of the proposed expenditure with the United States District Court for the District of Alaska and with the Investment Fund established by the Trustee Council within the Alaska Department of Revenue, Division of the Treasury ("Investment Fund"), and transfer of the necessary monies from the Investment Fund to the State of Alaska Department of Natural Resources;

(e) a title search satisfactory to the State of Alaska and the United States is completed, and the seller is willing and able to convey fee simple title by limited warranty deed;

(f) no timber harvesting, road development or any alteration of the land will be initiated on the land without the express agreement of the State of Alaska and the United States prior to purchase of this parcel;

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

(h) the Timber Rights will be subordinated to and subject to the existing conservation easement on Parcel 5A and must be satisfactory in form and substance to the United States Department of Justice and the State of Alaska Department of Law.

It is the intent of the Council that the above-referenced conservation easement be consistent with the existing easement on the surface estate and the goals of restoration to pre-spill conditions of any natural resource injured, lost, or destroyed as a result of the EVOS, and the services provided by that resource or replacement or substitution for the injured, lost or destroyed resources and affected services, as described in the Memorandum of Agreement and Consent Decree between the United States and the State of Alaska entered August 28, 1991 and the Restoration Plan as approved by the Trustee Council.

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

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

Approved by the Council at its meeting of September 29, 2008 held in Anchorage, Alaska, as affirmed by our signatures affixed below:

Joe L. Meade
Forest Supervisor
Forest Service Alaska Region
U. S. Department of Agriculture

Talis J. Colberg
Attorney General
Alaska Department of Law

Randall Luthi
Deputy Director
U.S. Fish and Wildlife Service
U.S. Department of Interior

Craig O'Connor
Special Counsel
National Oceanic & Atmospheric
Administration
U.S. Department of Commerce

Denby S. Lloyd
Commissioner
Alaska Department of Fish and Game

Larry Hartig
Commissioner
Alaska Department of Environmental
Conservation

Item 10 – PJ 090100
Budget

**RESOLUTION 08-19 OF THE
EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL
REGARDING THE FY 2009 WORK PLAN – PROJECT 090100
FY 2009 ANNUAL PROGRAM DEVELOPMENT AND IMPLEMENTATION BUDGET
OCTOBER 1, 2008 – SEPTEMBER 30, 2009**

We, the undersigned, duly authorized members of the *Exxon Valdez* Oil Spill Trustee Council do hereby certify that, in accordance with the Memorandum of Agreement and Consent Decree entered as settlement of United States of America v. State of Alaska, No. A91-081 Civil, U.S. District Court for the District of Alaska, and after public meetings, unanimous agreement has been reached to expend funds received in settlement of State of Alaska v. Exxon Corporation, et al., No. A91-083 CIV, and United States of America v. Exxon Corporation, et al., No. A91-082 CIV, U.S. District Court for the District of Alaska, for necessary natural resource damage assessment and restoration activities for fiscal year 2009, as described in Attachment A. This portion of the Work Plan is funded at \$2,477,722. The monies are to be distributed according to the following schedule:

Alaska Department of Fish & Game	\$1,899,546
Alaska Department of Law	5,995
Alaska Department of Natural Resources	106,054
Alaska Department of Environmental Conservation	<u>35,425</u>
SUBTOTAL TO STATE OF ALASKA	\$2,047,020
U.S. Department of the Interior	\$212,558
U.S. Forest Service	61,448
National Oceanic & Atmospheric Administration	64,855
U.S. Fish and Wildlife Service	60,885
U.S. Department of the Interior, SEC	22,781
U.S. Department of the Interior, OPEC	8,175
SUBTOTAL TO UNITED STATES OF AMERICA	\$430,702
TOTAL APPROVED	\$2,477,722

By unanimous consent, we hereby request the Alaska Department of Law and the Assistant Attorney General of the Environmental and Natural Resources Division of the United States Department of Justice to take such steps as may be necessary to make available for the Fiscal Year 2009 Work Plan, the amount of \$2,477,722 from the appropriate accounts designated by the Executive Director.

Approved by the Council at its meeting of September 29, 2008 as affirmed by our signatures affixed below.

JOE L. MEADE
Forest Supervisor
Forest Service Alaska Region
U.S. Department of Agriculture

TALIS J. COLBERG
Attorney General
Alaska Department of Law

RANDALL LUTHI
Director
Minerals Management Service
U.S. Department of Interior

JAMES BALSIGER
Administrator, Alaska Region
National Marine Fisheries Service
U.S. Department of Commerce

DENBY S. LLOYD
Commissioner
Alaska Department of Fish and Game

LARRY HARTIG
Commissioner
Alaska Department of Environmental
Conservation

Attachment A: FY 2009 Annual Program Development and Implementation Budget
October 1, 2008 – September 30, 2009

PJ 100 Budget Request Comparisons - FY09 to FY08

Component	FY08 Budget	FY09 Request	Change
Administration Management	\$ 743,824	\$ 720,572	\$ (23,252)
Data Management	\$ 214,294	\$ 210,902	\$ (3,392)
Science Management	\$ 457,242	\$ 696,129	\$ 238,887
Public Information & Outreach	\$ 40,330	\$ 183,665	\$ 143,335
Public Advisory Committee (PAC)	\$ 37,060	\$ 48,505	\$ 11,445
Small Parcel Program	\$ 109,000	\$ -	\$ -
Habitat Protection Program	\$ -	\$ 109,000	\$ -
Trustee Council Member Direct Expenses	\$ 29,975	\$ 29,975	\$ -
Program Support by Agencies	\$ 363,951	\$ 301,409	\$ (62,542)
Alaska Resource Library & Information Services	\$ 167,533	\$ 177,565	\$ 10,032
Total	\$ 2,163,209	\$ 2,477,722	\$ 314,513

Cost Type	FY08 Budget	FY09 Request	Change
Personnel	\$ 1,313,100	\$ 1,384,532	\$ 71,432
Travel	\$ 98,500	\$ 78,000	\$ (20,500)
Contractual	\$ 468,807	\$ 795,607	\$ 326,800
Commodities	\$ 22,500	\$ 15,000	\$ (7,500)
Equipment	\$ -	\$ -	\$ -
Sub-Total	\$ 1,902,907	\$ 2,273,139	\$ 370,232
G&A	\$ 171,262	\$ 204,583	\$ 33,321
Total	\$ 2,074,169	\$ 2,477,722	\$ 403,553

DRAFT

Total FY 08 PJ 080100 Budget by Agency

Cost Type	ADF&G	ADEC	ADNR	ADOL	NOAA	DOI USGS	DOI USFWS	DOI SEC	DOI OPEC	USFS	Total Budget
Personnel	\$983,800	\$36,000	\$53,200	\$0	\$80,200	\$45,400	\$52,600	\$18,900	\$7,000	\$36,000	\$1,313,100
Travel	\$76,500	\$5,500	\$0	\$5,500	\$5,500	\$0	\$0	\$5,500	0	\$0	\$98,500
Contractual	\$231,300	\$0	\$40,000	\$0	\$0	\$172,507	\$0	\$0	0	\$25,000	\$468,807
Commodities	\$22,500	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$22,500
Equipment	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Sub-Total	\$1,314,100	\$41,500	\$93,200	\$5,500	\$85,700	\$217,907	\$52,600	\$24,400	\$7,000	\$61,000	\$1,902,907
G&A	\$118,269	\$3,735	\$8,388	\$495	\$7,713	\$19,612	\$4,734	\$2,196	\$630	\$5,490	\$171,262
Total Budget	\$1,432,369	\$45,235	\$101,588	\$5,995	\$93,413	\$237,519	\$57,334	\$26,596	\$7,630	\$66,490	\$2,074,169
NOS Grant	\$89,040	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$89,040
FY 08 TOTAL	\$1,521,409	\$45,235	\$101,588	\$5,995	\$93,413	\$237,519	\$57,334	\$26,596	\$7,630	\$66,490	\$2,163,209

Total FY 09 PJ 090100 Budget by Agency

Cost Type	ADF&G	ADEC	ADNR	ADOL	NOAA	DOI USGS	DOI USFWS	DOI SEC	DOI OPEC	USFS	Total Budget
Personnel	\$1,113,603	\$27,000	\$55,047	\$0	\$54,000	\$22,500	\$55,858	\$15,400	\$7,500	\$33,624	\$1,384,532
Travel	\$56,000	\$5,500	\$0	\$5,500	\$5,500	\$0	\$0	\$5,500	\$0	\$0	\$78,000
Contractual	\$558,100	\$0	\$42,250	\$0	\$0	\$172,507	\$0	\$0	\$0	\$22,750	\$795,607
Commodities	\$15,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$15,000
Equipment	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Sub-Total	\$1,742,703	\$32,500	\$97,297	\$5,500	\$59,500	\$195,007	\$55,858	\$20,900	\$7,500	\$56,374	\$2,273,139
G&A	\$156,843	\$2,925	\$8,757	\$495	\$5,355	\$17,551	\$5,027	\$1,881	\$675	\$5,074	\$204,583
Total Budget	\$1,899,546	\$35,425	\$106,054	\$5,995	\$64,855	\$212,558	\$60,885	\$22,781	\$8,175	\$61,448	\$2,477,722
NOS Grant	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
FY 09 TOTAL	\$1,899,546	\$35,425	\$106,054	\$5,995	\$64,855	\$212,558	\$60,885	\$22,781	\$8,175	\$61,448	\$2,477,722

Exxon Valdez Oil Spill Trustee Council
FY09 Annual Program Development and Implementation (APDI) Budget
October 1, 2008 – September 30, 2009

The budget structure has been utilized over the past three federal fiscal years is designed to provide a clearly identifiable allocation of the funds supporting Trustee Council activities. As was specifically identified in the past two annual budgets, the program components are:

- Administration Management
- Data Management
- Science Management
- Public Information & Outreach
- Public Advisory Committee (PAC)
- Habitat Protection Program
- Trustee Council Member Direct Expenses
- Program Support/Project Management by Agencies
- Alaska Resources Library & Information Services

The budget estimates detailed within those specified program components are projected based upon prior year actual expenditures and include the application of estimated merit step increases, as well as payroll benefits increases. Detailed budget component items are either “continuing” or “ongoing” from program directives already approved by the Trustee Council and cover necessary day-to-day operational costs of the *Exxon Valdez* Oil Spill Restoration Office and administrative costs associated with overseeing current Trustee Council program objectives. Program priorities include the development and implementation of the Integrated Herring Restoration Program (IHRP).

Although the FY09 Invitation requesting proposals has been deferred until the IHRP and a Human Services component have been developed and approved by the Council, the decision was made to provide projects that were funded only through FY08 an opportunity to request project extensions with requests for FY09 funding. Upon completion of the review process and the Trustee Council's funding decisions, associated project management fees will be requested and reflected in an amendment to the FY09 APDI Budget. Some project management funds are included at this time to ensure Trustee Agencies have sufficient funds to manage on-going projects and to provide necessary compliance with the annual audit efforts.

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BUDGET SUMMARY INFORMATION - \$2,477,722

The Council's FY09 APDI Budget will be funded by the *Exxon Valdez* Oil Spill Investment Fund managed by the Alaska Department of Revenue. The following summary tables show budget allocations by component, cost type, funding source and agency. The remainder of the document specifies the uses to which the monies for each component of the budget will be applied and the funding sources for each item.

Component	Total Budget
Administration Management	\$720,572
Data Management	\$210,902
Science Management	\$696,129
Public Information & Outreach	\$183,665
Public Advisory Committee (PAC)	\$48,505
Habitat Protection Program	\$109,000
Trustee Council Member Direct Expenses	\$29,975
Program Support by Agencies	\$301,409
Alaska Resources Library & Information Services	\$177,565
Total	\$2,477,722

Cost Type	Total Budget
Personnel	\$1,384,532
Travel	\$78,000
Contractual	\$795,607
Commodities	\$15,000
Equipment	\$0
Sub-Total	\$2,273,139
G&A	\$204,583
Total	\$2,477,722

Total FY 09 APDI Budget by Agency											Total Budget
Cost-Type	ADF&G	ADEC	ADNR	ADOL	NOAA	DOI USGS	DOI USFWS	DOI SEC	DOI OPEC	USFS	
Personnel	\$1,113,603	\$27,000	\$55,047	\$0	\$54,000	\$22,500	\$55,858	\$15,400	\$7,500	\$33,624	\$1,384,532
Travel	\$56,000	\$5,500	\$0	\$5,500	\$5,500	\$0	\$0	\$5,500	\$0	\$0	\$78,000
Contractual	\$558,100	\$0	\$42,250	\$0	\$0	\$172,507	\$0	\$0	\$0	\$22,750	\$795,607
Commodities	\$15,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$15,000
Equipment	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Sub-Total	\$1,742,703	\$32,500	\$97,297	\$5,500	\$59,500	\$195,007	\$55,858	\$20,900	\$7,500	\$56,374	\$2,273,139
G&A	\$156,843	\$2,925	\$8,757	\$495	\$5,355	\$17,551	\$5,027	\$1,881	\$675	\$5,074	\$204,583
Total Budget	\$1,899,546	\$35,425	\$106,054	\$5,995	\$64,855	\$212,558	\$60,885	\$22,781	\$8,175	\$61,448	\$2,477,722
FY 09 TOTAL	\$1,899,546	\$35,425	\$106,054	\$5,995	\$64,855	\$212,558	\$60,885	\$22,781	\$8,175	\$61,448	\$2,477,722

ADMINISTRATION MANAGEMENT - \$720,572

	Total Budget
Personnel	\$393,468
Travel	\$6,000
Contractual	\$256,607
Commodities	\$5,000
Equipment	\$0
Sub-Total	\$661,075
G&A (9%)	\$59,497
Total	\$720,572

PERSONNEL - \$393,468

Position	Range/Step	Months	Monthly Cost	Annual Cost
Executive Director	28A	12	\$11,092	\$133,104
Administrative Manager	19C	12	\$7,609	\$91,308
Associate Coordinator	18J	12	\$8,210	\$98,520
Administrative Assistant	15C	12	\$5,878	\$70,536
Personnel Total			\$32,789	\$393,468

TRAVEL - \$6,000

Travel support for Executive Director and Administrative staff to attend meetings and trainings.

CONTRACTUAL - \$256,607

- **Professional Development**

\$3,000

Administrative funds are budgeted for training and professional meetings with state, federal and program agency representatives on administrative, program and budget issues as necessary. Funds will be utilized for in-state training opportunities.

- **Trustee Council's Office Space**

\$172,507

The lease for the Trustee Council's office space is administered by Government Services Administration through the U.S. Geological Survey of the Department of the Interior. The Trustee Council approved a 5-yr renewal option effective January 2007. (Annual Lease \$157,690; PBS Fee \$12,615; Homeland security fees may be adjusted slightly from \$2,202).

- **Annual Parking Fees for Trustee Office Staff & Parking Validator**

\$5,900

EVOS has nine (9) parking permits; 3 provided with the building lease and 6 paid directly to the Anchorage Parking Authority by EVOS (\$57/mo per space; \$3 per Visitor Validation).

- **Audit Contract**

\$27,500

Funds to support a renewal option contract with Elgee, Rehfeld Mertz, LLC (accounting firm) to conduct financial audit of the FY 08 records of the Trustee Office and all agencies receiving EVOS funds (2nd Renewal Option).

- **Telephone Service**

\$8,500

These funds are to cover telecommunications, teleconferencing meetings, and long distance phone services.

- **Trustee Council Meetings** **\$3,000**

These funds are to cover expenses for six Trustee Council meetings, at an estimated cost of \$500.00 per meeting.

- **Public Notices** **\$5,000**

These funds are to cover the cost of advertising Trustee Council public meetings and workshops in newspapers in the spill affected areas.

- **Postage & Courier Services** **\$3,700**

These funds are to cover cost of US Postal Service mailings, express mailings and courier services.

- **Equipment Maintenance and Agreements** **\$5,500**

These funds are to cover the cost of the maintenance agreement for the Lanier 375 Printer/copier (\$4.5K), postage meter annual rental (\$250), and any unforeseen maintenance expenses on other office equipment (\$750).

- **Transcription** **\$6,500**

These funds are to cover the contract renewal option with Computer Matrix for transcription services.

- **Interagency Contracted Services** **\$15,500**

These funds are to cover the Trustee Office's share of the Reimbursable Services Agreement Costs for the EPR Telecommunications, Computer Services, ADA, Central Mail and AKSAS & AKPAY charge-backs paid by all ADF&G divisions. These costs are based on the number of full time positions divided by the total cost.

COMMODITIES - \$5,000

- **Office supplies** **\$5,000**

These funds are to cover the cost of miscellaneous office supplies, paper, toner, meeting materials etc.

EQUIPMENT - \$0

AGENCY DISTRIBUTION:

Admin Mgmt	ADF&G	USGS
Personnel	\$393,468	
Travel	\$6,000	
Contractual	\$84,100	\$172,507
Commodities	\$5,000	
Equipment	\$0	
Sub-Total	\$488,568	\$172,507
G&A (9%)	\$43,971	\$15,526
Total	\$532,539	\$188,033

DATA MANAGEMENT - \$210,902

Cost Category	Total Budget
Personnel	\$179,988
Travel	\$2,000
Contractual	\$1,500
Commodities	\$10,000
Equipment	\$0
Sub-total	\$193,488
G&A - 9%	\$17,414
Component Total	\$210,902

PERSONNEL - \$179,868

Position	Range/Step	Months	Monthly Cost	Annual Cost
Data Systems Manager	22B	12	\$8,936	\$107,232
Program Analyst II	16A	12	\$6,063	\$72,756
Personnel Total		12	\$14,999	\$179,988

TRAVEL - \$2,000

Travel support for Data Management staff to attend meetings and participate in data management training. Travel is primarily budgeted for Data Management staff to work with principal investigators to document and archive datasets.

CONTRACTUAL - \$1,500

- **Professional Development**

\$1,500

Registration fees for Data Management staff to participate in data management training.

COMMODITIES - \$10,000

- **Computer Software, Hardware & Upgrades**

\$10,000

These funds are to cover necessary computer hardware, software, and networking equipment purchases or upgrades for the Trustee Council Office, including any necessary equipment changes or upgrades required by the State of Alaska Enterprise Technology.

AGENCY DISTRIBUTION

Cost Category	ADF&G
Personnel	\$179,988
Travel	\$2,000
Contractual	\$1,500
Commodities	\$10,000
Equipment	\$0
Sub-total	\$193,488
G&A - 9%	\$17,414
Component Total	\$210,902

SCIENCE MANAGEMENT – \$667,673

Cost Category	Total Budget
Personnel	\$355,650
Travel	\$2,000
Contractual	\$281,000
Commodities	\$0
Equipment	\$0
Sub-total	\$638,650
G&A - 9%	\$57,479
Component Total	\$696,129

PERSONNEL – \$355,650

Position	Range/ Step	Months	Monthly Cost	Annual Cost
Science Director	26A	7	\$10,762	\$75,334
Restoration Specialist	22B	6	\$8,843	\$53,058
*Herring Coordinator		12	\$9,000	\$108,000
Environ Program Specialist	14A	12	\$5,454	\$65,448
Personnel Total			\$34,059	\$355,650

*Herring Coordinator approval is TBD and salary is approximate.

TRAVEL - \$2,000

Travel support and registration fees for Science Management to attend a national conference, meeting or participate in scientific training. Priority will be given to in-state events.

CONTRACTUAL - \$281,000

- **Professional Development**

\$1,500

These funds are required for the semi-annual workshops, interim meetings, presentations at the AK Marine Science Symposium and AK Forum on the Environment, and the distribution of the Integrated Herring Restoration Program.

- **Annual Marine Science Symposium**

\$10,000

These funds are to assist with the support of the Annual Marine Science Symposium. Funds will be used to support an increase in presentation of EVOS science at the January 2009 Symposium. The EVOS science and restoration staff is coordinating EVOS participation and contribution to this event.

- **Herring Restoration Plan & Recovery Planning Efforts** **\$180,000**
 - Ten (10) Herring Steering Committee Members \$75,000
 - Semi-annual IHRP workshops \$35,000
 - One meeting in Anchorage; one meeting in Cordova
 - Herring Marking workshop with proceedings & white paper \$30,000
 - Strategies and Technologies of Supplemental Production workshop with proceedings and white paper \$30,000
 - Presentations at AK Marine Science Symposium \$10,000
 - AK Forum on the Environment

- **Science and Restoration Working Group** **\$45,000**

This amount is requested to fund contracts and activities of the Science and Restoration Working Group, which is necessary to provide program objectivity and creditability. This Working Group provides higher-level expertise specific to disciplines represented in injured resources and services, and provides historical knowledge of EVOS, its effects, and previous Trustee Council efforts; as well as objectivity by experts in disciplines who may or may not have previous experience with EVOS effects and efforts.

- **Injured Resources and Services Update** **\$9,500**

Funds are to provide guidance, revision, editing, and distribution of the annual Injured Resources and Services Update.

- **Peer Review Contracts** **\$35,000**

Reviews of final reports are coordinated by the EVOS Restoration Specialist and Environmental Program Specialist. A final report is a required deliverable of most EVOS-funded scientific projects. To ensure the scientific integrity of the findings, the Trustee Council requires scientific peer review by nationally recognized experts within appropriate and respective disciplines. This contract line item provides compensation for the scientific and technical review of EVOS final reports.

AGENCY DISTRIBUTION:

Cost Category	ADF&G
Personnel	\$355,650
Travel	\$2,000
Contractual	\$281,000
Commodities	\$0
Equipment	\$0
Sub-total	\$638,650
G&A - 9%	\$57,479
Component Total	\$696,129

PUBLIC INFORMATION & OUTREACH - \$183,665

20-Year Events & Materials

Cost Category	Total Budget
Personnel	\$0
Travel	\$5,000
Contractual	\$163,500
Commodities	\$0
Equipment	\$0
Sub-total	\$168,500
G&A 9%	\$15,165
Component Total	\$183,665

TRAVEL - \$5,000

- **Professional development: attendance at professional training.** \$2,500
- **Travel to 20th anniversary planning meetings and events** \$2,500

Funds cover travel expenses coordinate the 20th Year Observation of the oil spill. (Expenditures will include airfare, ground transportation, per diem and lodging). Professional development was a condition of IPA.

CONTRACTUAL - \$163,500

- **Prepare research summary & key findings by PI's (or other qualified contractor)** \$10,000
- **Publications** \$25,000

Publications include the production of a 20th Anniversary edition of the Annual Report; Restoration Notebook; and briefing papers; limited publication of "Mission without a Map"; and miscellaneous printed materials written for the general public. This also includes posting to the web and ensuring easy on-line access by the public.

- **Community event sponsorship & EVOSTC related presentations** \$5,000

Funds provide support to EVOS related community special events and forums including: financial support for related speakers travel & participation at events, and sponsorship or events such as AFE. This includes TC member travel and participation to 20th anniversary events.

- **Exhibit: Darkened Waters transportation, storage & update** \$20,000

Funds include: shared costs of transporting to Alaska, temporary storage and updating of the Darkened Waters exhibit; and development of smaller, condensed versions utilizing existing EVOSTC exhibit structures.

- **Production of short film** \$28,000

Funds will be used to contract production and distribution of a short film over viewing the EVOS and TC restoration actions. It was identified as a needed product by visitor centers and businesses across Alaska and will reach an annual estimated audience of several hundred thousand people.

- **IPA for Communications Coordinator** \$75,500

AGENCY DISTRIBUTION

Cost Category	ADF&G
Personnel	\$0
Travel	\$5,000
Contractual	\$163,500
Commodities	\$0
Equipment	\$0
Sub-total	\$168,500
Agency G&A 9%	\$15,165
Component Total	\$183,665

PUBLIC ADVISORY COMMITTEE (PAC) - \$37,605

Cost Category	Total Budget
Personnel	\$7,500
Travel	\$34,000
Contractual	\$3,000
Commodities	\$0
Equipment	\$0
Sub-total	\$44,500
G&A 9%	\$4,005
Component Total	\$48,505

PERSONNEL - \$7,500

Annual funds are provided for the designated federal officer assigned to the PAC as required by FACA. This individual coordinates the scheduling of meetings, development of the agenda and meeting minutes, and provides assistance to the Chair and the Restoration Office as needed.

TRAVEL - \$34,000

- **PAC Meetings**

\$24,000

Travel support for 15 PAC members to attend approximately two meetings in Anchorage (one meeting to be held during the annual Marine Science Symposium) for an estimated average cost of \$800 per person per trip to include: airfare, ground transportation, *per diem* and lodging.

- **Site Visit**

\$10,000

Charter for 15 PAC members to tour spill affected areas and an on-shore visit to oiled sights on Knight or Naked Island.

CONTRACTUAL - \$3,000

- **PAC Meetings**

\$3,000

These funds cover public announcements, meeting materials and amenities.

AGENCY DISTRIBUTION

Cost Category	ADF&G	DOI-OPEC	Total
Personnel	\$0	\$7,500	\$7,500
Travel	\$34,000	\$0	\$34,000
Contractual	\$3,000	\$0	\$3,000
Commodities	\$0	\$0	\$0
Equipment	\$0	\$0	\$0
Sub-total	\$37,000	\$7,500	\$44,500
G&A - 9%	\$3,330	\$675	\$4,005
Component Total	\$40,330	\$8,175	\$48,505

TRUSTEE COUNCIL MEMBER EXPENSES- \$29,975

Cost Category	Total Budget
Personnel	\$0
Travel	\$27,500
Contractual	\$0
Commodities	\$0
Equipment	\$0
Sub-total	\$27,500
G&A - 9%	\$2,475
Component Total	\$29,975

TRAVEL - \$27,500

- ADFG Trustee Council Member Travel** \$5,500
 Travel support for the Trustee Council member or Alternate's travel expenses to participate in approximately five one-day meetings in Anchorage at a cost of approximately \$1,100.00 per trip.
- DOI Trustee Council Member Travel** \$5,500
 Travel support for the Trustee Council member or Alternate's travel expenses to participate in approximately five one-day meetings in Anchorage, at a cost of approximately \$1,100.00 per trip.
- NOAA Trustee Council Member Travel** \$5,500
 Travel support for the Trustee Council member or Alternate's travel expenses to participate in approximately five one-day meetings in Anchorage, at a cost of approximately \$1,100.00 per trip.
- ADEC Trustee Council Member Travel** \$5,500
 Travel support for the Trustee Council member or Alternate's travel expenses to participate in approximately five one-day meetings in Anchorage, at a cost of approximately \$1,100.00 per trip.
- DOL Trustee Council Member Travel** \$5,500
 Travel support for the Trustee Council member or Alternate's travel expenses to participate in approximately five one day meetings in Anchorage, at a cost of approximately \$1,100.00 per trip

AGENCY DISTRIBUTION

Cost Category	ADF&G	DOI-SEC	NOAA	ADEC	ADOL	Total
Personnel	\$0	\$0	\$0	\$0	\$0	\$0
Travel	\$5,500	\$5,500	\$5,500	\$5,500	\$5,500	\$27,500
Contractual	\$0	\$0	\$0	\$0	\$0	\$0
Commodities	\$0	\$0	\$0	\$0	\$0	\$0
Equipment	\$0	\$0	\$0	\$0	\$0	\$0
Sub-total	\$5,500	\$5,500	\$5,500	\$5,500	\$5,500	\$27,500
G&A - 9%	\$495	\$495	\$495	\$495	\$495	\$2,475
Component Total	\$5,995	\$5,995	\$5,995	\$5,995	\$5,995	\$29,975

HABITAT PROTECTION PROGRAM - \$109,000

Cost Category	Total Budget
Personnel	\$35,000
Travel	\$0
Contractual	\$65,000
Commodities	\$0
Equipment	\$0
Sub-total	\$100,000
G&A - 9%	\$9,000
Component Total	\$109,000

PERSONNEL - \$35,000

Funds are provided in support of agency efforts to bring viable small parcel proposals to the Council for consideration. Expenses such as title review, hazmat review and survey review and similar expenses are appropriate due diligence efforts which may be undertaken by sponsoring agencies under this program. The budgeted due diligence expenditures under personnel are those to be accomplished through the use of in-house staff as most efficient and/or cost effective. The purchase of any interest in land requires additional Trustee Council review and approval.

CONTRACTUAL - \$65,000

Funds are provided in support of agency efforts to bring viable small parcel proposals to the Council for consideration. Expenses such as title review, hazmat review and survey review and similar expenses are appropriate due diligence efforts which may be undertaken by sponsoring agencies under this program. The budgeted due diligence expenditures under contractual services are those contracted out by the agency as most efficient and/or cost effective. The purchase of any interest in land requires additional Trustee Council review and approval.

AGENCY DISTRIBUTION

Cost Category	ADNR	DOI-FWS	USFS	Total
Personnel	\$10,000	\$25,000	\$0	\$35,000
Travel	\$0	\$0	\$0	\$0
Contractual	\$42,250	\$0	\$22,750	\$65,000
Commodities	\$0	\$0	\$0	\$0
Equipment	\$0	\$0	\$0	\$0
Sub-total	\$52,250	\$25,000	\$22,750	\$100,000
G&A - 9%	\$4,703	\$2,250	\$2,047	\$9,000
Component Total	\$56,953	\$27,250	\$24,797	\$109,000

PROGRAM SUPPORT / PROJECT MANAGEMENT – \$276,522

Cost Category	Total Budget
Personnel	\$276,522
Travel	\$0
Contractual	\$0
Commodities	\$0
Equipment	\$0
Sub-total	\$276,522
G&A - 9%	\$24,887
Component Total	\$301,409

PERSONNEL - \$276,522**Project Management - \$86,604**

Project Management funds provide lead Trustee Agencies with funds necessary to manage contracts and report on the status of projects; to facilitate communication between the agencies, Principal Investigators, and the restoration office; to assist with the annual financial audit, and perform other administrative functions necessary for implementation of projects authorized by the Trustee Council. All agencies receive 1 month's salary (based upon projected base pay plus benefits) for project management for first quarter in order to complete the FY 08 project closures and to assist with audit processes. Additional project management funds will be requested upon approval of FY 09 funded project extensions.

FY09 First quarter allocation

ADFG	\$17,898
ADNR	\$10,800
DOI/USGS	\$22,500
USFS	\$8,406
NOAA	<u>\$27,000</u>
TOTAL	\$86,604

TC Council Support - \$189,918

Trustee Council Support funds provide Trustee Agencies with funds necessary to cover liaison staff costs for time and expenses related to preparing for, communicating with and representing of Trustee Agency positions at EVOS sponsored meetings or when participating in EVOS program activities and providing future program direction. *All agencies receive 3 month's salary (based upon projected base pay plus benefits) for Trustee Council Support for the full federal fiscal year.*

ADFG	\$30,195
ADEC	\$27,000
DOI/FWS	\$30,858
USFS	\$25,218
NOAA	\$27,000
ADNR	\$34,247
DOI - Federal Budget Officer (Nesslage)	<u>\$15,400</u>
TOTAL	\$189,918

AGENCY DISTRIBUTION:

Cost Category	ADEC	ADF&G	ADNR	DOI/USGS	FWS	DOI-SEC	NOAA	USFS	Total
Personnel	\$27,000	\$48,093	\$45,047	\$22,500	\$30,858	\$15,400	\$54,000	\$33,624	\$276,522
Travel	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Contractual	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Commodities	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Equipment	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Sub-total	\$27,000	\$48,093	\$45,047	\$22,500	\$30,858	\$15,400	\$54,000	\$36,624	\$276,522
Agency G&A	\$2,430	\$4,328	\$4,054	\$2,025	\$2,777	\$1,386	\$4,860	\$3,026	\$24,887
Component Total	\$29,430	\$52,421	\$49,101	\$24,525	\$30,858	\$16,786	\$58,860	\$39,650	\$301,409

ALASKA RESOURCES LIBRARY & INFORMATION SERVICES – \$177,565

Cost Category	Total Budget
Personnel	\$136,404
Travel	\$1,500
Contractual	\$25,000
Commodities	\$0
Equipment	\$0
Sub-total	\$162,909
G&A - 9%	\$14,661
Component Total	\$177,565

PERSONNEL – \$136,409

Position	Range/Step	Months	Monthly Cost	Annual Cost
Librarian III	19M	12	\$11,367	\$136,404
Personnel Total		12	\$11,367	\$136,404

Funding provides 1.0 FTE librarian to meet the ongoing information and research needs of the Trustee Council staff, Public Advisory Committee, researchers, and the general public, manage the EVOS collection at ARLIS, and represent the Trustee Council on the ARLIS Management Team.

TRAVEL – \$1,500

Funding provides for travel and training for ARLIS librarian for professional development and program advancement.

CONTRACTUAL – \$25,000

This contractual cost is a cash contribution to the ARLIS operating budget. The contribution is monitored through a reimbursable services agreement with EVOS and pays for research library staff assistance, provides for commodities at the research library necessary in maintaining EVOS records and providing EVOS research assistance, and to assist with other operating expenses funded by ARLIS founding agencies.

AGENCY DISTRIBUTION:

Cost Category	ADF&G
Personnel	\$136,404
Travel	\$1,500
Contractual	\$25,000
Commodities	\$0
Equipment	\$0
Sub-total	\$162,904
G&A - 9%	\$14,661
Component Total	\$177,565

Item 12 - FY 08-FY 09
Exten's (FY09 Wk Pln)

**RESOLUTION 08-20 OF THE
EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL
FY 09 Draft Work Plan and FY 09 Funding for Multi-Year Projects**

We, the undersigned, duly authorized members of the Exxon Valdez Oil Spill Trustee Council do hereby certify that, in accordance with the Memorandum of Agreement and Consent Decree entered as settlement of United States of America v. State of Alaska, No. A91-081 Civil, U.S. District Court for the District of Alaska, and after public meetings, unanimous agreement has been reached to expend funds received in settlement of State of Alaska v. Exxon Corporation, et al., No. A91-083 CIV, and United States of America v. Exxon Corporation, et al., No. A91-082 CIV, U.S. District Court for the District of Alaska, for necessary Natural Resource Damage Assessment and Restoration activities for fiscal year 2009 in the amount of \$3,669,572, to be distributed according to the following schedule:

<u>Project Approved</u>	<u>Lead Agency</u>	<u>Project Number</u>	<u>PI</u>	<u>Project Title</u>	<u>FY 09 Approved</u>
11/14/2006	ADF&G	070340	Weingartner	Long-Term Oceanographic Monitoring of the Alaska Coastal Current	\$ 129,500
11/14/2006	ADF&G	070782	Bickford/Norcross	Herring Restoration in PWS: Identifying Natal & Nursery Habitats	\$ 77,700
11/14/2006	USGS ¹	070819	Herschberger	PWS Herring Disease Program	\$ 11,400
9/29/2008	ADF&G	090759	Rosenberg	Harlequin Duck Population Dynamics in Prince William Sound: Measuring Recovery from the Exxon Valdez Oil Spill	\$ 198,500
9/29/2008	ADF&G	090509	Linley	Development of Culture Technology to Support Restoration of Herring in Prince William sound: Use of In-vitro Studies to Validate and Optimize Restoration Actions.	\$ 43,200
9/29/2008	ADF&G	090822	Bochenek	Herring Data and Information Portal	\$ 77,800
9/29/2008	ADF&G	090839	Hollmen	Evaluating Injury to Harlequin Ducks (<i>Histrionicus histrionicus</i>) Caused by Sublethal Hydrocarbon Exposure in Prince William Sound Using Species Specific Cell Lines	\$ 229,600
9/29/2008	ADF&G			Project Management Fees including G&A	\$ 50,794
STATE OF ALASKA - ADF&G - Sub-total					\$ 818,494
9/29/2008	USFWS	070853	Irons	Pigeon Guillemot Restoration Research in Prince William Sound	\$ 48,400
USFWS - Sub-total					\$ 48,400
11/14/2006	USGS	070819	Hershberger	PWS Herring Disease Program	\$ 247,200
9/29/2008	USGS	090808	Ballachey	Nearshore Synthesis: Sea Otters and Sea Ducks	\$ 105,700
9/29/2008	USGS	090814	Bishop	Seabird Predation on Juvenile Herring in Prince William Sound	\$ 211,000
9/29/2008	USGS			Project Management Fees including G&A	\$ 38,750
USGS Sub-total					\$ 602,650
11/14/2006	NOAA	070830	Thorne	Trends in Adult & Juvenile Herring Distribution & Abundance in PWS (BAA)	\$ 226,800
1/10/2007	NOAA	070810	Kiefer/Brown	An Ecosystem Model of PWS Herring: A Management & Restoration Tool	\$ 250,800
3/9/2007	NOAA	070836	Boufadel	Factors Responsible for Limiting the Degradation Rate of Exxon Valdez Oil in Prince William Sound	\$ 266,600
6/26/2008	NOAA/EPA	080840	Venosa	Biodegradability of Lingering Oil	\$ 354,238
9/29/2008	NOAA	090290	Nelson	EVOSTC Hydrocarbon Database	\$ 8,900
9/29/2008	NOAA	090804	Rice	Significance of Whale Predation on Natural Mortality Rate of Pacific Herring in PWS	\$ 366,500
9/29/2008	NOAA	090742	Matkin	Monitoring, Tagging, Feeding Studies, and Restoration of	\$ 126,700

¹ Please note that USGS is the lead agency for this project.

				Killer Whales in Prince William Sound/Kenai Fjords in 2009		
9/29/2008	NOAA	090811	Kline	Prince William Sound Herring Forage Contingency	\$	249,700
9/29/2008	NOAA	090817	Gay	Physical Oceanographic Factors Affecting Productivity in Juvenile Pacific Herring Nursery Habitats	\$	55,100
9/29/2008	NOAA	090806	Vollenweider	Are Herring (<i>Clupea pallasii</i>) Energetics in PWS a Limiting Factor in Successful Recruitment of Juveniles or Reproduction Investment of Adults: Part III: Impacts of Ichthyophonus on Metabolic Rates of Fasting Herring	\$	206,400
9/29/2008	NOAA			Project Management Fees including G&A	\$	88,290
					NOAA Sub-total	\$ 2,200,029
					UNITED STATES – Sub-total	\$ 2,851,078

TOTAL APPROVED FOR DISTRIBUTION: \$3,669,572

Of the \$3,669,572 approved for distribution, \$818,494 is directed to the State of Alaska and \$2,851,078 is directed to the United States.

By unanimous consent, we hereby request the Alaska Department of Law and the Assistant Attorney General of the Environmental and Natural Resources Division of the United States Department of Justice to take such steps as may be necessary to make funds available in the amount of \$3,669,572 from the appropriate account as designated by the Executive Director.

Approved by the Council at its meeting of September 29, 2008 as affirmed by our signatures affixed below.

JOE L. MEADE
Forest Supervisor
Forest Service Alaska Region
U. S. Department of Agriculture

TALIS J. COLBERG
Attorney General
Alaska Department of Law

RANDALL LUTHI
Director
Minerals Management Service
U.S. Department of Interior

JAMES BALSIGER
Administrator, Alaska Region
National Marine Fisheries Service
U.S. Department of Commerce

DENBY S. LLOYD
Commissioner
Alaska Department of Fish and Game

LARRY HARTIG
Commissioner
Alaska Department of Environmental
Conservation

Attachment A – FY 08 Work Plan Projects Approved on September 29, 2008

DRAFT

Multi-Year Projects
FY 08 Approved

FY 09 Funding for Multi-year Projects Approved in FY 07 & FY09

FY 09 Project Funding Authorized In Resolution 08-20; Project Management Funds Included in PJ 080100 Budget Authorized in Resolution 07-07

Project Approved	Lead Agency	Project Number	PI	Project Title	FY 07 Funded	FY 08 Approved	FY 09 Approved	FY 10 Approved	Project Total	PJ 090100 PJ Mgmt	PJ FY 09 %
11/14/2006	ADF&G	070340	Weingartner	Long-Term Oceanographic Monitoring of the Alaska Coastal Current	\$ 128,200	\$ 131,300	\$ 129,500		\$ 389,000	\$ 7,700	100%
11/14/2006	ADF&G	070782	BickfordNorcross	Herring Restoration in PWS: Identifying Natal & Nursery Habitats	\$ 122,700	\$ 134,600	\$ 77,700		\$ 335,000	\$ 7,700	100%
11/14/2006	ADF&G	070819	Herschberger	PWS Herring Disease Program	\$ 7,400	\$ 11,400	\$ 11,400	\$ 11,400	\$ 41,600	\$ 400	5%
9/29/2008	ADF&G	090759	Rosenberg	Harlequin Duck Population Dynamics in PWS: Measuring Recovery from the Exxon Valdez Oil Spill			\$ 198,500		\$ 198,500	\$ 7,700	100%
9/29/2008	ADF&G	090509	Linley	Development of Culture Technology to Support Restoration of Herring in PWS: Use of In-vitro Studies to Validate and Optimize Restoration Actions			\$ 43,200		\$ 43,200	\$ 7,700	100%
9/29/2008	ADF&G	090822	Bochenek	Herring Data Information Portal			\$ 77,800		\$ 77,800	\$ 7,700	100%
9/29/2008	ADF&G	090839	Hollmen	Evaluating Injury to Harlequin Ducks Caused by Sublethal Hydrocarbon Exposure in PWS Using Species Specific Cell Lines			\$ 229,600		\$ 229,600	\$ 7,700	100%
State of Alaska - ADF&G					\$ 258,300	\$ 277,300	\$ 767,700	\$ 11,400	\$ 1,314,700	\$ 46,600	
1/10/2007	NOAA	070810	Kiefer/Brown	An Ecosystem Model of PWS Herring: A Management & Restoration Tool	\$ 250,800	\$ 250,800	\$ 250,800		\$ 752,400	\$ 9,000	100%
11/14/2006	NOAA	070830	Thorne	Trends in Adult & Juvenile Herring Distribution & Abundance in PWS (BAA)	\$ 103,400	\$ 103,400	\$ 226,800		\$ 433,600	\$ 9,000	100%
3/9/2007	NOAA	070836	Boufadel	Factors Responsible for Limiting the Degradation Rate of Exxon Valdez Oil in Prince William Sound	434,800	\$ 552,500	\$ 266,600		\$ 1,253,900	\$ 9,000	100%
6/26/2008	NOAA	080840	Venosa	Biodegradability of Lingering Oil			\$ 354,238				
9/29/2008	NOAA	090290	Nelson	EVOSTC Hydrocarbon Database			\$ 8,900			\$ 9,000	100%
9/29/2008	NOAA	090804	Rice	Significance of Whale Predation on Natural Mortality Rate of Pacific Herring in PWS			\$ 366,500			\$ 9,000	100%
9/29/2008	NOAA	090742	Matkin	Monitoring, Tagging, Feeding Studies, and Restoration of Killer Whales in PWS/Kenai Fjords in 2009			\$ 126,700			\$ 9,000	100%
9/29/2008	NOAA	090811	Kline	PWS Herring Forage Contingency			\$ 249,700			\$ 9,000	100%
9/29/2008	NOAA	090817	Gay	Physical Oceanographic Factors Affecting Productivity in Juvenile Pacific Herring Nursery Habitats			\$ 55,100			\$ 9,000	100%
9/29/2008	NOAA	090806	Vollenweider	Are Herring Energetics in PWS a Limiting Factor in Successful Recruitment of Juveniles or Reproduction Investment of Adults: Poart III: Impacts of Ichthyophorus on Metabolic Rates of Fasting Herring			\$ 206,400		\$ 206,400	\$ 9,000	100%
NOAA					\$ 789,000	\$ 906,700	\$ 2,111,738	\$ -	\$ 2,646,300	\$ 81,000	
3/9/2007	USFWS	070853	D Irons	Pigeon Guillemot Restoration Research in Prince William Sound	317,000	284,300	48,400		649,700	\$ 9,000	100%
USFWS (USGS PJ Mgmt)					\$ 317,000	\$ 284,300	\$ 48,400	\$ -	\$ 649,700		
11/14/2006	USGS	070819	Herschberger	PWS Herring Disease Program	\$ 239,100	\$ 245,700	\$ 247,200	\$ 261,400	\$ 993,400	\$ 8,550	95%
9/29/2008	USGS	090808	Ballachey	Nearshore Synthesis: Sea Otters and Sea Ducks			\$ 105,700			\$ 9,000	100%
9/29/2008	USGS	90814	Bishop	Seabird Predation on Juvenile Herring in Prince William Sound			\$ 211,000		\$ 211,000	\$ 9,000	100%
USGS					\$ 239,100	\$ 245,700	\$ 563,900	\$ 261,400	\$ 1,204,400	\$ 35,550	
United States					\$ 1,345,100	\$ 1,436,700	\$ 2,724,038	\$ 261,400	\$ 4,500,400	\$ 116,550	
Total FY 09 Approved Amount					\$ 1,603,400	\$ 1,714,000	\$ 3,491,738	\$ 272,800	\$ 5,815,100	\$ 163,150	

Multi-Year Projects
FY 08 Approved

G&A	PJ Mgmt+G&A Total	Total FY09 Distribution
\$693		
\$693		
\$36		
\$693		
\$693		
\$693		
\$693		
\$4,194	\$50,794	\$818,494
\$810		
\$810		
\$810		
\$0		
\$810		
\$810		
\$810		
\$810		
\$810		
\$810		
\$7,290	\$88,290	\$2,200,028
\$810		
\$770		
\$810		
\$810		
\$ 3,200	\$38,750	\$602,650
\$ 10,490	\$127,040	\$2,851,078
\$ 14,684	\$177,834	\$3,669,572

PJ 080840 PJ Fees waived

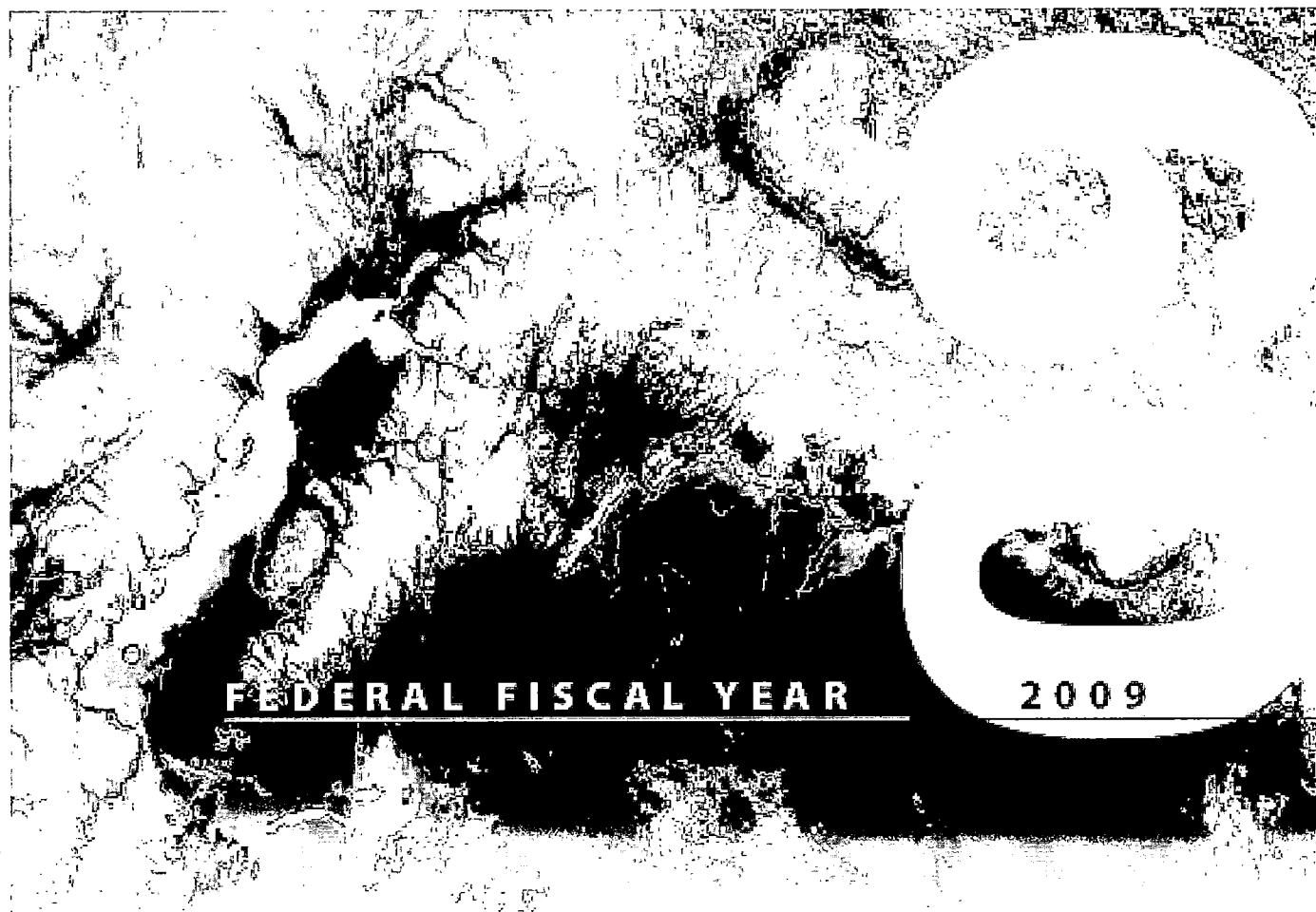
FY09 Project Workplan

FY 09 Project Workplan

FY 09 Project Funding Authorized In Resolution 08-20

Project Approved	Lead Agency	Project Number	PI	Project Title	FY09 Approved	PJ 090100 PJ Mgmt	G&A	TOTAL PJ090100 PJ Mgt & G&A	Total Approved Project w/fees
9/29/2008	ADF&G	090509	Linley	Development of Culture Technology to Support Restoration of Herring in PWS: Use of In-vitro Studies to Validate and Optimize Restoration Actions	\$ 43,200	\$ 7,700	\$ 693	\$ 8,393	\$ 51,593
9/29/2008	ADF&G	090759	Rosenberg	Harlequin Duck Population Dynamics in PWS: Measuring Recovery from the Exxon Valdez Oil Spill	\$ 198,500	\$ 7,700	\$ 693	\$ 8,393	\$ 206,893
9/29/2008	ADF&G	090822	Bochenek	Herring Data Information Portal	\$ 77,800	\$ 7,700	\$ 693	\$ 8,393	\$ 86,193
9/29/2008	ADF&G	090839	Hollmen	Evaluating Injury to Harlequin Ducks Caused by Sublethal Hydrocarbon Exposure in PWS Using Species Specific Cell Lines	\$ 229,600	\$ 7,700	\$ 693	\$ 8,393	\$ 237,993
State of Alaska - ADF&G					\$ 549,100	\$ 30,800	\$ 2,772	\$ 33,572	\$ 582,672
9/29/2008	NOAA	090290	Nelson	EVOSTC Hydrocarbon Database	\$ 8,900	\$ 9,000	\$ 810	\$ 9,810	\$ 18,710
9/29/2008	NOAA	090742	Matkin	Monitoring, Tagging, Feeding Studies, and Restoration of Killer Whales in PWS/Kenai Fjords in 2009	\$ 126,700	\$ 9,000	\$ 810	\$ 9,810	\$ 136,510
9/29/2008	NOAA	090804	Rice	Significance of Whale Predation on Natural Mortality Rate of Pacific Herring in PWS	\$ 366,500	\$ 9,000	\$ 810	\$ 9,810	\$ 376,310
9/29/2008	NOAA	090806	Vollenweider	Are Herring Energetics in PWS a Limiting Factor in Successful Recruitment of Juveniles or Reproduction Investment of Adults: Poart III: Impacts of Ichthyophorus on Metabolic Rates of Fasting Herring	\$ 206,400	\$ 9,000	\$ 810	\$ 9,810	\$ 216,210
9/29/2008	NOAA	090811	Kline	PWS Herring Forage Contingency	\$ 249,700	\$ 9,000	\$ 810	\$ 9,810	\$ 259,510
9/29/2008	NOAA	090817	Gay	Physical Oceanographic Factors Affecting Productivity in Juvenile Pacific Herring Nursery Habitats	\$ 55,100	\$ 9,000	\$ 810	\$ 9,810	\$ 64,910
NOAA					\$ 1,013,300	\$ 54,000	\$ 4,860	\$ 58,860	\$ 1,072,160
9/29/2008	USFWS	090814	Bishop	Nearshore Synthesis: Sea Otters and Sea Ducks	211,000				\$ 211,000
USFWS (USGS PJ Mgmt)					\$ 211,000	\$ -	\$ -	\$ -	\$ 211,000
9/29/2008	USGS	090808	Ballachey	Nearshore Synthesis: Sea Otters and Sea Ducks	\$ 105,700	\$ 18,000	\$ 1,620	\$ 19,620	\$ 125,320
USGS					\$ 105,700	\$ 18,000	\$ 1,620	\$ 19,620	\$ 125,320
United States					\$ 1,330,000	\$ 72,000	\$ 6,480	\$ 78,480	\$ 1,408,480
Total FY 09 Approved Amount					\$ 1,879,100	\$ 102,800	\$ 9,252	\$ 112,052	\$ 1,991,152

EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL



FEDERAL FISCAL YEAR

2009

DRAFT Work Plan
Issued September 25, 2008



Exxon Valdez Oil Spill Trustee Council
441 West 5th Avenue, Suite 500
Anchorage, AK 99501-2340
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FISCAL YEAR 2009
DRAFT WORK PLAN

September 25, 2008

Prepared by:
Exxon Valdez Oil Spill Trustee Council

DENBY LLOYD
Commissioner
Alaska Dept. of Fish and Game

LARRY HARTIG
Commissioner
Alaska Dept. of Environmental Conservation

JOE MEADE
Supervisor
Chugach National Forest
US Department of Agriculture

TALIS COLBERG
Attorney General
Alaska Department of Law

JIM BALSIGER
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National Marine Fisheries Service

RANDALL LUTHI
Director, Mineral Management Service
US Department of the Interior

Notice

The abstract of each proposal was written by the authors of the proposals to describe their projects. To the extent that the abstracts express opinions about the status of injured resources they do not represent the views of the Executive Director or other staff of the *Exxon Valdez* Oil Spill Trustee Council, nor do they reflect policies or positions of the Trustee Council.

The Alaska Department of Fish and Game (ADF&G) administers all programs and activities free from discrimination based on race, color, national origin, age, sex, religion, marital status, pregnancy, parenthood, or disability. The department administers all programs and activities in compliance with Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990, the Age Discrimination Act of 1975, and Title IX of the Education Amendments of 1972.

If you believe you have been discriminated against in any program, activity, or facility please write:

- ADF&G ADA Coordinator, P.O. Box 115526, Juneau, AK 99811-5526.
- The department's ADA Coordinator can be reached via phone at the following numbers: (VOICE) 907-465-6077, (Statewide Telecommunication Device for the Deaf) 1-800-478-3648, (Juneau TDD) 907-465-3646, or (FAX) 907-465-6078.
- U.S. Fish and Wildlife Service, 4040 N. Fairfax Drive, Suite 300 Webb, Arlington, VA 22203.
- Office of Equal Opportunity, U.S. Department of the Interior, Washington DC 20240.

PLEASE COMMENT

You can help the Trustee Council by reviewing this draft work plan and letting us know your priorities for Fiscal Year 2009. To be most useful, your comments should be received by the Council on or before September 30, 2008. You can comment by:

Mail:	Exxon Valdez Oil Spill Trustee Council 441 W. 5 th Avenue, Suite 500 Anchorage, AK 99501 Attn: Draft Fiscal Year 2009 Work Plan
Telephone:	1-800-478-7745 Collect calls will be accepted from fishers and boaters who call through the marine operator.
Fax:	907-276-7178
E-mail:	cherri.womac@alaska.gov

Projects Currently Funded Through FY09

PI	Project #	Title	FY09 Funding
Weingartner	070340	Alaska Coastal Current Monitoring	\$129,500
Bickford	070782	Herring Restoration: Identifying Natal and Nursery Habitats	\$77,700
Thorne	070830	Trends in Adult and Juvenile Herring Distribution	\$226,800
Kiefer	070810	Ecosystem Model of PWS Herring	\$250,800
Hershberger	070819	PWS Herring Disease Program	\$258,600
Boufadel	070836	Factors Responsible for Limiting the Degradation Rate of EVO	\$266,600
Venosa	080840	Biodegradability of Lingering Oil	\$354,238
Irons	070853	Pigeon Guillemot Restoration in PWS	\$48,400

TOTAL APPROVED FUNDING \$1,612,638.00

Summary of Funding Recommendations for FY09

Project Number	PI	Title	Total Funding Requested	Science Panel	PAC	Restoration Specialist	Executive Director
090100	EVOS	Annual Program Development and Implementation	\$2,477,722	N/A	N/A	N/A	Fund
090808	Ballachey	Nearshore Synthesis: Sea otters and sea ducks	\$105,700	Fund	Fund	Fund	Fund
090814	Bishop	Seabird Predation on Juvenile Herring in PWS	\$211,000	Fund	Fund	Fund	Fund
090817	Gay	Physical Oceanographic Factors Affecting Herring	\$55,100	Fund	Fund	Fund	Fund
090839	Hollmen	Evaluating injury to harlequin ducks	\$229,600	Fund	Fund	Fund	Fund
090751	Irons	Prince William Sound Marine Bird Surveys, Synthesis and Restoration	\$312,200	Do Not Fund	Do Not Fund	Do Not Fund	Do Not Fund
090811	Kline	PWS Herring Forage Contingency	\$249,700	Fund	Fund	Fund	Fund
090509	Linley	Development of Culture Technology	\$43,200	Fund	Fund	Fund	Fund

Project Number	PI	Title	Total Funding Requested	Science Panel	PAC	Science Panel	Executive Director
090742	Matkin	Monitoring, Tagging, Feeding Studies, and Restoration of Killer Whales	\$126,700	Fund	Fund	Fund	Fund
090822	Bochenek	Herring Data and Information	\$77,800	Fund	Fund	Fund	Fund
090290	Nelson	EVOSTC Hydrocarbon Database	\$8,900	Fund	Fund	Fund	Fund
090804	Rice	Whale Predation on Pacific Herring	\$366,500	Fund	Fund	Fund	Fund
090759	Rosenberg	Harlequin Duck Population Dynamics in PWS	\$198,500	Fund	Fund	Fund	Fund
090806	Vollenweider	Are Herring Energetics in PWS a Limiting Factor?	\$206,400	Fund	Fund	Fund	Fund

TOTAL FY09 FUNDING REQUESTED (Including 090100): \$4,669,022

TOTAL FUNDING RECOMMENDED BY EXECUTIVE DIRECTOR: \$4,356,822

TOTAL FY09 FUNDING (Including previously approved projects) \$5,969,460

Proposed Projects

Acronyms:

ADEC – Alaska Department of Environmental Conservation

ADFG – Alaska Department of Fish and Game

DOI – US Department of Interior

EVOS – Exxon Valdez Oil Spill

FWS – US Fish and Wildlife Service

NOAA – National Oceanic and Atmospheric Administration

PWS – Prince William Sound

PWSFRAP - Prince William Sound Fisheries Research Application and Planning

PWSSC – Prince William Sound Science Center

UAF – University of Alaska, Fairbanks

USGS – US Geologic Survey

Project: EVOS Administration
Project Title: Annual Program Development and Implementation
Location: Anchorage, AK
Principal Investigator: EVOS Administration
Funding Requested: \$2,477,722

Abstract:

The budget structure has been utilized over the past three federal fiscal years is designed to provide a clearly identifiable allocation of the funds supporting Trustee Council activities. As was specifically identified in the past two annual budgets, the program components are:

- Administration Management
- Data Management
- Science Management
- Public Information & Outreach
- Public Advisory Committee (PAC)
- Habitat Protection Program
- Trustee Council Member Direct Expenses
- Program Support/Project Management by Agencies
- Alaska Resources Library & Information Services

The budget estimates detailed within those specified program components are projected based upon prior year actual expenditures and include the application of estimated merit step increases, as well as payroll benefits increases. Detailed budget component items are either "continuing" or "ongoing" from program directives already approved by the Trustee Council and cover necessary day-to-day operational costs of the *Exxon Valdez* Oil Spill Restoration Office and administrative costs associated with overseeing current Trustee Council program objectives. Program priorities include the development and implementation of the Integrated Herring Restoration Program (IHRP).

Although the FY09 Invitation requesting proposals has been deferred until the IHRP and a Human Services component have been developed and approved by the Council, the decision was made to provide projects that were funded only through FY08 an opportunity to request project extensions with requests for FY09 funding. Upon completion of the review process and the Trustee Council's funding decisions, associated project management fees will be requested and reflected in an amendment to the FY09 APDI Budget. Some project management funds are included at this time to ensure Trustee Agencies have sufficient funds to manage on-going projects and to provide necessary compliance with the annual audit efforts.

Project Number: 090290
Project: The Exxon Valdez Trustee Hydrocarbon Database
Principal Investigator: Bonita Nelson
Affiliation: NOAA
Funding Requested: \$8,900

Abstract:

This project is an on-going service project providing data and sample archiving services for all samples collected for hydrocarbon analysis in support of Exxon Valdez Oil Spill Trustee Council projects. These data represent samples collected since the oil spill in 1989 to the present and include environmental and laboratory Response (National Resource Damage Assessment–NRDA), Restoration and recovery projects data. This project serves as an archive for the chemistry analysis and sample data, physical samples that have not been analyzed, provides for copies of the ACCESS database for interested parties and responds to several FOIA requests for information associated with these data. Interpretative services for these data are available.

Science Panel Comments: This is important work that we should continue funding.
RECOMMENDATION: FUND

Public Advisory Council Comments: RECOMMENDATION: FUND

Science Director Comments: RECOMMENDATION: FUND

Executive Director Comments: RECOMMENDATION: FUND

Project Number: 090509

Project: **Development of Culture Technology to Support Restoration of Herring in Prince William Sound: Use of in-vitro Studies to Validate and Optimize Restoration Actions**

Principal Investigator: Tim Linley

Affiliation: MariCal, Inc.

Funding Requested: \$43,200

Abstract:

This project will supplement work accomplished with FY2008 funding that supported travel and collaboration with Japanese herring scientists, and investigation of factors affecting egg quality in herring. The supplemental budget will support the translation and synthesis of the Japanese technical manual on herring culture, and permit coordination with other EVOS TC principal investigators to coordinate the inclusion of stock supplementation objectives and activities into the herring restoration actions outlined within the Integrated Herring Restoration Plan (IHRP). Work products include the herring culture technical manual translation, synthesis of this document into a report that will provide a template for evaluating culture methods for use in PWS supplementation, and integration of the proposed methods with supporting science and herring management investigations and actions. The work will be accomplished in Seward and Anchorage, Alaska, and Portland, Maine.

Science Panel Comments: The translation of the Japanese manuals will assist with in the decision making process as the Integrated Herring Restoration Program writing continues.

RECOMMENDATION: FUND

Public Advisory Council Comments: RECOMMENDATION: FUND

Science Director Comments: RECOMMENDATION: FUND

Executive Director Comments: RECOMMENDATION: FUND

Project Number: 090742

Project: **Monitoring, Tagging, Feeding Studies, and Restoration of Killer Whales in Prince William Sound/Kenai Fjords in 2009**

Principal Investigator: Craig Matkin

Affiliation: North Gulf Oceanic Society

Funding Requested: \$126,700

Abstract:

The proposed project is a continuation of the monitoring of AB pod and the AT1 population killer whale populations in Prince William Sound. These groups of whales suffered serious losses at the time of the spill and have not recovered at projected rates. The project also extends the scope of the basic monitoring to include an innovative satellite tagging program to examine habitat preference and to aid in a more extensive examination of feeding habits using observational and chemical techniques. Results will allow us to more closely examine the potential for restoration. The project will more clearly delineate the role of killer whales in the nearshore ecosystem and possible effects on the restoration recovery of harbor seals and sea otters. Community based initiatives such as Youth Area Watch and educational programs for tour boat operators educational programs will continue to be integrated into the work to help foster restoration improving public understanding and reducing harassment of the whales

Science Panel Comments: This project is still generating very good data. We are learning a great deal by the apex predator status of the orcas and their interaction with the PWS ecosystem.

RECOMMENDATION: FUND

Public Advisory Council Comments: RECOMMENDATION: FUND

Science Director Comments: RECOMMENDATION: FUND

Executive Director Comments: RECOMMENDATION: FUND

Project Number: 090751

Project: **Prince William Sound Marine Bird Surveys, Synthesis and Restoration**

Principal Investigator: David Irons

Affiliation: USFWS

Funding Requested: \$312,200

Abstract:

We propose to conduct small boat surveys to monitor abundance of marine birds in Prince William Sound, Alaska, during March and July 2009. Nine previous surveys have monitored population trends for marine birds and mammals in Prince William Sound after the *Exxon Valdez* oil spill. We will use data collected in 2009 to examine trends from summer and from winter to determine whether populations in the oiled zone are increasing, decreasing, or stable. We will also examine overall population trends for the Sound. Continued monitoring of marine birds and synthesis of the data are needed to determine whether populations injured by the spill are recovering. Data collected from 1989 to 2007 in the oiled area indicated that common loons (*Gavia immer*), and cormorants (*Phalacrocorax spp*) are increasing. Numbers of all other injured species are either not changing or are declining in the oiled area. Populations of harlequin ducks (*Histrionicus histrionicus*), black oystercatchers (*Haematopus bachmani*), Kittlitz's Murrelets (*Brachyramphus brevirostris*), and common murre (*Uria aalga*) are showing no trend in the oiled area; pigeon guillemots (*Cephus columba*) and marbled murrelets (*Brachyramphus marmoratus*) are declining in the oiled areas of Prince William Sound. We have found high inter-annual variation in numbers of some bird species and therefore recommend continuing to conduct surveys every two years as has been done the last few surveys. These surveys are the only ongoing means to evaluate the recovery of most of these injured marine bird species. A survey in 2009 would also benefit the ongoing Pigeon Guillemot Restoration Research Project by providing a Sound-wide pigeon guillemot population trend estimate through 2009, facilitating a comparison to the population trend on Naked Island.

Science Panel Comments: This project provides valuable monitoring data on marine birds since EVOS. We do question how often this data collection needs to occur. In terms of this request for interim funding it is our feeling that no critical data will be lost if the PI waits and submits his proposal in the next invitation cycle. Additionally, the panel questioned the power analyses done and the frequency in which the surveys are needed. **RECOMMENDATION: DO NOT FUND**

Public Advisory Council Comments: **RECOMMENDATION: DO NOT FUND**

Science Director Comments: **RECOMMENDATION: DO NOT FUND**

Executive Director Comments: **RECOMMENDATION: DO NOT FUND**

Project Number: 090759

Project: **Harlequin Duck Population Dynamics in Prince William Sound:
Measuring Recovery from the Exxon Valdez Oil Spill**

Principal Investigator: Dan Rosenberg

Affiliation: ADFG

Funding Requested: \$198,500

Abstract:

Since demographic studies were initiated, Cytochrome P450 1A induction studies have documented exposure to EVO at smaller spatial scales than population monitoring studies can measure. This biomarker of oil exposure has been correlated with lower female survival and is consistent with a lower proportion of females in oiled areas. However, broad scale demographic studies indicate population stability in oiled areas and not the decline expected if oil exposure reduces survival rates. This proposal attempts to continue demographic studies and improve their ability to assess data at smaller spatial scales commensurate with extant oil exposure, lingering oil, and oiling intensity. We will assess the range of variability on our transect counts and if successful in reducing the spatial scales for data analysis we will develop and implement a new survey protocol that can incorporate our historical winter data (1997–2008) while improving our ability to detect changes in abundance and composition at smaller spatial scales.

Science Panel Comments: The panel is looking forward to the analysis which will help describe some of the PI's comments regarding similar animal behavior between oiled and non-oiled sites.

RECOMMENDATION: FUND

Public Advisory Council Comments: RECOMMENDATION: FUND

Science Director Comments: RECOMMENDATION: FUND

Executive Director Comments: RECOMMENDATION: FUND

Project Number: 090804

Project: **Significance of Whale Predation on Natural Mortality Rate of Pacific Herring in PWS**

Principal Investigator: Jeep Rice

Affiliation: NOAA

Funding Requested: \$366,500

Abstract:

Pacific herring (*Clupea pallasii*) in Prince William Sound (PWS) have been classified as "not-recovered" by the Exxon Valdez Oil Spill Trustee Council. Predation by marine mammals has been cited as a factor in the failure of this population to rebound. We will assess the significance of humpback whale predation on herring in PWS, particularly in winter. Specifically we will estimate the number of whales foraging in winter, determine when and if there is a prey switch to herring, and how long whales focus on herring as prey. These data will be combined in a bioenergetic model to determine numbers of herring consumed (and energy content consumed). Lastly, the estimated numbers of herring consumed would be included in an age-structured model so that the significance of whale predation on herring recovery can be evaluated.

Science Panel Comments: This Panel is very satisfied with the success of the first year of this project and recommends continued funding. RECOMMENDATION: FUND

Public Advisory Council Comments: RECOMMENDATION: FUND

Science Director Comments: RECOMMENDATION: FUND

Executive Director Comments: RECOMMENDATION: FUND

Project Number: 090806

Project: Are herring (*Clupea pallasii*) energetics in PWS a limiting factor in successful recruitment of juveniles or reproduction investment of adults? Part III: Impacts of *Ichthyophonus* on metabolic rates of fasting herring.

Principal Investigator: Johanna Vollenweider

Affiliation: NOAA

Funding Requested: \$206,400

Abstract:

We hypothesize that increased *Ichthyophonus* prevalence in PWS herring results in an increased metabolic cost relative to other locations in the state. We propose a combination of field collections to estimate energy content in juvenile and adult age classes before and after the winter, and a series of controlled laboratory tests at different starvation states to measure energy costs of the disease infection. Field collections to estimate the cost of overwintering and spawning in herring will be from PWS, Sitka Sound and Lynn Canal. The latter two locations are areas in which herring populations are healthy (Sitka Sound) and depressed but not impacted by *Ichthyophonus* (Lynn Canal). This will be the third year of our study. To date we have determined that the average energy loss rate of adult herring in PWS is greater than that of fish in southeast Alaska (predator avoidance? Greater disease challenge?) and age-0 herring in PWS must be foraging during winter. In this last year we will continue field sampling to determine if that trend continues. Our controlled laboratory tests, conducted at Marrowstone Marine Field Station, will determine if exposure to *Ichthyophonus* increases metabolic costs and if fish in poor nutritional condition are more susceptible to *Ichthyophonus*. Together, these data sets will illustrate how disease impacts energy costs.

Science Panel Comments: The panel feels that this work is important and that it is making great links between herring energetics and disease. Additionally, the observations between lab and field are indicating that some overwintering feeding is occurring. RECOMMENDATION: FUND

Public Advisory Council Comments: RECOMMENDATION: FUND

Science Director Comments: RECOMMENDATION: FUND

Executive Director Comments: RECOMMENDATION: FUND

Project Number: 090808
Project: Nearshore Synthesis: Sea otters and sea ducks
Principal Investigator: Brenda Ballachey
Affiliation: USGS
Funding Requested: \$105,700

Abstract:

Sea otters, and other nearshore birds and mammals were severely impacted by the 1989 *Exxon Valdez* oil spill. In areas where acute effects were greatest and lingering oil persists longest, recovery for some of those nearshore birds and mammals remains incomplete through 2005. We present three objectives in this proposal: (1) Evaluate progress toward sea otter recovery through surveys of abundance and carcass deposition. (2) Evaluate factors contributing to the status of sea otter populations through the synthesis of long-term data sets on individual exposure to oil, health, condition, behavior, and home range in the context of long-term survival. (3) Conduct spatial synthesis of elevated biomarkers in mammals, birds, and fishes. Anticipated outcomes will identify shorelines where lingering oil most likely persists and which may be candidates for restoration or remediation.

Science Panel Comments: This spatial synthesis of elevated biomarkers of multiple species will allow for the identification of areas of oil exposure. We recommend continuing funding of this project.
RECOMMENDATION: FUND

Public Advisory Council Comments: RECOMMENDATION: FUND

Science Director Comments: RECOMMENDATION: FUND

Executive Director Comments: RECOMMENDATION: FUND

Project Number: 090811
Project: Prince William Sound Herring Forage Contingency
Principal Investigator: Thomas Kline
Affiliation: PWSSS
Funding Requested: \$249,700

Abstract:

Prince William Sound (PWS) herring recruitment is hypothesized to be contingent on young of the year herring attaining from zooplankton sufficient whole body energy content (WBEC) to survive their first winter. PWS recruitment is presently variable, having changed since the Trustee Council funded Sound Ecosystem Assessment (SEA) project ended. Juvenile herring will be sampled and analyzed for WBEC and natural stable isotope abundance (SIA) for comparison with SEA data. The PI has direct familiarity with WBEC and SIA done during SEA enabling duplication. Oceanic subsidies (detected with SIA) are hypothesized to augment zooplankton energy density, which varies in time and locations. High zooplankton energy density is hypothesized to enable herring to acquire high WBEC in certain areas at certain times. To test these hypotheses, herring forage will be assessed in terms species composition and density, SIA, and energy density, which will be related to herring WBEC by location and time.

Science Panel Comments: The PI is generating new data and this project needs to move forward. There is some concern over the number of samples being taken and suggest that more tows may be necessary to determine density. **RECOMMENDATION: FUND**

Public Advisory Council Comments: **RECOMMENDATION: FUND**

Science Director Comments: **RECOMMENDATION: FUND**

Executive Director Comments: **RECOMMENDATION: FUND**

Project Number: 090814
Project: Seabird Predation on Juvenile Herring in Prince William Sound
Principal Investigator: Mary Anne Bishop
Affiliation: PWSSS
Funding Requested: \$211,000

Abstract:

Based on population trends, the Prince William Sound (PWS) Pacific herring population does not show signs of recovering. Predation pressure on juvenile herring may be an important factor in preventing recovery. This proposal is for the final year of a largescale, three-year study to investigate seabird predation on juvenile herring during winter months (October-March), a season about which relatively little is known. Juvenile herring are heavily preyed on by multiple species of seabirds, including five species initially injured by the *Exxon Valdez* Oil spill, as well as Marbled Murrelet, Kittlitz's Murrelet and Pigeon Guillemot, three species that have not yet recovered. We will examine the spatial and temporal abundance of seabird predators in and around juvenile herring schools, as well as the physical and biological characteristics of the schools they feed on. Our project relies on seabird surveys being performed onboard vessels associated with EVOS projects 080830 (hydroacoustic surveys for juvenile herring) and 080804 (humpback whale herring predation). Our bioenergetic models will provide estimates of juvenile herring consumption that will aid in planning future restoration efforts. Our data will also assess the role of seabird predation on herring recruitment by providing data to both herring and ecosystem modeling efforts.

Science Panel Comments:

This project is well integrated with good data on seabirds and herring. The most critical task of obtaining focal predator abundance and determining foraging rates will be completed in this final year.

RECOMMENDATION: FUND

Public Advisory Council Comments: RECOMMENDATION: FUND

Science Director Comments: RECOMMENDATION: FUND

Executive Director Comments: RECOMMENDATION: FUND

Project Number: 090817
Project: **Physical Oceanographic Factors Affecting Productivity in Juvenile Pacific Herring Nursery Habitats**
Principal Investigator: Shelton Gay
Affiliation: PWSSS
Funding Requested: \$55,100

Abstract:

Past research of juvenile Pacific herring in PWS has shown that recruitment is highly influenced by conditions within nursery sites affecting survival within the first year. Studies of the physical oceanography of nursery fjords has indicated that each site has a unique set of hydrographic conditions that are influenced by both local processes and water exchange between the GOA and PWS. These factors vary significantly depending on geographic location. The proposed study will build upon past research by continuing a hydrographic time series within nursery fjords and collect high resolution data on currents and hydrography to determine the dominant mechanisms of water exchange and circulation within two experimental fjords; one located in a highly productive subregion (Simpson Bay) and one located in less productive sub-region influenced by tidewater glacial outflow (Whale Bay). Also, this project will provide a physical context for a suite of biological sampling proposed for these sites.

Science Panel Comments: The panel has had the same concerns all along in that this is a good oceanography project being done on a small scale. However, the integration of the oceanography and the biology is unclear. RECOMMENDATION: FUND

Public Advisory Council Comments: RECOMMENDATION: FUND

Science Director Comments: RECOMMENDATION: FUND

Executive Director Comments: RECOMMENDATION: FUND

Project Number: 090822
Project: Herring Data and Information Portal
Principal Investigator: Rob Bochenek
Affiliation: Axiom Consulting
Funding Requested: \$77,800

Abstract:

This project will consolidate, document, and enter data sets, metadata, and other electronic resources into a web portal. The web portal will provide public access to information, data, and GIS visualizations. Scientist and researchers will utilize the web portal as a resource to assist in consolidating, accessing and synthesizing herring data. This project will also develop an ArcPad application for collecting herring aerial survey data directly into a GIS format. The project was conceived during an EVOS sponsored workshop in April 2006 that was tasked to identify Prince William Sound herring data gaps and develop restoration or research projects to help herring recovery. Participants indicated that knowledge of the spatial and temporal aspects of herring related data sets, e.g., herring spawn, lingering oil, and shore zone habitat was necessary to understand how restoration activities might affect herring abundance trajectories. Many herring related data sets that were are not easily accessible to restoration researchers and managers have been made available through the actions of this project in FY07 and FY08. This project will finish the work started in FY07 and FY08 and complete the process of data salvage for those data sets which were addressed in previous years. Several restoration options proposed at the Integrated Herring Restoration Program meetings will require spatial and temporal knowledge of herring related data as a tool for planning, input to a model or as a measure of the success of a restoration action. This project would provide easier access and visualization of selected herring data sets and other electronic resources.

Science Panel Comments: The panel questioned whether the items being reported are actually matching the project's objectives. The project needs a high level of integration and can be a key tool in the integration effort. There is still a great deal of data that needs to be incorporated.

RECOMMENDATION: FUND

Public Advisory Council Comments: RECOMMENDATION: FUND

Science Director Comments: RECOMMENDATION: FUND

Executive Director Comments: RECOMMENDATION: FUND

Project Number: 090839

Project: Evaluating injury to harlequin ducks (*Histrionicus histrionicus*) caused by sublethal hydrocarbon exposure in Prince William Sound using species specific cell lines

Principal Investigator: Tuula Hollmen

Affiliation: Alaska SeaLife Center

Funding Requested: \$229,600

Abstract:

Evaluation of harlequin duck (*Histrionicus histrionicus*) population trends, survival measures, and biomarker indicators of exposure suggests that the species is recovering, but has not fully recovered from the effects of the 1989 *Exxon Valdez* oil spill (EVOS) in the Prince William Sound (PWS). In areas oiled by the EVOS, elevated cytochrome P4501A biomarker induction has been observed in harlequin ducks as recently as March 2007, providing evidence of continued exposure. The magnitude of injury and its implications for populations of harlequin ducks caused by chronic oil exposure and long-term induction of central enzymatic processes is unknown. This study applies a panel of *in vitro* harlequin duck and surrogate cell line bioassays for a species-specific toxicological assessment of site-specific hydrocarbons from PWS. A combination of bioassays that measure direct effects on cell viability and DNA damage provide a new method to assess and quantify injury. Also, a battery of laboratory bioassays provides a method to link P4501A biomarker induction with other measures of cellular injury, and a comprehensive assessment of potential short- and long-term toxicity.

Science Panel Comments: The panel is very impressed with the progress and success of this work in such a short time frame and recommends continued funding. RECOMMENDATION: FUND

Public Advisory Council Comments: RECOMMENDATION: FUND

Science Director Comments: RECOMMENDATION: FUND

Executive Director Comments: RECOMMENDATION: FUND