

11.23.02

*Exxon Valdez* Oil Spill Trustee Council

Wednesday, February 1, 2012

9:30 a.m. - 12:30 p.m.

Teleconference: 800.315.6338

Code: 8205



## Womac, Cherri G (EVOSTC)

**From:** Womac, Cherri G (EVOSTC)  
**Sent:** Friday, January 06, 2012 12:12 PM  
**To:** Craig O'Connor (Craig.R.O'Connor@noaa.gov); Jim Balsiger (jim.balsiger@noaa.gov); Kim Elton (kim\_elton@ios.doi.gov); Larry Hartig (larry.hartig@alaska.gov); Schorr, Jennifer L (LAW); Steve Zemke (szemke@fs.fed.us); Terri Marceron (chugach\_supervisor@fs.fed.us); Terri Marceron (tmarceron@fs.fed.us); Tom Brookover (tom.brookover@alaska.gov); Pat Pourchot (Pat\_Pourchot@ios.doi.gov); Peter Hagen (Peter.Hagen@Noaa.gov); Tom Brookover (tom.brookover@alaska.gov)  
**Cc:** Dede Bohn (Dede\_Bohn@usgs.gov); Samantha Carroll (samantha.carroll@alaska.gov); Veronica Varela (Veronica\_Varela@fws.gov); Claire Fishwick-Leonard (claire.fishwick@alaska.gov); Latarsha McQueen (Latarsha.mcqueen@noaa.gov); Lesia Monson (Lesia\_Monson@ios.doi.gov); Mary Goode; Pat Kennedy; Rachael Lesslie; Dawn Collinsworth (Dawn.Collinsworth@ogc.usda.gov); Elise M. Hsieh (elise.hsieh@alaska.gov); Erika Zimmerman; Gina Belt (regina.belt@usdoj.gov); Jennifer Schorr (DOL); Joe Darnell; Ronald McClain (Ronald.McClain@usda.gov); Carrie Holba (carrie@arlis.org); Catherine Boerner (catherine.boerner@alaska.gov); Cherri Womac (cherri.womac@alaska.gov); Holba, Carrie A (EVOSTC); Hsieh, Elise (EVOSTC); John Wojtacha - Superior Computer Solutions; John Wojtacha (john.wojtacha@alaska.gov); Linda Kilbourne (linda.kilbourne@alaska.gov)  
**Subject:** Preliminary TC Meeting Materials for Feb. 1  
**Attachments:** Draft TC Agenda Feb 1 2012 emh.doc; General Operating Procedures 1.4.12.doc; Financial Procedures Draft 1.4.12.doc; Draft Reporting Policy 1.4.12.docx; Draft 2012 Charter.doc; 2012 \_process for appt.doc; Boufadel amendment\_12\_28\_2011.pdf; AMENDED FINAL Resolution 11-12 11100112A Irvine.doc; Draft Sept 15, 2011 Trustee Council Meeting notes.doc

Hello All,

The next Trustee Council meeting is February 1<sup>st</sup>. It will be teleconferenced, although we always encourage those who are able to do so to attend in person. Although issues can arise which would affect scheduling, we anticipate the next TC meeting to be in mid-September 2012, preceded by a PAC meeting in July 2012.

Attached are preliminary materials for the upcoming Feb. 1 Council meeting, as well as the draft agenda. Closer to the meeting we will be forwarding a technical review and funding recommendations for the amendment by the Executive Director and Science Coordinator for the Boufadel amendment (see #4 below), as well as materials for any habitat matters which may be ripe for review.

The preliminary meeting materials that are attached include:

1. Amended Resolution 11-12: The Council authorized funding for this project at their Sept. 15th meeting with Resolution 11-12 and also in the general work plan Resolution 11-14. Amending Resolution 11-12 to refer to 11-14 resolves this duplication.
2. Updating Three Procedures: The General (GOP), the Financial (FOP) Operating and Reporting Procedures:

-The most-recent draft of each of these is attached; the current policies are found on our website or we can email them to you.

-The changes made in these documents are focused on administrative details and are intended to update the policies to reflect actual and desired practices, and to dovetail requirements with those of the Long-Term Monitoring and Herring programs. The long-term programs' funding begins February 1<sup>st</sup>, so it would be helpful to have policies in place that are consistent with these programs. We anticipate we will be revisiting these policies and making needed adjustments and revisions as the programs develop.

-The GOP have comments which indicate where substantive changes have been made. The FOP and Reporting Procedures had comprehensive revisions and are presented without track changes, for readability.

-These policies have been reviewed by TC staff, Pete Hagen, Dede Bohn, ADOL and USDOJ. The FOP and Reporting policies were also reviewed and revised in coordination with the Long-Term Program Team Leads.

-The Data Policy will also be reviewed. The Investment Policies are currently being revised. They will be reviewed by the Investment Working Group this spring and we anticipate they will be on the autumn TC meeting agenda.

3. PAC Charter: The current PAC 2010-2012 term and its charter expire on Sept 30, 2012. There are no major changes to the charter (revised Charter attached). The estimated annual operating cost have been reduced to \$17,000 from \$35,000 to coincide with the reduction in staff years, .2 from .4, and an annual meeting instead of two per year. The annual PAC meeting is for project review and recommendation. Approving the charter at this meeting allows the EVOS staff to solicit nominations during June and July 2012 and prepare a nomination binder for TC review and PAC member selection during its fall meeting. In addition, the process for PAC appointment is also attached; the tentative nomination due date is Aug. 3, 2012.

4. Request for Amendment to Project 11100836, Boufadel: Researcher Boufadel requests an amendment of \$892,710 to conduct additional feasibility work in Summer 2012 and to expand operations in order to determine the maximum extent of biodegradation on the experimental plot used during Summer 2011 and to extend the boundaries to include additional oil-contaminated areas. This amendment is being reviewed by technical experts; their review will be forwarded to you in approximately mid-January.

Pre-meeting briefings have also been scheduled. Following are the dates, times, participants and phone number. Elise will call each of you to teleconference you in.

Tuesday, Jan 24, 2012 – 9:30-10:30 a.m. AST

Kim: (202) 208-4177

Pete: (907) 789-6096

Harry: 269-3096

Wednesday, Jan 25, 2012 – 9:30-10:30 a.m. AST

Steve: 743-9521

Jen: 375-7777

Tom: 267-2150



**From:** [Womac, Cherri G \(EVOSTC\)](#)  
**To:** [Craig O'Connor \(Craig.O'Connor@noaa.gov\)](#); [Jim Balsiger \(jim.balsiger@noaa.gov\)](#); [Kim Elton \(kim\\_elton@ios.doi.gov\)](#); [Larry Hartig \(larry.hartig@alaska.gov\)](#); [Schorr, Jennifer L \(LAW\)](#); [Steve Zemke \(szemke@fs.fed.us\)](#); [Terri Marceron \(chugach\\_supervisor@fs.fed.us\)](#); [Terri Marceron \(tmarceron@fs.fed.us\)](#); [Tom Brookover \(tom.brookover@alaska.gov\)](#); [Pat Pourchot \(Pat\\_Pourchot@ios.doi.gov\)](#); [Peter Hagen \(Peter.Hagen@Noaa.gov\)](#); [Tom Brookover \(tom.brookover@alaska.gov\)](#)  
**Cc:** [Catherine Boerner \(catherine.boerner@alaska.gov\)](#); [Dede Bohn \(Dede\\_Bohn@usgs.gov\)](#); [Elise M. Hsieh \(elise.hsieh@alaska.gov\)](#); [Veronica Varela \(Veronica\\_Varela@fws.gov\)](#); [Claire Fishwick-Leonard \(claire.fishwick@alaska.gov\)](#); [Latarsha McQueen \(Latarsha.mcqueen@noaa.gov\)](#); [Lesia Monson \(Lesia\\_Monson@ios.doi.gov\)](#); [Mary Goode](#); [Pat Kennedy](#); [Rachael Lesslie](#); [Dawn Collinsworth \(Dawn.Collinsworth@ogc.usda.gov\)](#); [Elise M. Hsieh \(elise.hsieh@alaska.gov\)](#); [Erika Zimmerman](#); [Gina Belt \(regina.belt@usdoj.gov\)](#); [Jennifer Schorr \(DOL\)](#); [Joe Darnell](#); [Ronald McClain \(Ronald.McClain@usda.gov\)](#); [Carrie Holba \(carrie@arlis.org\)](#); [Cherri Womac \(cherri.womac@alaska.gov\)](#); [Holba, Carrie A \(EVOSTC\)](#); [Hsieh, Elise \(EVOSTC\)](#); [John Wojtacha - Superior Computer Solutions](#); [John Wojtacha \(john.wojtacha@alaska.gov\)](#); [Linda Kilbourne \(linda.kilbourne@alaska.gov\)](#)  
**Subject:** Updated meeting information and additional information  
**Date:** Friday, January 20, 2012 11:07:24 AM  
**Attachments:** [Draft TC Agenda Feb 1 2012.doc](#)  
[draft motion sheet 01-20-2012.doc](#)  
[Draft Reporting Policy 1.12.12.docx](#)  
[Boufadel Workplan Sheet.pdf](#)  
[Preliminary TC Meeting Materials for Feb. 1.pdf](#)

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Hello All,

This email is to update your preliminary meeting materials, which were emailed to you on Jan. 6<sup>th</sup>. That email gives a good summary of agenda items and is attached for your convenience. We have some additional information for you:

***Additional Information for the Feb. 1 Meeting:***

Draft Meeting Agenda (Jan. 20): Please replace the earlier draft sent to you with the attached Draft Agenda to replace the earlier draft sent to you. If everyone is there on time and moves through the agenda, we may be able to adjourn early.

Motion Sheet (Jan. 20): Attached please find a draft motion sheet for addition to your materials.

Revised Draft Reporting Policy (Jan. 12): Please replace the policy in your notebooks and materials with the attached. There are minor revisions on page 12 to clarify reporting periods. Those new changes are shown in track changes; no other changes have been made since the draft sent to you with the last email.

Boufadel Amendment: Revised Amendment request now includes \$130,000 for Lab fees.

The Boufadel Amendment has been revised to include a request for \$130,000 for laboratory fees, which were inadvertently left out of the original Amendment request sent to you in the earlier email. A Workplan Summary of the request and Science Panel, Science Coordinator and Executive Director Funding Recommendations is attached. A revised budget sheet will be added when we receive it; no other changes are needed in the submitted amendment.

***Updates on other Trustee Council activities:***

Habitat Update: *Potential Habitat Parcel - Port Graham*

**Status:** Port Graham Corporation (PGC) meets on Jan. 20<sup>th</sup> to decide whether to sell the subject parcels. If PGC decides to proceed, a request for purchase funding would be made at the Sept. TC meeting; some amount of due diligence funds have already been provided.

**Background:** This parcel is comprised of two tracts with a total of approximately 2,265 acres, located on the Gulf of Alaska. This land is on the east shore of Aialik Bay within the boundaries of the Kenai Fjords National Park. Combined, the tracts offer seven miles of ocean coastline with rugged cliffs, coastal temperate rainforest, and tidally-influenced shoreline.

This project originally contained four parcels, two of which were located on the west side of Aialik Bay and are no longer within the revised project scope. A 2009 appraisal report determined the fair market value at \$2 million dollars or between \$800 – 700 per acre; however this appraisal covered the original project lands and will need to be updated to reflect the reduction in parcels and current fair market value.

Several species injured by EVOS, including pink salmon and red salmon are supported by the park's upland habitat. In addition, numerous species of marine and other birds, including harlequin ducks, marbled and Kittlitz's murrelets, pigeon guillemots, black oystercatchers, cormorants, common loons and bald eagles, are found throughout the area and utilize the parks uplands.

This may be an opportunity to protect habitats within a greater protected landscape (Kenai Fjords National Park) and with a well-established NPS land management regime that is aligned with regard to the TC's restoration efforts. However, we will await the Board decision, final hazmat and site reports evaluation.

#### Establishing Cycles of Review and the TC Autumn meeting:

Based upon the draft proposed Financial and Reporting Policies the Council will review Feb. 1, below is a summary of the proposed annual programmatic and financial TC reporting cycle for the Long-Term Programs. It does not include synthesis or the later-year's science review workshop. We also anticipate that there may be some adjustment needed, as the Programs and cycles are established across organizations and multiple agencies.

January	Jan. 31: close of the Programs' prior contractual cycle (Spring: TC meeting scheduled as necessary)
February	Feb. 1: Programs' next annual contractual cycle begins
March	March 1: Programs submit programmatic and financial reporting
June	June 1: Programs submit Annual Proposals for future year's work and notify TC of any updates to March 1 programmatic and financial reporting
June	Science Panel review Programs' Annual Proposal for future year and provide

## recommendations

July TC meeting	PAC reviews Proposals/Workplan and provides recommendations for a September
September	September 1: Programs' programmatic reporting and Final Reports due. Mid-September: TC meeting to review the past year's activities and to review the future year's proposed projects, Programs, administrative funding and other issues.
October	Administrative and continuing project funding put in place
February	Feb. 1: Program multi-year contract renewal date

### Scanning and Digitizing TC Office Documents:

The documents accumulated since the inception of the Council remain housed in file cabinets and stacked in cardboard boxes in the current office space. Additional EVOSTC documents also are being sent to our office from retiring agency staff. All documents are in the TC office space, which is at a premium cost for storage. The TC office lease is up in one year and we are considering our next lease term, location and space needed. Fortunately, we currently have working with us two staff members, Cherri Womac and Carrie Holba, who have worked with the Council over the last twenty years and are familiar with the documents and thus have the expertise to assist in their final disposition.

Due to these issues, and our ability to draw on Cherri and Carrie's familiarity with these historical documents, the TC office is looking into digitizing select EVOS files. Scanning and digitizing desired files would allow for ease of retrieval, facilitate web access where appropriate, save future storage/office space and expense, and ensure long-term preservation of information. Files for consideration include the EVOSTC Official Record and programmatic files.

State and/or Federal Archives have indicated some interest in the TC files, but their disposition of the documents would not include the ability of interested users to retrieve the documents. At the resolution of the Council, we anticipate the program's history and documents will survive on a website, which can be easily accessed by all members of the public, and physically in State and/or Federal Archives and with some also available through ARLIS and at the Cordova Center.

We anticipate a two-stage digitization project. We have documents which are ready to be sorted, discarded or indexed and preserved. There are also other documents which will need to be retained until the conclusion of the EVOS litigation between the governments and Exxon, at which time their final disposition can also be made.

We hope to have bids for the initial stage of this project for your review at the September 2012 meeting. We anticipate this will be a costly project, as we have 20 years of documents, many of which are stapled and in various formats and thus will need to be prepared for scanning.

A related note: the State Archive has received a grant for indexing and preserving Alaska

Department of Law EVOS files over the next two years. Our office is working with them in this process.

## Womac, Cherri G (EVOSTC)

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**From:** Womac, Cherri G (EVOSTC)  
**Sent:** Monday, January 30, 2012 10:43 AM  
**To:** Craig O'Connor (Craig.R.O'Connor@noaa.gov); Jim Balsiger (jim.balsiger@noaa.gov); Kim Elton (kim\_elton@ios.doi.gov); Larry Hartig (larry.hartig@alaska.gov); Schorr, Jennifer L (LAW); Steve Zemke (szemke@fs.fed.us); Terri Marceron (chugach\_supervisor@fs.fed.us); Terri Marceron (tmarceron@fs.fed.us); Tom Brookover (tom.brookover@alaska.gov); Pat Pourchot (Pat\_Pourchot@ios.doi.gov); Peter Hagen (Peter.Hagen@Noaa.gov); Tom Brookover (tom.brookover@alaska.gov); Dawn Collinsworth (Dawn.Collinsworth@ogc.usda.gov.); Elise M. Hsieh (elise.hsieh@alaska.gov); Erika Zimmerman; Gina Belt (regina.belt@usdoj.gov); Jennifer Schorr (DOL); Joe Darnell; Ronald McClain (Ronald.McClain@usda.gov); Catherine Boerner (catherine.boerner@alaska.gov); Dede Bohn (Dede\_Bohn@usgs.gov); Elise M. Hsieh (elise.hsieh@alaska.gov); Samantha Carroll (samantha.carroll@alaska.gov); Veronica Varela (Veronica\_Varela@fws.gov)  
**Cc:** Claire Fishwick-Leonard (claire.fishwick@alaska.gov); Latarsha McQueen (Latarsha.mcqueen@noaa.gov); Lesia Monson (Lesia\_Monson@ios.doi.gov); Mary Goode; Pat Kennedy; Rachael Lesslie; Amanda Bauer (amanda@stephenscruises.com); Cherri Womac (cherri.womac@alaska.gov); David Totemoff (totemoffdavid@yahoo.com); Douglas L. (Doug) Mutter (douglas\_mutter@ios.doi.gov); Gary Fandrei (gfandrei@ciaanet.org); Jason Brune (jbrune@me.com); Jennifer Gibbins (editor@thecordovaitimes.com); John French; Kurt Eilo (keilo@akforum.org); Patience Andersen Faulkner (andersenpatc@ctcak.net); Stacy Studebaker (tidepoolak@ak.net); Torie Baker (torie@sfos.uaf.edu); Carrie Holba (carrie@arlis.org); Cherri Womac (cherri.womac@alaska.gov); Holba, Carrie A (EVOSTC); Hsieh, Elise (EVOSTC); John Wojtacha - Superior Computer Solutions; John Wojtacha (john.wojtacha@alaska.gov); Linda Kilbourne (linda.kilbourne@alaska.gov)  
**Subject:** two late arrival updates  
**Attachments:** Boufadel - Work Plan Page.pdf; modified amendment\_submitted\_boufadel\_January\_30\_2012.pdf

Attached are:

An updated Boufadel amendment reflecting the total amount in the budget on page 8 and the oil analysis paragraphs on page 7. Michel Boufadel submitted the revised amendment this morning.

Catherine updated the Boufadel Work Plan Page to reflect the total amount requested in his amendment.

Please contact me if you have any questions.

Cherri





## DRAFT 1/27/2012

### Draft Motions for February 1, 2011 Trustee Council meeting

#### **Agenda Item 2, February 1, 2012 Agenda and September 15, 2011 Meeting Notes:**

I move we approve the February 1, 2012 meeting agenda.

I move we approve September 15, 2011 Trustee Council meeting notes as prepared.

#### **Agenda Item 4**

##### **Amended Resolution 11-12:**

I move we approve amending Resolution 11-12 recognizing that funds were set aside in Resolution 11-14 regarding the 2012 Work Plan.

##### **General Operating Procedures:**

I move we approve the General Operating Procedures January 4, 2012 draft, including any minor revisions and formatting to be made by the Executive Director.

##### **Financial Operating Procedures:**

I move we approve the Financial Operating Procedures January 4, 2012 draft, including any minor revisions and formatting to be made by the Executive Director.

##### **Reporting Procedures:**

I move we approve the Reporting Procedures January 12, 2012 draft, including any minor revisions and formatting to be made by the Executive Director.

#### **Agenda Item 5, 2012-2014 term PAC Charter renewal:**

I move we approve the 2012-2014 Public Advisory Committee Charter.

#### **Agenda Item 6, Amendment to Boufadel PJ 11100836-B:**

I move we approve additional funding for Boufadel project 11100836-B **Pilot Studies of Bioremediation of the Exxon Valdez Oil in Prince William sound Beaches** up to \$1,199,218 which includes 9% General Administration, and for any applicable project management costs, and conditioned upon approval by the Executive Director of a revised budget.

#### **Agenda Item 7, Habitat – Chokwak:**

I move we reauthorize the purchase of small parcel KAP 3001 (Chokwak) totaling \$160,000 the funds which were previously disbursed and authorized under Resolutions 07-04 and 09-08. This funding shall terminate if a purchase agreement is not executed by February 1, 2013.

# Agenda



DRAFT 1/26/2012

## Exxon Valdez Oil Spill Trustee Council

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



### AGENDA

#### EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL

February 1, 2012, 9:30 a.m. – 12:30 p.m.

Anchorage, Alaska

#### Trustee Council Members:

JEN SCHORR

Trustee Alternate/Attorney General  
Alaska Department of Law

LARRY HARTIG

Commissioner  
Alaska Department of  
Environmental Conservation

CORA CAMPBELL

Commissioner  
Alaska Department of Fish and Game

JAMES BALSIGER

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

KIM ELTON

Senior Advisor to the Secretary for  
Alaska Affairs  
Office of the Secretary  
U.S. Department of the Interior

STEVE ZEMKE

Trustee Alternate  
Chugach National Forest  
U.S. Department of Agriculture

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Meeting in Anchorage, Trustee Council Office 441 West 5<sup>th</sup> Avenue, Suite 500

Teleconference number: 800.315.6338. Code: 8205

State Chair: \_\_\_\_\_

1. Call to Order – 9:30 a.m.

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#### 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

DRAFT 1/26/2012

2. Consent Agenda
  - Approval of Agenda\*
  - Approval of Meeting Notes\*  
September 15, 2011
3. Public comment – 9:45 a.m. (3 minutes per person)
4. Executive Director's Report (25 min.)
  - Amended Resolution 11-12\*
  - General Operating Procedures\*
  - Financial Operating Procedures\*
  - Reporting Procedures\*

Elise Hsieh and Staff  
EVOS Executive Director
5. 2012-2014 PAC Charter renewal\* (15 min.)
  - Process for PAC appointment

Doug Mutter  
Designated Federal Officer  
US Dept of the Interior
6. Amendment to Boufadel Project 11100836\* (10 min.)
  - Conduct additional feasibility work during  
Summer 2012

Catherine Boerner  
EVOS Science Coordinator
7. Habitat\* (10 min.)
  - Chokwak

Samantha Carroll  
Alaska Dept of Natural Resources
8. Executive Session, as needed

Adjourn – by 12:30 p.m. (*We may be able to adjourn early.*)

\* Indicates action items

\*\*There is no PAC report; the July 26, 2011 PAC meeting was reported on at the Sept. 15, 2011 Trustee Council meeting.

Sept 15, 2011

Meeting Notes

Draft 9/21/2011

# Exxon Valdez Oil Spill Trustee Council

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



## TRUSTEE COUNCIL MEETING NOTES

Anchorage, Alaska

September 15, 2011

Chaired by: Steve Zemke  
Trustee Council Member

Trustee Council Members Present:

• Steve Zemke, USFS \*  
Kim Elton, USDOJ \*\*\*\*  
Jim Balsiger, NOAA

Jennifer Schorr, ADOL \*\*\*  
Tom Brookover, ADF&G \*\*  
Larry Hartig, ADEC

- Chair
- \* Steve Zemke alternate for USFS
- \*\* Tom Brookover alternate for Cora Campbell
- \*\*\* Jennifer Schorr alternate for John J. Burns
- \*\*\*\* Douglas Mutter alternate for Kim Elton until 1:10 p.m.

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The meeting convened at 12:30 p.m., September 15, 2011 in Anchorage at the EVOS Conference Room.

### 1. Approval of the Agenda

APPROVED MOTION: Motion to approve the September 15, 2011 agenda.

Motion by Schorr, second by Balsiger

### 2. Approval of April 19, 2011 meeting notes

APPROVED MOTION: Motion to approve the April 19, 2011 meeting notes as prepared.

Motion by Mutter, second by Brookover

Public comment opened at 12:40 p.m.

**Three public comments were offered.**

Public comment closed at 12:47 p.m.

**Public Advisory Committee (PAC) comments: Kurt Eilo, PAC Chair**

3. Asset Allocation

APPROVED MOTION: Motion to approve the following Asset Allocation for the period October 2011 through October 2012:  
Domestic Equities 47% +/- 7%, International Equities 23% +/- 7%, and Domestic Bonds 30% +/- 5%.

Motion by Brookover, second by Balsiger

**Kim Elton arrives at the Council meeting at 1:10 p.m. relieving D. Mutter as his alternate.**

4. Correction to erroneous date in Resolution 11-01

APPROVED MOTION: Motion to approve correcting the erroneous date in Resolution 11-01, changing the date from June 30, 2009 to December 31, 2009

Motion by Balsiger, second by Elton

5. Amendment to Irvine PJ 11100112-A

APPROVED MOTION: Motion to approve an amendment to the Irvine Project 11100112-A Lingering Oil on Boulder-Armored Beaches to fund an additional \$61,700, which includes 9% General Administration, and for any applicable project management costs.



Motion by Brookover, second by Elton

6. KEN 3010 Poore Small Parcel

APPROVED MOTION: Motion to approve \$1.1 million for the State of Alaska for the purchase of small parcel KEN 3010.

Motion by Elton, second by Schorr

7. FFY 2012 Workplan Continuing Projects

APPROVED MOTION Motion to approve funding for the continuing projects identified in the FFY 2012 Draft Work Plan, which includes 9% General Administration, and for any applicable project management costs; with the exception of funding for Irons Project 11100853, which may be reviewed by the Council at a future meeting after completion of the NEPA review of the project.

Motion by Schorr, second by Elton

Off the record: 1:50 p.m.

On the record: 2:00 p.m.

8. Long-Term Monitoring Program

APPROVED MOTION Motion to approve funding McCammon Project 12120114, Long-Term Monitoring of Marine Conditions and Injured Resources and Services, including General Administration fee not to exceed 9% and any applicable project management costs; the first year of this multi-year funding is authorized for October 1, 2011 – January 31, 2013, is to be reviewed annually thereafter by the Council and is to lapse on January 31, 2016.

Motion by Balsiger, second by Elton

APPROVED MOTION

Motion to approve Carls Project 12120121, Long-Term Monitoring: Lingerin Oil – Extending the Tracking of Oil Levels and Weathering (PAH composition) in PWS Through Time, and Ballachey Project 120100808, Long-Term Monitoring: Evaluating Chronic Exposure of Harlequin Ducks and Sea Otters to Lingerin EVO in Western with the understanding that even though separate, they fit into the long-term monitoring program including General Administration fee not to exceed 9% and any applicable project management costs; the first year of this multi-year funding is authorized for October 1, 2011 – January 31, 2013, is to be reviewed annually thereafter by the Council and is to lapse on January 31, 2016.

Motion by Balsiger, second by Elton

9. NCEAS/AOOS Collaborative Data Management

APPROVED MOTION

Motion to approve funding, as part of the Long-Term Monitoring and Herring Programs, NCEAS/AOOS Project 12120120, Collaborative Data Management and Holistic Synthesis of Impacts and Recovery Status Associated with the Exxon Valdez Oil Spill, including General Administration fee not to exceed 9% and any applicable project management costs; the first year of this multi-year funding is authorized for October 1, 2011 – January 31, 2013, is to be reviewed annually thereafter by the Council and is to lapse on January 31, 2016.

Motion by Elton, second by Schorr

10. Long-Term Herring Program

APPROVED MOTION

Motion to approve funding the Pegau Project 12120111, PWS Herring Research and Monitoring, including General Administration fee not to exceed

9% and any applicable project management costs; the first year of this multi-year funding is authorized for October 1, 2011 – January 31, 2013, is to be reviewed annually thereafter by the Council and is to lapse on January 31, 2016.

Motion by Schorr, second by Balsiger

**APPROVED MOTION**

Motion to approve funding, as part of the Herring Program, the Branch Project 12120120, PWS Herring Research and Monitoring Program: Modeling the Population Dynamics of PWS Herring, including General Administration fee not to exceed 9% and any applicable project management costs; the first year of this multi-year funding is authorized for October 1, 2011 – January 31, 2013, is to be reviewed annually thereafter by the Council and is to lapse on January 31, 2016. This funding is contingent on the Executive Director's approval of a revised proposal that addresses the concerns identified in the ADF&G comments. Modification of the budget will also be considered to reduce indirect costs. The funding provided is not to exceed that proposed in the original.

Motion by Brookover, second by Balsiger

**12. Harbor Protection and Marine Restoration**

**APPROVED MOTION**

Motion to approve funding Anderson Project 12120115, Seward Marine Industrial Center Vessel Wash-down and Wastewater Recycling Facility, including 9% General Administration and any applicable project management costs; this multi-year funding is to be reviewed annually by the Council and is to lapse on September 30, 2013.

Motion by Schorr, second by Hartig



APPROVED MOTION

Motion to approve funding Jennings Project 12120112, PWS Harbor Cleanup Project, for a scoping phase not to exceed \$125,000 and conditioned upon a revised budget addressing these concerns and interests approved by the executive director; this multi-year funding is to be revised annually by the Council and is to lapse on September 30, 2013.

Motion by Elton, second by Hartig

APPROVED MOTION

Motion to approve funding Pallister Project 12120116, Marine Debris Removal [and Public Outreach Proposal(s) # 1, 2, and 3 of the Addendum], including 9% General Administration and any applicable project management costs; this multi-year funding is to be reviewed annually by the Council and is to lapse on September 30, 2014.

Motion by Balsiger, second by Hartig

13. Lingering Oil

APPROVED MOTION

Motion to approve funding, as part of the Long-Term Monitoring Program, Nixon Project 12120117, Spatial Synthesis of Lingering Oil Distribution Modeling with Population and Biomarker Data for Recovering Species, including 9% General Administration and any applicable project management costs.

Motion by Schorr, second by Hartig

14. Annual Program Development and Implementation (APDI) Budget

APPROVED MOTION

Motion to approve \$1,711,790 funding for the Annual Program Development and Implementation (APDI) Budget Project 12120100.

Motion by Brookover, second by Elton

15. Adjourn

Motion to adjourn

Motion by Hartig, second by Schorr

Off the record 4:00 p.m.



**AMENDED RESOLUTION 11-12  
OF THE EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL  
REGARDING AUTHORIZATION FOR ADDITIONAL FUNDS  
FOR PROJECT 11100112-A**

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, to make available additional funds for Irvine Project 11100112-A, Lingerin Oil on Boulder-Armored Beaches in the Gulf of Alaska, 22 Years After the *Exxon Valdez* Oil Spill in the amount of \$56,600 plus applicable General Administration (GA) for federal fiscal year 2012, for a total of \$61,694. These funds are necessary to complete sampling, which was aborted due to weather delays.

These funds were authorized by the Trustee Council at their September 15, 2011 meeting in Resolution 11-14 Regarding the FFY 2012 Work Plan. 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 additional funds as noted above for Irvine Project 11100112-A from the appropriate account designated by the Executive Director.

Approved by the Council at its meeting of \_\_\_\_\_ held in Anchorage, Alaska as affirmed by our signatures affixed below.

\_\_\_\_\_  
STEVE ZEMKE  
Alternate Trustee  
Chugach Nation Forest  
U.S. Department of Agriculture

\_\_\_\_\_  
RICK SVBODNEY  
Acting Attorney General  
Alaska Department of Law

\_\_\_\_\_  
KIM ELTON  
Senior Advisor to the Secretary  
for Alaska Affairs  
U.S. Department of the Interior

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

\_\_\_\_\_  
CORA CAMPBELL  
Commissioner  
Alaska Department of Fish and Game

\_\_\_\_\_  
LARRY HARTIG  
Commissioner  
Alaska Department of Environmental  
Conservation



# Exxon Valdez Oil Spill Trustee Council

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



## **Process for Appointment of 2012-2014 Members Exxon Valdez Oil Spill Public Advisory Committee**

The term for all members of the Public Advisory Committee (PAC) ends October 2012. The PAC Charter will be renewed as of October 2012, and it is desirable to have the two-year membership synchronized with the two-year Charter period. The process for selecting PAC members for the next two-year session follows the process the Trustee Council used for past membership selection. This process is based upon the requirements set forth in the PAC Charter. The process involves notifying the public and compiling a list of potential nominees for Trustee Council consideration. Current members of the PAC are eligible for re-nomination and reappointment. The Trustee Council will review the nominations and recommend membership to the Trustees, and upon their approval, to the Secretary of the Interior for official appointment (the Department of the Interior is the designated Federal agency for ensuring compliance with the Federal Advisory Committee Act (FACA)).

Nominations will be solicited using a wide range of media, including newspapers in the affected area, the Federal Register, the Trustee Council newsletter/website, public service announcements, flyers posted in communities in the affected area, the present PAC membership, and persons having expressed an interest in serving on the PAC. About 60 days should be allowed for response. **Nominations are due Friday, August 3, 2012.**

The "request for nominations" will ask for information presented in the attached solicitation and instructions.

The Trustee Council staff will compile a list of nominees and a summary of information about them, including name, address, telephone number; principal interest; committee affiliations; who they were nominated/endorsed by; if their information packet is complete; and if additional information is required.

The Trustee Council will meet to review the nominees and make their unanimous recommendation for the PAC membership. The nominees will be notified of the recommendations of the Trustee Council by the Executive Director.

The Designated Federal Official will forward the information for recommended members to the Secretary of the Interior for official appointment (letters will be sent to each appointee). The Designated Federal Official will also submit appropriate reports to the Federal government pursuant to the FACA.



**U. S. DEPARTMENT OF THE INTERIOR**  
**EXXON VALDEZ OIL SPILL PUBLIC ADVISORY COMMITTEE**

Field (

**CHARTER**

1. **OFFICIAL DESIGNATION:** *Exxon Valdez* Oil Spill Public Advisory Committee (Committee).
2. **AUTHORITY:** The Committee is established as mandated by Paragraph V.A.4 of the Memorandum of Agreement and Consent Decree entered into by the United States of America, through the Department of Justice, and the State of Alaska, through the Attorney General, on August 27, 1991 and approved by the United States District Court for the District of Alaska in settlement of United States of America v. State of Alaska, Civil Action No. A91-081 CV (hereinafter referred to as the MOA) and shall be located in Alaska. Additional authority for its creation is found in the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, 42 U.S.C. subsection 9601 et seq. This Committee is established in accordance with the provisions of the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C., App. 2.
3. **OBJECTIVES AND SCOPE OF ACTIVITIES:** By order of the District Court for the District of Alaska, the Committee is to advise the Trustees (State of Alaska Department of Law, State of Alaska Department of Fish and Game, State of Alaska Department of Environmental Conservation, U.S. Department of Agriculture, the National Oceanic and Atmospheric Administration of the U.S. Department of Commerce, and the U.S. Department of the Interior) appointed to administer the fund established in settlement of United States v. Exxon Corporation, Civil Action No. A91-082, and State of Alaska v. Exxon Corporation, Civil Action No. A91-083, both in the United States District Court for the District of Alaska, in all matters described in Paragraph V.A.1 of the MOA referenced above.
4. **DESCRIPTION OF DUTIES:** The Committee functions are advisory only, and its officers shall have no administrative authority by virtue of their membership. The Committee shall advise the Trustees through the Trustee Council with respect to the following matters:

All decisions relating to injury assessment, restoration activities, or other use of natural resource damage recoveries obtained by the Governments, including all decisions regarding:

  - a. Planning, evaluation, and allocation of available funds;
  - b. Planning, evaluation, and conduct of injury assessments and restoration activities;
  - c. Planning, evaluation, and conduct of long-term monitoring and research activities;
  - d. Coordination of a, b, and c.
5. **AGENCY OR OFFICIAL TO WHOM THE COMMITTEE REPORTS:** The Committee shall report to the *Exxon Valdez* Settlement Trustee Council through the Federal members of the Trustee Council.



6. **SUPPORT:** Support for the Committee shall be provided by the Trustee Council's Executive Director, who shall procure all needed space, supplies, equipment, and support for the Committee. The Executive Director shall prepare an annual budget for the Committee. The budget shall provide for the Committee such funds as the Trustee Council deems appropriate for administrative support for the Committee, from the *Exxon Valdez* Oil Spill Investment Fund established as a result of the settlement of United States v. Exxon Corporation and State of Alaska v. Exxon Corporation.
7. **ESTIMATED ANNUAL OPERATING COSTS:** The estimated annual operating cost for the Committee is ~~\$17,000~~~~\$35,000~~, including all direct and indirect expenses. It is estimated that ~~.2~~~~.4~~ staff years will be required to support the Committee.
8. **DESIGNATED FEDERAL OFFICER:** The Designated Federal Officer (DFO) is the U.S. Department of the Interior, Alaska Office of Environmental Policy and Compliance's Regional Environmental Assistant, ~~or their designee~~, who is a full time Federal employee appointed in accordance with agency procedures. The DFO will approve or call all Committee and subcommittees' meetings, prepare and approve all meeting agendas, attend all Committee and subcommittee meetings, adjourn any meeting when the DFO determines adjournment to be in the public interest, and chair meetings when directed to do so by the Trustee Council.
9. **ESTIMATED NUMBER AND FREQUENCY OF MEETINGS:** The Committee is expected to meet approximately ~~once a two-times-per~~ year.
10. **DURATION:** The requirement for the Committee will continue throughout the life of the settlement agreement referenced in item 2, above.
11. **TERMINATION DATE:** The Committee is subject to the provisions of FACA and is subject to biennial review and will terminate two years from the date the charter is filed, unless, prior to that time, the charter is renewed in accordance with Section 14 of FACA.
12. **MEMBERSHIP AND DESIGNATION:** The Committee shall consist of 10 representative members, including a Chair and Vice-Chair selected by the Committee members. Each member will serve a two-year term and members are eligible for re-nomination and reappointment. One member will be appointed representing each of the interests identified below.
  - a. aquaculturist/mariculturist (e.g., fish hatcheries and oyster/shellfish farming);
  - b. commercial fisher (e.g., commercial fishing for salmon, halibut, herring, shellfish and bottom fish; including boat captains and crews, cannery owners/operators, and fish buyers);
  - c. commercial tourism business person (e.g., promoting or providing commercial travel or recreational opportunities, including charter boating, guiding services, visitor associations, boat/kayak rental);
  - d. recreation user (e.g., recreation activities that occur within the area, including kayaking, power boating, sailing, sightseeing)
  - e. conservationist/environmentalist (e.g., organizations interested in the wise use and protection of natural resources);
  - f. Native landowner (e.g., regional or village corporations in the affected area established by the Alaska Native Claims Settlement Act);
  - g. sport hunter/fisher (e.g., hunting and/or fishing for pleasure);

- h. subsistence user (e.g., customary and traditional use of wild renewable resources for direct personal or family consumption as food, shelter, fuel, clothing, tools or transportation; for the making and selling of handicraft articles; and for customary trade);
- i. scientist/technologist (e.g., organizations, institutions, and individuals involved in, or with expertise in, scientific and research aspects of the affected area/resources and/or the effects of the oil spill and/or the technical application of scientific information); and
- j. public-at-large (e.g., representing the affected area of the oil spill and its people, resources, and/or economics).

Members of the Committee serve without compensation. However, while away from their homes or regular places of business, members engaged in Committee business approved by the Trustee Council Executive Director or the DFO will be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in Government service.

- 13. **ETHICS RESPONSIBILITIES OF MEMBERS:** No Committee or subcommittee member shall participate in any specific party matter including a lease, license, permit, contract, claim, agreement, or related litigation with the Department in which the member has a direct financial interest.
- 14. **SUBCOMMITTEES:** The Committee may, upon approval of the Trustee Council and the DFO, establish such workgroups or subcommittees as it deems necessary for the purpose of compiling information or conducting research. However, such work groups or subcommittees may not conduct business and must report to the full Committee.
- 15. **RECORDKEEPING:** Records of the Committee, and any workgroups or subcommittees established, will be handled as part of the Trustee Council's Official Record, available at their office. A public copy of those records is available at the Alaska Resources Library and Information Services. These records shall be available for public inspection and copying, subject to the Freedom of Information Act, 5 U.S.C. 552.

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Secretary of the Interior

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Date

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Date Filed



# Descriptions of New FY12 Proposals

**Project Number:** 11100836-A  
**Project Title:** Pilot studies of bioremediation of the Exxon Valdez Oil Spill - Amendment  
**Principal Investigator:** Michel Boufadel  
**Affiliation:** Not Available  
**Co-PIs/Personnel:** Jacqui Michel, Brian Wrenn  
**Project Location:** Prince William Sound

## **Funding Requested by Fiscal Year:**

<b>FY12:</b> \$1,200,000.00	<b>FY13:</b> \$0.00	<b>FY14:</b> \$0.00
<b>FY15:</b> \$0.00	<b>FY16:</b> \$0.00	<b>FY17:</b> \$0.00

**Total Funding Requested:** \$1,200,000.00

## **Abstract:**

During the summer of 2011, staff from the Center for Natural Resource Development and Protection at Temple University evaluated the feasibility of enhancing biodegradation (i.e., bioremediation) in order to perform remediation of four Prince William Sound beaches where lingering Exxon Valdez oil persists: EL056C.3 (Eleanor Island), LA015E (Latouche Island), PWS3A44 (Perry Island), and SM006B (Smith Island). Our method relied on injecting beneath the oil layer on each beach a solution of hydrogen peroxide (100 mg/L), lithium nitrate (20 mg N/L), and sodium tripolyphosphate (2 mg P/L). The results from EL056C.3 and SM006B were the only ones available at the time of this request. Those from EL056C.3 showed that the oil in the experimental plots there biodegraded by 30 to 50% within one month. The results from SM006B suggested that no oil biodegradation occurred at that site.

We are proposing to conduct additional feasibility work in Summer 2012 on two beaches: EL056C.3 and SM006B. On EL056C.3 we propose to expand operations in order to determine the maximum extent of biodegradation on the experimental plot used during Summer 2011 and to extend the boundaries of our technique to include the oil-contaminated areas to the right (facing landward) and in the lower intertidal zone. For SM006B, we are proposing to increase the injection pressure, as we believe most of the injected solutions were depleted within a short distance from the well tips. Beach PWS3A44 is similar in morphology to EL056C, while Beach LA015E had little oil. Therefore, pursuing the investigation on these two beaches is not as crucial as on the two beaches for which additional work is proposed.

This request also seeks funding for a two-step process of evaluating, for suitability as candidates for bioremediation, 53 oiled sites identified by Research Planning Incorporated's (RPI's) model for locating lingering oil as having greater than 30% distribution of moderately oiled residue at a 70% predicted probability value. This evaluation will include a desktop exercise as well as field verification.

## **Science Panel Comments:**

This proposal amendment was reviewed by selected members of the science panel and by other reviewers with applicable knowledge and experience.

This proposal is well justified and represents a cost-effective means of doing triage to make important progress without tackling every possible remediation action, which would be excessively costly. This team lead by Boufadel has performed superbly on previous similar EVOS studies, earning a reputation for keen insight into the processes required for successful bioremediation of shorelines still contaminated by substantial amounts of lingering oil. The Amendment presented here proposes exactly the correct continuation of the previous work. The Boufadel team has prepared excellent publications for the primary literature so the work they too has both practical clean-up value as well as

intellectual value in expanding basic knowledge of these subsurface processes and of remediation techniques.

A follow-up on the Eleanor Island site to test the full extent of the bioremediation success from the previous year is well justified as a further test of principle so as to allow future cost-benefit analysis of subsequent bioremediation actions. Extending application of the process to the contaminated lower intertidal site on Eleanor is also well justified. In addition, a retry at the Smith Island site is also well conceived and that the intent to retry with increased pressure of injection is sensible. Comparative data on bioremediation rates at several sites imply a slower process on Smith, so the hope that greater injection pressure will succeed is based on some empirical support.

Finally, the field testing of the RPI model that identified 53 sites for possible remediation is valuable and worth the effort and costs. By prioritizing these 53 sites by the criteria identified and then visiting up to 20 to confirm the high likelihood of remediation success, future decisions on clean-up can have a sound technical basis that gives confidence in success.

**Science Panel Recommendation:** Fund

**Science Coordinator Comments:**

I concur with the reviewers recommendation.

**Science Coordinator Recommendation:** Fund

**Public Advisory Committee Comments:**

Not Applicable

**Public Advisory Committee Recommendation:** Not Reviewed

**Executive Director Comments:**

I recommend funding this project at a not-to-exceed amount of \$1.2 million (includes 9% GA and project management fees are waived) and conditioned on my approval of a revised budget.

**Executive Director Recommendation:** Fund

**Trustee Council Comments:**

Not Available

**Trustee Council Decision:** Pending



Pilot studies of bioremediation of the Exxon Valdez Oil Spill  
Project No. 11100836 of the Exxon Valdez Trustee Council

## REQUEST FOR AMENDMENT

PIs: Michel Boufadel, Brian Wrenn, and Jacqui Michel

### ABSTRACT

During the summer of 2011, staff from the Center for Natural Resource Development and Protection at Temple University evaluated the feasibility of enhancing biodegradation (*i.e.*, bioremediation) in order to perform remediation of four Prince William Sound beaches where lingering Exxon Valdez oil persists: EL056C.3 (Eleanor Island), LA015E (Latouche Island), PWS3A44 (Perry Island), and SM006B (Smith Island). Our method relied on injecting beneath the oil layer on each beach a solution of hydrogen peroxide (100 mg/L), lithium nitrate (20 mg N/L), and sodium tripolyphosphate (2 mg P/L). The results from EL056C.3 and SM006B were the only ones available at the time of this request. Those from EL056C.3 showed that the oil in the experimental plots there biodegraded by 30 to 50% within one month. The results from SM006B suggested that no oil biodegradation occurred at that site.

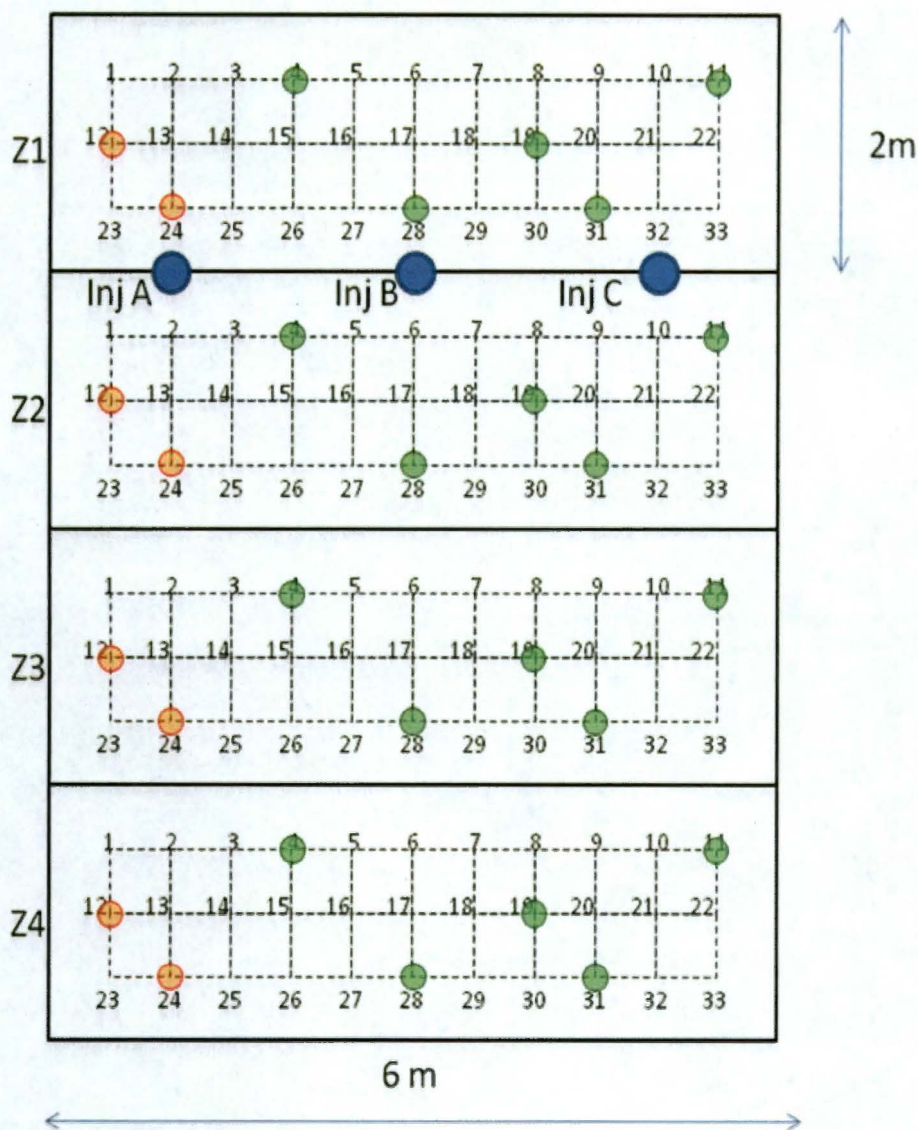
We are proposing to conduct additional feasibility work in Summer 2012 on two beaches: EL056C.3 and SM006B. On EL056C.3 we propose to expand operations in order to determine the maximum extent of biodegradation on the experimental plot used during Summer 2011 and to extend the boundaries of our technique to include the oil-contaminated areas to the right (facing landward) and in the lower intertidal zone. For SM006B, we are proposing to increase the injection pressure, as we believe most of the injected solutions were depleted within a short distance from the well tips. Beach PWS3A44 is similar in morphology to EL056C, while Beach LA015E had little oil. Therefore, pursuing the investigation on these two beaches is not as crucial as on the two beaches for which additional work is proposed.

This request also seeks funding for a two-step process of evaluating, for suitability as candidates for bioremediation, 53 oiled sites identified by Research Planning Incorporated's (RPI's) model for locating lingering oil as having greater than 30% distribution of moderately oiled residue at a 70% predicted probability value. This evaluation will include a desktop exercise as well as field verification.

### DISCUSSION

Figure 1 provides a schematic top view of the treatment area for EL056C.3. The injection system was setup in May 2011 during which sediment samples were taken for oil analysis. The injection system started on July 8th and sediment samples from the treatment area were taken on August 10<sup>th</sup> and September 8th. All oil analyses were conducted at NOAA Auke Bay Laboratory in Alaska. Water samples from the treatment area were also withdrawn on the same dates, and they were analyzed for nutrients and oxygen. The partition of the plot into four zones

(Z1, Z2, Z3, and Z4) was adopted to investigate the effects of increasing transport distance on treatment effectiveness, but there were no geologic differences between these zones.

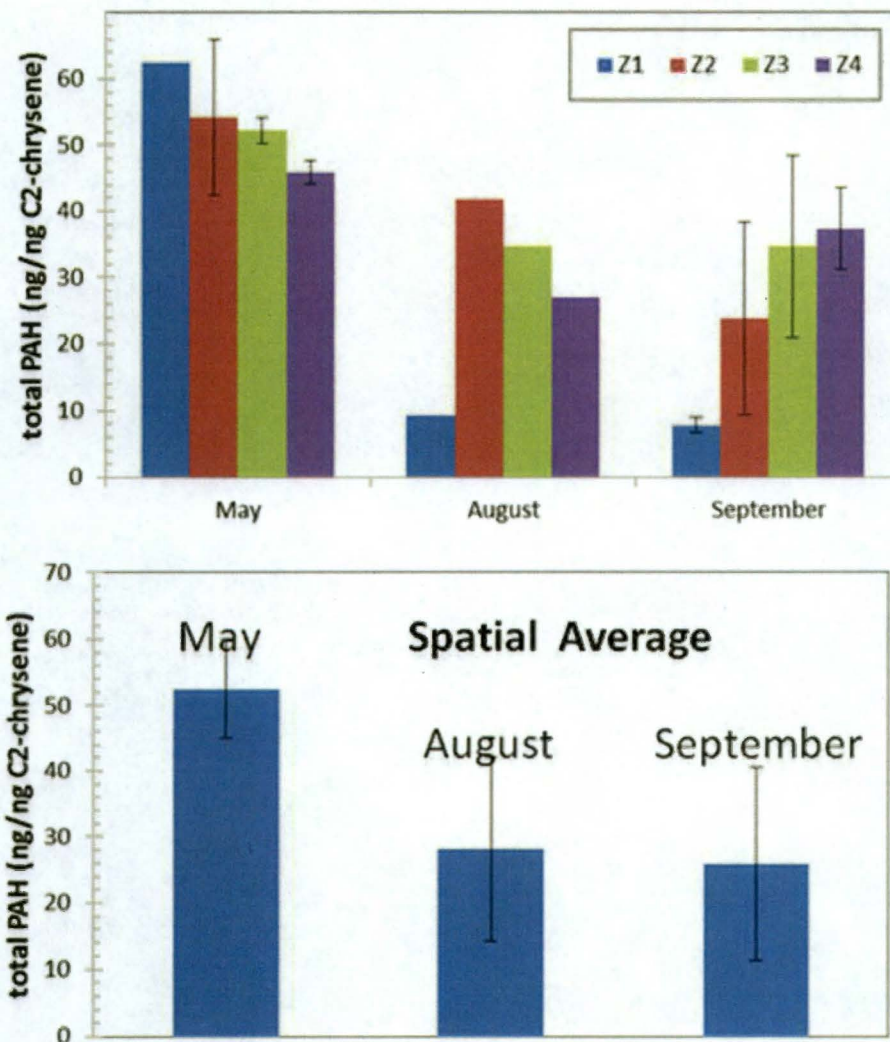


**Figure 1:** Grid showing the locations of the injection wells (InjA, InjB, and InjC), and four zones (each 2.0 m in the cross shore direction) for sampling for oil biodegradation (the green circles). The orange circles contained oil that was highly degraded prior to the injection (oil was about 63% more degraded in samples from locations indicated by orange circles than locations indicated by green circles). Results from the data points represented by the orange circles and green circles were evaluated separately, as shown in Figures 2 and 3, because the pre-treatment nutrient and TPAH concentrations of the two groups were significantly different.

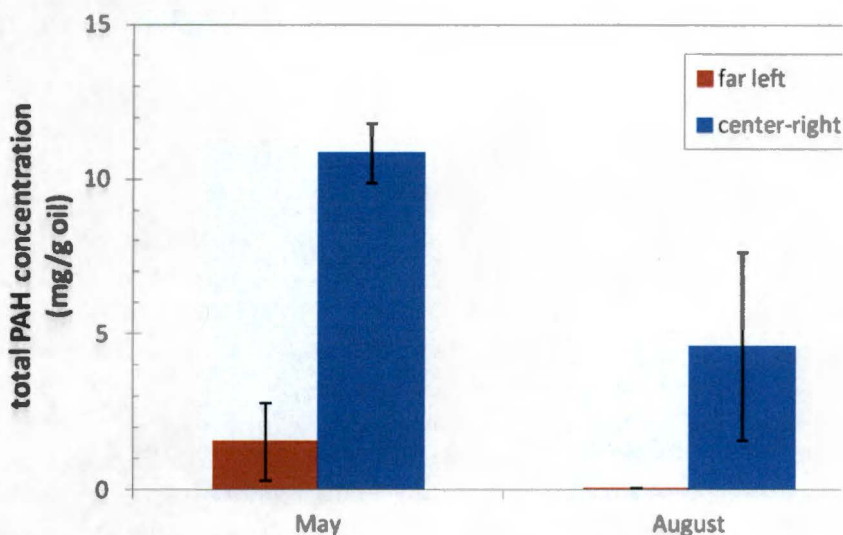
Figure 2 reports the oil data obtained from each of the four zones in May, August, and September. The top panel of Figure 2 reports the results from each zone. Comparing August to



May, one notes a 90% decrease in the concentration of total polycyclic aromatic hydrocarbons (TPAH) at Z1 (the most landward of the zones), and between 30 to 50% decrease at Z2, Z3, and Z4. The lack of decrease between August and September may have been due to the stoppage of the system due to severe storms that occurred between the August and September sampling trips. Figure 2 clearly demonstrates that bioremediation of the oil in situ is a viable technology, as the biodegraded amount averaged between 30% and 50% within only a month's time. Figure 2 does not include the data from the two leftmost samples on each plot (orange color in Figure 1) because inclusion of the highly weathered oil from those locations would confound the identification of treatment effects. Those results are reported in Figure 3, which shows that extensive biodegradation occurred for both spatial groups, regardless of the initial degree of weathering.



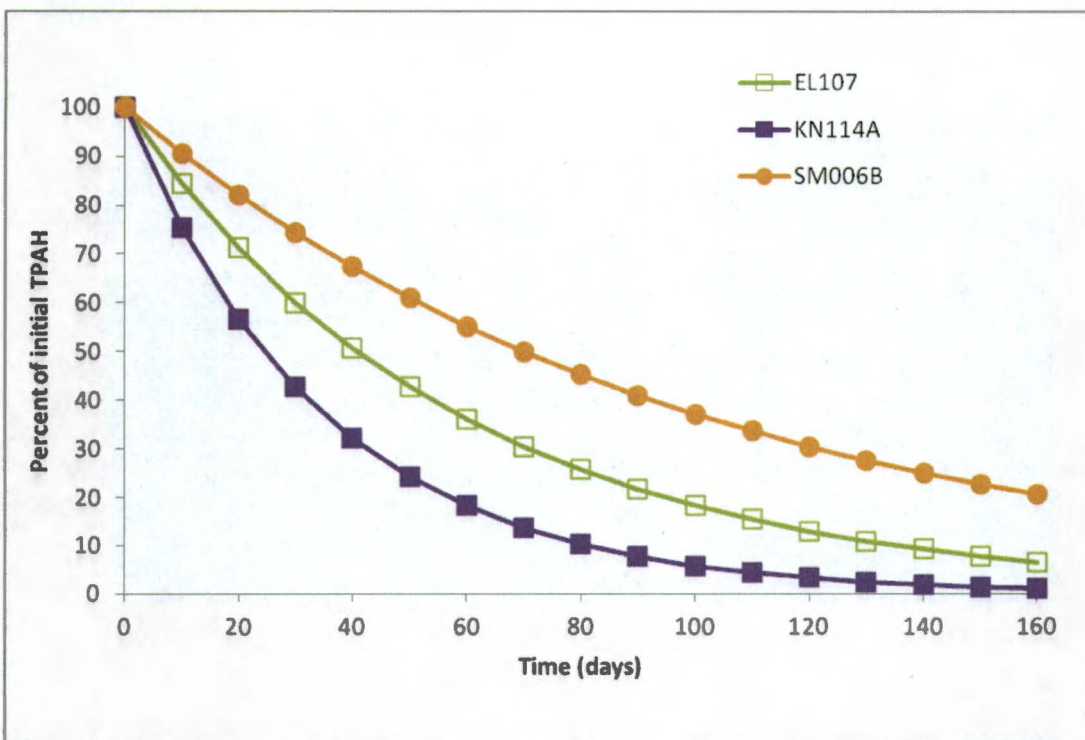
**Figure 2:** Concentration of total polycyclic aromatic hydrocarbons (TPAHs) as function of space and time. Top panel: Concentration of each zone (Figure 1) at three dates, May (pre injection), and August (10<sup>th</sup>) and September (8<sup>th</sup>). Lower panel: Concentration averaged over all zones. Note that injection started on July 8<sup>th</sup>.



**Figure 3:** Distribution of oil on EL056C.3 and extent of weathering. Note the high degree of biodegradation of the far left oil.

Preliminary data from SM006B indicate that oil there did not biodegrade, and we believe it is due to a combination of biochemical and hydraulic factors. Specifically, Venosa et al. (2010) conducted microcosm biodegradation studies on oiled sediments from three beaches: EL107, KN114A, and SM006B. They found that, when the microcosms were amended with nutrient, the oil biodegraded to 7%, 1% and 20% of the initial concentrations within 160 days at EL107, KN114A, and SM006B, respectively. Venosa et al. (2010) fitted a first-order decay expression to the data and estimated the decay constants for each beach. We used their estimated values to plot the variation of TPAH concentration as function of time in Figure 4. The figure clearly shows that the oil biodegradation at SM006B is slower than at the other beaches. Therefore, it is possible that there was not sufficient time in the project as undertaken to observe measurable biodegradation of the SM006B oil. The lack of observed biodegradation at SM006B may have been caused by unnecessarily low injection rates, in addition to insufficient injection time. To avoid blowout conditions at SM006B, we used injection flows that are relatively small -- 0.2 liter/minute per well in comparison with 1.0 liter/minute per well at EL056C.3. Our data revealed that the injected oxygen was consumed within a short distance of the injection wells. As the gauge pressure reading within the wells was essentially equal to zero psi (pound per square inch), we believe that we could increase the pressure by at least one psi, which would increase the flow rate by five- to ten-fold to 1.0 liter/minute.





**Figure 4:** Concentration of TPAH as function of time in the microcosms amended by nutrients in Venosa et al. (2010). The parameters of the curves were obtained by Venosa et al. (2010) by fitting to observed data.

To leverage resources while we are in PWS, we propose to select the additional sites that, from an engineering standpoint, would be most suitable for bioremediation. This will be done through a two step process: 1) We will start from the results of RPI (Michel et al., 2010), where the modeling identified 53 sites with >30% distribution of moderately oiled residue (MOR) at a 70% predicted probability value. We will review the most recent ShoreZone videography associated with each of these sites, and sort them based on features that favor the presence of oil.

According to Michel et al. (2010), these features are:

- 1) Armored, low-angle beaches
- 2) Tombolos (gravel bars connecting the shoreline to an island)
- 3) Natural breakwaters formed by large boulders or bedrock outcrops
- 4) Large rubble accumulations
- 5) Edge effects of adjacent bedrock outcrops

We will also consider the presence of fine-scale sediments that are either in beaches with low wave energy or sheltered from waves due to armoring. These sediments should possess sufficient permeability and thickness to retain lingering subsurface oil and to allow transport of injected solutions. We will develop additional criteria in early 2012 (*i.e.*, prior to field work). The 53 sites will then be ranked from highest to lowest in terms of their potential for effective treatment using in-situ bioremediation, and sites with the highest priority will be selected for field validation of the RPI model and evaluation of potential for bioremediation.

We will visit up to twenty of the sites generated by the desktop review over the course of a one-month period to evaluate the feasibility of bioremediation on these beaches and further validate the model at these additional sites. To validate the model, we will excavate pits at select

locations in the beach (based on a grid determined beforehand) as was done during the model refinement process in 2007. Comparison of the amount of oiling to model prediction will provide a direct validation of the model. To evaluate the suitability of an individual beach for bioremediation, we will use criteria that include: actual presence of oil and patch size, depth to bedrock, and logistical factors. The results of the field work would be used to generate a list of sites that are candidates for bioremediation.

### **PROPOSED ADDITIONAL WORK**

In summary, we propose to conduct another season of work in PWS in Summer 2012 to achieve the following tasks:

- 1) Continue our work at  
EL056C.3 to determine the maximum amount of enhanced biodegradation achievable and extend our bioremediation technique into the lower intertidal zone. This will entail the addition of approximately 20 injection wells to the beach, six of them in the lower intertidal zone, as well as rebuilding of a structure to house the pumps, the control equipment and the power system; reconnecting the pumps to the wells; reinstalling monitoring wells; and replacing the equipment used to fill the seawater storage tank.
- 2) Revise the bioremediation technique at SM006B by increasing the injection flow rate to 1.0 liter/minute. We will try to establish monitoring zones as far seaward from the injection well sites as possible. However, the lower intertidal zone of this beach is completely covered with boulders, and is therefore not suitable for bioremediation. Restarting the bioremediation system will require the rebuilding of a structure to house the pumps, the control equipment and the power system; reconnecting the pumps to the wells; reinstalling monitoring wells; and replacing equipment used to fill the seawater storage tank.
- 3) Conduct field visits to those oiled beaches within Prince William Sound that have the highest potential (based on modeling results and criteria generated by the pilot study) for treatment using in-situ bioremediation. These visits would be conducted by a survey team for a one-month period at up to twenty sites.

### **REFERENCES**

Venosa, A. D., P. Campo, M. T. Suidan, Biodegradability of lingering crude oil 19 years after the Exxon Valdez oil spill. *Environmental Science and Technology*, 44(19):7613-21, 2010.

Michel, J., Zachary Nixon, Miles O. Hayes, Jeffrey Short, Gail Irvine, David Betenbaugh, Christine Boring, and Daniel Mann, Final Report, Distribution of Subsurface Oil from the *Exxon Valdez* Oil Spill Restoration Project 070801. Exxon Valdez Trustee Council web site <http://www.evostc.state.ak.us/>

## BUDGET JUSTIFICATION

### Installation at Eleanor and Smith Islands

The installation costs include all expenses to restart the bioremediation systems on Eleanor Island (EL056C.3) and Smith Island (SM006B). At Smith Island, the costs will include rebuilding the structure housing the pumps, control equipment and power system, reconnecting the wells to the pump, and reinstalling monitoring wells. Bioremediation of the entire oil-contaminated zone on EL056C.3 (about 200 m<sup>2</sup>) will require installation of about 20 additional injection wells (in two transects: one in the upper intertidal zone and one in the lower intertidal zone) in addition to the same types of activities that will be conducted to restart the bioremediation system at Smith Island. At both beaches, all of the equipment used to fill the seawater storage tank, which is used to feed nutrient-amended seawater to the injection wells (e.g., submersible pumps, protective canisters, piping, gabions) must be replaced. Labor, supplies for the setup at both beaches, along with demobilization is expected to be \$240K.

### Ship time

Approximately 50 days of boat charter will be required to support this study (\$100K). This time will be divided among five charters: 20 days to set up and restart the bioremediation systems, and 7 days for each of four sample-collection trips. The boat charter estimates include time lost due to weather.

### Operation for three months

Maintenance of the bioremediation systems at EL056C.3 and SM006B will require weekly maintenance visits throughout the period of operation (18 to 20 weeks) to replace propane tanks and to inspect the equipment (\$100K). Based on experience from 2011, some equipment repair and/or replacement will be needed, and in some cases, the repairs will require additional site visits. Therefore, the maintenance budget was increased by 25% over the base cost to accommodate the expected additional effort. Hence, the \$125K.

### Chemical Analysis

Samples will be collected using a similar approach as last year, except that only a portion of the EL056C.3 site will be designated for detailed monitoring. The 25-m wide oil-contaminated area will be divided into three approximately 8-m wide sections, and each section will be divided into five treatment zones at different horizontal distances from the most landward transect of injection wells. Water samples will be collected from all possible sample locations on a monthly basis at both sites (about 250 samples), and the concentrations of dissolved oxygen, nutrients (nitrite, nitrate, ammonia, phosphate), lithium, salinity, and sulfate will be measured. Sediment samples will also be collected for analysis of Total Kjeldahl Nitrogen (TKN) and Chemical Oxygen Demand (COD). One full-time analyst will be required for six months to support this level of analysis of water samples. This would total into \$100K.

### Oil Analysis

Sediment samples will be taken for analysis of oil concentration and composition monthly from each of the five treatment zones in one of the three sections, but they will only be collected at the beginning and end of the study in the other two sections (total of 90 samples for oil analysis). The oil concentration in the four treatment zones at Smith Island will be monitored monthly



throughout the summer (total of 40 samples for oil analysis). The total cost is estimated at \$130K.

#### **Site Inspection**

Travel by boat to 20 locations to evaluate the predictive model of Michel et al. (2010) through establishment of detailed beach surveys. The cost, \$95K, is mainly for boat rental for 30 days. (Contractual)

#### **Personnel**

At least \$10K will be for RPI for providing a mid-level staff to assist in calibrating the model of Michel et al. (2010). For Temple, one senior personnel and two junior staff will dedicate (each) 5 months to this project. They will develop drawings for the installation, work with the technicians during installation, and interpret the results. A group of them will also inspect the 20 beaches for calibrating the model of Michel et al. (2010) and will review recent ShoreZone videography to evaluate each of these sites and grade them according to the site criteria that would be developed from the results of the pilot study. Their contribution is expected to be \$50K. Thus, the total for personnel is \$60K.

#### **Travel**

Travel to sites from Anchorage and Philadelphia through Whittier. For one person travelling from Philadelphia, it would be \$700 for airline, \$500 for lodging in Anchorage for two nights, and \$200 for per diem and transportation. Thus, \$1500 per person. As it is required to have four people travelling three times to Alaska, this would total in \$18K. Shipment of samples to Auke Bay Lab and to Temple University is estimated at \$8K. Travel to conferences to present the results \$4K. The total is thus \$30K.

#### **BUDGET**

Item	Cost
Mobilization of equipment from Anchorage and Valdez	20,000
Installation at Eleanor and Smith	240,000
ship time (50 days @ \$2K/day)	100,000
Operation for three months	125,000
Nutrient analysis	100,000
Oil Analysis, Auke Bay Laboratory.	130,000
Site inspections	95,000
Personnel (design + field personnel)	60,000
Travel	30,000
Total direct	900,000
Field project direct cost (Total minus Auke Bay Lab)	770,000
University overhead (26%)	200,200
Total	1,100,200
G&A 9% of the cost (for NOAA to manage the grant)	99,018
Total cost to EVOSTC	1,199,218



11/24/2011





**RESOLUTION 12-01 OF THE EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL  
REGARDING AUTHORIZATION FOR ADDITIONAL FUNDS FOR PROJECT 1100836-B**

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 up to **\$1,199,210**, which includes applicable General Administration (GA) and is conditioned upon the approval of the Executive Director of a revised budget. The National Oceanic and Atmospheric Administration waives the project management fees. The monies are to be distributed according to the following schedule:

National Oceanic & Atmospheric Administration (includes 9% GA)	<b>\$1,199,210</b>
<b>TOTAL TO UNITED STATES OF AMERICA</b>	<b>\$1,199,210</b>
<b>TOTAL APPROVED</b>	<b>\$1,199,210</b>

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 additional funds for Boufadel Project 1100836-B, Pilot Studies of Bioremediation of the *Exxon Valdez* Oil in Prince William Sound Beaches from the appropriate account designated by the Executive Director.

Approved by the Council at its meeting of \_\_\_\_\_ held in Anchorage, Alaska as  
affirmed by our signatures affixed below.

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STEVE ZEMKE  
Alternate Trustee  
Chugach Nation Forest  
U.S. Department of Agriculture

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RICK SVBODNEY  
Acting Attorney General  
Alaska Department of Law

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KIM ELTON  
Senior Advisor to the Secretary  
for Alaska Affairs  
U.S. Department of the Interior

---

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

---

CORA CAMPBELL  
Commissioner  
Alaska Department of Fish and Game

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LARRY HARTIG  
Commissioner  
Alaska Department of Environmental  
Conservation



**EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL  
GENERAL OPERATING PROCEDURES**

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**EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL**  
**GENERAL OPERATING PROCEDURES**  
**TRUSTEE COUNCIL**

1. **Basic Governing Procedures.** The current edition of Roberts Rules of Order will govern the Trustee Council. All provisions of these rules of order will apply to Trustee Council deliberations unless the Trustee Council unanimously decides to proceed differently.
2. **Trustee Council Membership.** The following officials act on behalf of the public as trustees: the Attorney General of the State of Alaska; the Commissioner of the Alaska Department of Environmental Conservation; the Commissioner of the Alaska Department of Fish and Game; the Secretary of the United States Department of Agriculture; the Secretary of the United States Department of the Interior; and the Administrator of the National Oceanic and Atmospheric Administration; United States Department of Commerce. Each Trustee may designate a representative to serve on the Trustee Council. Any such designation shall be in writing and the designation shall be maintained in the official record. In the event a Trustee Council member is precluded from attending a meeting or must be excused during a meeting, an alternate may exercise voting privileges on behalf of the Trustee Council member. Alternates shall be designated in writing and the designation shall be maintained in the official record or an alternate may be identified at the meeting and so stated for the record.
3. **Quorum.** A quorum of two-thirds (2/3) of the total Trustee Council membership including at least two state members and two federal members shall be required to convene a meeting. All decisions shall be made by unanimous agreement of the six Trustee Council members, their designee or their alternate, except that a quorum may approve the agenda, take public testimony and adjourn a meeting.
4. **Chair.** The Trustee Council shall designate a chair to preside at each meeting. The chair shall alternate meeting-to-meeting between the state and federal trustee members. The chair may participate in discussion and debate at the meetings and shall vote on all questions before the Trustee Council.
5. **Trustee Council Action.** All matters before the Trustee Council which require a vote, make a recommendation, approve or disapprove an item, or otherwise render a decision shall require the unanimous agreement of the six Trustee Council members, their designee or their alternate. All actions by the Trustee Council shall be taken at duly convened meetings except as provided in Section 10, Emergency Action.
6. **Recusal.** In the event a Trustee Council member believes he or she must recuse himself or herself from voting, the Trustee Council member may request the decision be deferred until a designated alternate is available to vote.
7. **Meetings.** Meetings shall be held at times and locations determined by the Trustee Council. The Executive Director shall, to the maximum extent possible, provide a



proposed agenda and appropriate briefing materials to the Trustee Council members at least 10 days in advance of the meeting. All materials from the public or from agency personnel for inclusion on that meeting's agenda shall be turned into the Executive Director at least 15 days before the meeting. It is a priority for the Trustee Council to have all materials in advance of the meeting. An exception to this requirement may be allowed by the Executive Director where the information is not available 15 days before the meeting, unless otherwise allowed by the Executive Director.

Comment [emh2]: Language revised 1/24.

8. **Executive Sessions.** Executive sessions shall be kept to a minimum and shall be used only for discussion of matters concerning confidential personnel issues, litigation or legal advice, habitat acquisition negotiations, confidential archaeological information, confidential fisheries information or other matters included under AS 37.14.430, AS 44.62.310 (c) or other applicable State or Federal laws.
9. **Minutes of Trustee Council Meetings.** All meetings shall be recorded electronically or by a court reporter, and said records shall, along with the written, approved meeting notes, constitute the official record of the Trustee Council's actions.
10. **Emergency Action.** In the event of an emergency requiring Trustee Council action before a meeting can be held in accordance with the procedures described herein, the Executive Director shall poll the Trustee Council and take action by unanimous agreement. Any decisions of the Trustee Council shall be reflected in the official record of the Trustee Council along with justification regarding the need to take emergency action. In addition, any emergency action taken shall be ratified at the next meeting of the Trustee Council.

## ORGANIZATIONAL STRUCTURE

1. **General.** Pursuant to the agreement between the State of Alaska and the United States, the Trustee Council has created the position of Executive Director to manage the day-to-day administrative functions of the Trustee Council and the overall restoration program.
2. **Trustee Council Office.** Under supervision of the Executive Director, the Trustee Council Office is responsible for: (1) facilitating communication between the federal and state governments the Trustee Council members, the Science Panel, the Public Advisory Committee, and any Trustee Council-funded programs; (2) maintaining the official record of the Trustee Council's actions; (3) soliciting project proposals and administering the proposal process, including supporting the Science Panel and any additional subcommittees and working groups that are formed to advise on the scientific development of the program; (4) preparing and analyzing financial and project status information; (5) developing and implementing procedures to achieve the goals and objectives of the Trustee Council; (6) performing and/or overseeing special and ongoing projects; and (7) public outreach and public participation. For the purposes of this document, "project" includes any Trustee Council-funded programs.
3. **Trustee Agencies.** Under supervision of the agency's Trustee Council member, each

Comment [emh3]: Trustee-Council funded program language has been added so that this provision is consistent and applicable to the TC long-term programs.



Trustee agency is responsible for administrative oversight of projects funded to or through their agencies. This oversight shall include (1) ensuring that the procedures described herein, and the appropriate state or federal procedures, are followed, including compliance with the National Environmental Policy Act and (2) ensuring that projects funded meet their stated objectives and schedules, and are accomplished consistent with the funds authorized.

#### **PROPOSAL SOLICITATION AND REVIEW**

**Comment [emh4]:** Language modified in this section to reflect the issuance of Invitations by the TC when desired, versus on an annual schedule.

1. **Invitation.** Upon the decision by the Trustee Council to issue an invitation, the public, private sector, non-profit groups, and government agencies will be invited to submit proposals for funding based on identified restoration priorities and needs.
2. **Review.** Proposals are subject to policy, content, budget, legal and peer review, and may also receive recommendations by independent scientists, the Science Panel, Agency Staff, and the Public Advisory Committee. A draft work plan, including funding recommendations from Trustee Council designees, will be available for public review and comment.
  - a. **Non-Distribution Agreement/Confidentiality Statement.** Project proposals received in response to an invitation issued by the Trustee Council are closely held within the review process until Trustee Council approval is complete, at which time funded proposals are released to the public. The Science Panel may review the project proposals and make recommendations to the Executive Director as a part of the funding process. Members of the Public Advisory Committee (PAC) and other Trustee Council designees may also be asked to review the project proposals. A non-distribution agreement and confidentiality statement will be signed by each reviewer. The reviewer will agree not to distribute the project proposals to others, nor discuss them with anyone that has not been approved by the Executive Director. The agreement does not preclude the reviewer from discussing the project proposal with an individual or group that has been established as part of the review process for that proposal by the Executive Director: an example of such a group may be the Science Panel.
  - b. **Conflict of Interest Statement.** Anyone reviewing full proposals will be asked to sign a statement that disavows any financial conflict of interest between themselves and the funding decisions of the Trustee Council.
3. **Approval.** Based on recommendations received during the review processes and as presented within the draft work plan, the Executive Director shall make a recommendation to the Trustee Council on which proposals should be funded. The Trustee Council, in open session, shall review the Executive Director's recommendation. The Trustee Council may make changes to the proposals or include terms and conditions of funding as the Trustee Council deems appropriate. Upon unanimous approval, the recommendation shall be adopted by the Trustee Council.



4. **Multi-Year Projects.** For multi-year projects, the Executive Director's recommendation shall include the number of years of funding to be provided for each project. Multi-year funded projects are reviewed and approved annually by the Trustee Council.

#### **HABITAT PROTECTION AND ACQUISITION**

1. **General.** Habitat Protection and Acquisition is an important means of restoring injured resources and the services that are dependent upon those resources. Habitat Protection and Acquisition may include the purchase of lands or interests in land such as conservation easements, mineral rights, or timber rights.
2. **Parcel Nomination.** Only those parcels nominated by a willing seller shall be considered for purchase. The Executive Director shall prepare and maintain written procedures regarding nomination of parcels.
3. **Parcel Evaluation.** Nominated parcels shall be evaluated based on their importance to the conservation and protection of marine and coastal resources, ecosystems, and habitats in order to aid in the overall recovery of, and to enhance the long-term health and viability of, those resources injured by the oil spill and the spill area ecosystem.
4. **Terms and Conditions.** By unanimous agreement of the six Trustees, their designee or their alternate, a resolution shall be adopted authorizing the purchase of land or ownership rights. The resolution shall set forth the terms and conditions appropriate for the identified parcel(s).
5. **Title and Management.** The title of any lands or ownership rights shall be specified in the resolution adopted by the Trustee Council. All land acquired shall be managed in accordance with the terms and conditions of the Trustee Council.
6. **Public Review and Comment.** Prior to final Trustee Council action, reasonable public notice shall be given and the public shall be provided an opportunity to comment.

#### **PUBLIC PARTICIPATION**

1. **General.** The Trustee Council recognizes that public participation in the restoration program is an integral part of the process. To that end, the public is invited to review, comment on and participate in the development and implementation of the restoration program.
2. **Exxon Valdez Oil Spill Public Advisory Committee.** By order of the District Court for the District of Alaska, the Public Advisory Committee is to advise the Trustees, appointed to administer the fund established in settlement of United States v. Exxon Corporation, Civil Action No. A91-082, and State of Alaska v. Exxon Corporation, Civil

**Comment [emh5]:** The "Project Reports" and "Project Data" sections which followed have been removed. The Council has separate Reporting, Financial and Data Policies. Including a few random provisions in this document is redundant and confusing.

**Comment [emh6]:** A provision regarding Application or Notification for Disbursement has been removed. The Council has separate Financial Procedures; including this singular provision is redundant and confusing. In addition, it's placement in the document is random.

Action No. 091-083, both in the United States District Court for the District of Alaska, in all matters described in Paragraph V.A.1 of the MOA referenced above. The overall procedures for the Public Advisory Committee are contained in a Charter unanimously approved by the Trustee Council and signed by the Secretary of the United States Department of the Interior. The Public Advisory Committee consists of members recommended by the Trustee Council and appointed by the Secretary of the United States Department of the Interior.

3. **Public Notice.** Reasonable public notice shall be given for all meetings of the Trustee Council. The notice shall include, when possible, publication in one or more newspapers of general circulation in the following communities: Anchorage, Cordova, Homer, Juneau, Kenai, Kodiak, Seward, and Valdez. To the maximum extent possible, reasonable public notice shall also be provided to other communities within the spill area. The public notice shall identify the purpose of the meeting and include a reasonable opportunity for public comment.
4. **Access to Information.** Except where documents are confidential under state or federal law, the public shall have access to the official record of the Trustee Council's actions and information regarding proposed or completed projects or other activities funded by the Trustee Council. A public version of the official record is available at ARLIS.

**Comment [emh7]:** Provision regarding distribution of notice by radio removed. This form of distribution stopped in about 1998, due to instability of radio contacts and as the public began to access the website as a source of information. Cherri has consulted with the PAC, which has noted they largely rely on our website and emails for information and notice. As the format of a newspapers shift and their paper circulations decline, we will continue to revisit this section.

**EVOSTC Financial  
Procedures**

2017-2018



**EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL**  
**FINANCIAL PROCEDURES**

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## **EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL FINANCIAL PROCEDURES**

### **SETTLEMENT FUNDS**

1. **Joint Trust Funds.** The Joint Trust Funds consist of all payments received or to be received by the United States and the State of Alaska pursuant to the Agreement and Consent Decree issued in *United States v. Exxon Corporation, et al.* (No. A91-082 CIV) and *State of Alaska v. Exxon Corporation, et al.* (No. A91-083 CIV), including any interest accrued thereon.

2. **Investment Fund(s).** Pursuant to Court Order and in accordance with the Terms of the Memorandum of Agreement and Consent Decree, from December 1991 through October 5, 2000, the Joint Trust Funds were placed in an interest-bearing account in the Court Registry Investment System (CRIS) administered through the United States District Court. The Governments sought and obtained Congressional approval to expand options for investment of the settlement proceeds. Public Law 106-113, the Consolidated Appropriations Act, 2000, was enacted November 29, 1999. Section 350 of H.R. 3423, authorizes deposit of all or a portion of the Joint Trust Funds previously received, or to be received, by the Governments in the Natural Resource Damage Assessment and Restoration Fund or accounts outside the United States Treasury or both.

3. **Investment Fund(s) Disbursement.** Upon unanimous approval of the Trustee Council, the Alaska Department of Law and the United States Department of Justice shall be requested to notify the United States District Court for the District of Alaska. The notification shall consist of legal documents required by the Court and documentation demonstrating the unanimous agreement of the Trustee Council. Concurrently, the Alaska Department of Law and the United States Department of Justice shall be requested to provide the custodian(s) of the Investment Fund(s) with payment instructions. When appropriate, interest earned on the federal and state accounts and/or unobligated balances from prior years' authorizations shall be subtracted from the disbursement.

4. **Authority to Spend.** No obligations shall be incurred until such time as a Court Order is entered by the United States District Court for the District of Alaska or a notification is filed with the United States District Court for the District of Alaska and any terms and conditions placed on the funding by the Trustee Council have been met.

5. **Federal Account.** In accordance with federal law, funds required for federal project implementation are deposited in the Natural Resource Damage Assessment and Restoration (NRDA&R) Fund managed by the Department of the Interior.

6. **State Account.** In accordance with state law, funds required for state project



implementation are deposited in the *Exxon Valdez* Oil Spill Settlement Fund.

### **PROJECT AUTHORIZATION**

1. **General.** Authorization to expend personal services, travel, contractual, commodities, equipment and general administration funds shall be consistent with the project budgets approved by the Trustee Council.

2. **Fiscal Year.** Unless otherwise approved by the Trustee Council, the fiscal year begins on October 1 and ends on September 30. In the event the Trustee Council approves a project with a different fiscal year, the fiscal year must be clearly stated in the approval motion. In the event the Trustee Council approves, in a single approval motion, multiple fiscal years of funding for a project, the project must be designated as a "multiple-year project" in the approval motion and the fiscal year in which the funds will lapse must be specified in the approval motion. In the event the Trustee Council approves a capital project, the designation as a capital project must be clearly stated in the approval motion.

3. **Adjustments between Projects.** As long as an adjustment does not alter the underlying scope or objectives of the affected projects, agencies have the authority to move funds into or out of projects up to the cumulative amount of \$10,000 or up to 10% of the authorized level of funding for each affected project, whichever is less. Justification and supporting documentation as to the reason for all such adjustments shall be maintained by the agencies. All such adjustments must be reported to the Executive Director in the Annual Financial Report. For further information regarding the Annual Financial Report, refer to the Accounting section of these procedures.

4. **Adjustments between Line Items.** As long as an adjustment does not alter the underlying scope or objectives of the project, agencies are authorized to move, within a single project, budgeted funds between line items and may change detailed items of expenditure to accommodate circumstances encountered during budget implementation. Justification and supporting documentation as to the reason for all such adjustments must be maintained by the agencies. All such adjustments must be reported to the Executive Director in the Annual Financial Report. For further information regarding the Annual Financial Report, refer to the Accounting section of these procedures.

5. **Adjustments between Fiscal Years of a Multiple-year Project.** As long as an adjustment does not alter the underlying scope or objectives of the project, agencies are authorized to carry forward budgeted funds to the subsequent fiscal year of a multiple-year project. Justification and supporting documentation as to the reason for all such adjustments must be maintained by the agencies. All such adjustments must be reported to the Executive Director in the Annual Financial Report. For further information regarding the Annual Financial Report, refer to the Accounting section of these procedures.

6. **Revisions.** Trustee Council action is required to move amounts greater than that authorized in Section 3, above. Trustee Council action is also required if the adjustment changes the scope or objectives of a project, establishes a new project, or terminates an approved project before its scheduled completion. In the event the proposed adjustment changes the scope or objectives of a project, establishes a new project, or terminates an approved project before its scheduled completion, the public shall be given a reasonable opportunity to review and comment on the proposed change prior to action of the Trustee Council.

7. **Withholding of Funding Pending Deliverables.** Ten percent (10%) of project funding will be withheld by project managers until the following have been completed: (a) the final report has completed peer review and format review and has been accepted by the Science Coordinator; (b) all print copies of the final report have been delivered to the Alaska Resource Library and Information Service (ARLIS); (c) an electronic copy of the final report has been delivered to the Trustee Council office; and (d) all project data and metadata have been submitted to approved archives, in accordance with the Trustee Council Data Policy. The Executive Director has the discretion to alter the due date on deliverables, whether planned or for other grounds the Executive Director determines are reasonable. The 10% withholding will apply to the final year of multi-year projects. No further funding will be awarded -proposers with tardy Trustee Council deliverables.

**Comment [emh2]:** This section is intended to mirror that in the Procedures for Preparation and Distribution of Reports, I (E), approx. page 9-10.

**Comment [cah3]:** Verified that it does mirror the same section in the reporting policy.

**Comment [emh4]:** The TC Data Policy will be revised to reference the Programs' data policy.

## **PROJECT COSTS**

1. **Direct Project Costs.** Direct costs are those costs that can be identified with or linked to a specific project.

2. **Indirect Project Costs.** Indirect costs are those costs that are incurred for common or joint projects and therefore cannot be identified readily and specifically with a specific project. In the case of governmental agencies, indirect costs are covered through a general administration formula. The appropriate indirect rate for contractors shall be approved on a case-by-case basis.

3. **General Administration Formula.** The general administration formula is used to reimburse governmental agencies for indirect project costs incurred in implementing the restoration program. The general administration formula is nine percent (9%) of each project's direct costs. General administration funds may be spent at the agency's discretion provided they are spent on indirect costs incurred in implementing activities funded by the Trustee Council. Agencies are entitled to one hundred percent (100%) of their budgeted general administration funds regardless of how much of their budgeted direct project funds have been expended.

4. **Unallowable Costs.** Restoration funds shall be used only for costs that directly benefit Trustee Council approved projects with the exception of reimbursement of general administration (i.e., indirect) costs that are calculated in accordance with the general administration formula.

5. **Bonuses.** Bonuses for personnel working on Trustee Council-funded activities are allowable costs. Agencies shall follow their standard operating procedures in determining bonus awards. Bonuses shall be considered an indirect project cost and, if awarded, shall be paid with general administration funds.

### ACCOUNTING

1. **General.** It is the responsibility of agency personnel, Team Leads and certifying officers to make certain that all actions are based on sound accounting and budgetary practices.

2. **Source Documentation.** Adequate justification and supporting documentation shall be maintained for each project.

3. **Appropriateness.** Expenditures charged to a project shall be directly attributable to or allocated to the project benefiting from the activity. Salaries and benefits may be charged for the time an individual is working directly on a project, when supported by time sheets and when work performed by such individuals is necessary to the project.

4. **Reasonableness.** Costs attributable to a project shall be necessary and reasonable to achieve the objectives of the project and be consistent with the policies and procedures governing other activities of the agency.

5. **Segregation.** Accounts shall be properly designed and maintained to ensure that funds are expended in accordance with Trustee Council approval.

6. **Expended (Outlays).** The term expended shall be defined as the actual outlay of funds through the issuance of checks or warrants, the disbursement of cash, or the electronic transfer of funds. The term expenditure shall be defined as the act of expending.

7. **Obligation (Encumbrances).** The term obligation shall be defined as a commitment to acquire goods or services during the fiscal year or, for multiple-year projects, a commitment to acquire goods or services prior to the project's specified lapse date. The term obligation shall also be used to accommodate contracts where the length of time for completion of the service extends into the following fiscal year or, for a multiple-year project, beyond the project's specified lapse date. An obligation is a commitment to pay and should not be considered an expenditure until the goods or services have been received and the invoice paid. Funds approved for contracts in which the length of time for completion of the service extends into the following fiscal year may be obligated at year end or, for a multiple-year project, prior to the project's specified lapse date. As a general rule, agencies shall have one year from a project's specified lapse date to satisfy all obligations.



8. **Reporting: Annual Financial Reports.** By January 31 of each year, agencies shall report to the Executive Director the total expended for each project, plus any valid obligations relating to the fiscal year just ended. For Trustee Council-funded programs, agencies shall report to the Executive Director the total expended for the programs, plus any valid obligations relating to the fiscal year just ended, by March 1 of each year. The report shall reflect the total amount authorized by line-item, any revisions approved by the Trustee Council, any adjustments between projects, any adjustments between line-items, and, for multiple-year projects, any adjustments between fiscal years.

**Comment [emh5]:** They will be reporting on their budget to the TC in June as well with any further developments, prior to the TC review of the next year's budget at the TC autumn meeting.

### LAPSE

1. **General.** Subject to the exceptions noted in sections 2 and 3 below, the unexpended and unobligated balance of a project shall lapse on the last day of the month before the close of the fiscal year for which the project was approved. For example, for a project with an October 1 – Sept. 30 period, the last day is Sept. 30; for a project with a February 1 – January 31 period, January 31 is the close of the fiscal period. However, an undisclosed obligation may be established and/or paid during the Close-Out Period.

2. **Multiple-year Projects.** The unexpended and unobligated balance of a multiple-year project shall be carried forward to the lapse date specified by the Trustee Council in the project's approval motion. If no specific date is specified, the unexpended and unobligated balance shall lapse on the last day of the month before the close of the fiscal year specified by the Trustee Council. See "General," above.

3. **Capital Projects.** The unexpended balance of a capital project shall be carried forward for two subsequent fiscal years. At the end of the three-year period, the unexpended and unobligated balance shall lapse. Trustee Council action is required to extend the project lapse date beyond the three year period.

4. **Close-out Period.** For three months after the close of a fiscal year, agencies or Team Leads may pay from funds an expense that was undisclosed during that fiscal year. For example, for an October 1 fiscal year, expenses may be paid during the months of October, November and December (through December 31) from the funds from the fiscal year just ended on September 30. For a February 1 fiscal year, these may be paid during February, March and April. In addition, agencies or Team Leads may establish obligations to accommodate an expense that was undisclosed during that fiscal year. Any such payments or obligations must be reported to the Executive Director in the Annual Financial Report. For further information regarding the Annual Financial Report, refer to the Accounting section of these procedures.

5. **Expenses Discovered after the Close-out Period.** Expenses discovered after the Close-out Period (i.e., for an October 1 fiscal year, after December 31 and for a February 1 fiscal year, after April 30) may be charged to the subsequent year's project budget if the project has multiple years of funding and sufficient funds are available. In the event there is no subsequent year's project budget, or in the event the agency or Team Lead

determines that insufficient funds are available to charge the expense to the subsequent year's budget, authority to adjust a prior year Annual Financial Report is required. During the six months after the Close-Out Period, authority to adjust a prior year Annual Financial Report may be provided by the Executive Director. For example, for an October 1 fiscal year: January through June; for a February 1 fiscal year: May through October. For expenses discovered after this six-month period, authority to adjust a prior year Annual Financial Report may be provided by the Trustee Council.

### EQUIPMENT

1. **Definition.** Equipment shall be defined as non-expendable items having an estimated life of more than one year and a unit value greater than \$1,000.
2. **Title and Use.** Equipment shall be used for the project for which it was acquired.
  - a. Items with an original per unit cost of under \$5,000 shall belong to the acquiring agency. At the end of a project, if the equipment was purchased by a contractor, the agency may, at its discretion and if agency regulations allow, transfer the title to the contractor.
  - b. Items with an original per unit cost of \$5,000 and over shall belong to the acquiring agency on behalf of the Trustee Council. At the end of a project that has equipment with an original per unit cost of \$5,000 or more, the Executive Director shall determine if the equipment item shall be used for another Trustee Council project or if the item shall remain with the acquiring agency. If the equipment shall be used for another Trustee Council project administered by an agency other than the acquiring agency, the title for the equipment shall be transferred to the agency administering the new project. If the equipment shall remain with the acquiring agency, and it was purchased by a contractor, the agency may, at its discretion and if agency regulations allow, transfer the title to the contractor.

This section shall apply to all equipment purchased under the restoration program, for projects already in progress or completed as well as for projects funded in the future.

3. **Surplus.** Equipment that belongs to the acquiring agency shall be surplus in accordance with agency procedures.
4. **Inventory.** Property records shall be maintained in accordance with agency procedures.
5. **Repair, Maintenance and Safeguarding.** The repair, maintenance and safeguarding of equipment purchased with joint funds shall be accomplished in accordance with agency procedures.
6. **Disposal.** Equipment that ceases to function shall be disposed of in accordance

with agency procedures.

7. **Reporting.** By December 31 of each year, agencies shall report all equipment with an original per unit cost of \$5,000 or more to the Executive Director. The report shall include a description of the equipment (make and model), date the equipment was purchased, the purchase price, where the equipment is located and the condition of the equipment. The report shall also identify the project that is using the equipment.

### CONTRACTS

1. **General.** Agencies and Team Leads shall ensure that contracts for professional and non-professional services are accomplished in accordance with the terms, conditions, and specifications of the project approved by the Trustee Council and in accordance with applicable Program policies, Federal and State laws.

2. **Definitions.** Professional services means contracts for professional, technical, or consultant services that result in the production of a report or the completion of a task, and includes analysis, evaluation, prediction, planning, or developing a recommendation. Non-professional services means contracts for services that are primarily manual in nature, and includes boat charters, printing, and other. Non-professional services contracts usually provide a service rather than resulting in a product or report.

3. **Named Recipient.** In the event the Trustee Council determines that, in order to carry out its mandate under the Memorandum of Agreement and Consent Decree, a particular person or entity should implement all or a portion of a project through a state Trustee agency, the Trustee Council may, by unanimous vote, name a contract recipient. The approval motion shall include the reason for selecting the contract recipient. If the contracting agency determines that an award to an entity different than that named by the Trustee Council would better serve the program, the basis of that determination shall be stated in writing to the Executive Director and forwarded to the Trustee Council for approval.

4. **Indirect Rates.** The appropriate indirect rate for contractors shall be determined on a project by project basis or through a memorandum of understanding with a contractor that provides for a consistent rate and methodology.

5. **Equipment.** Equipment purchased by the contractor shall remain the property of the contracting agency unless other conditions prevail. See section on Equipment, Title and Use, for specific details.

6. **Special Considerations.** All notes and other data developed by the contractor shall be subject to the Trustee Council's Data Policy.



## GRANTS

1. **General.** Grants may be used as a procurement mechanism, but only to the extent they are permitted under existing state and federal laws. Federal Trustee agencies were given grant authority specific to the Trustee Council's program under Public Law 106-113 (1999).

## AUDITS

1. **General.** The purpose of an audit is to ensure public trust and accountability regarding the use of settlement funds. An audit provides credibility to the information reported by or obtained from management by independently acquiring and evaluating the evidence.

2. **Definition.** The term audit includes both financial and performance audits.

3. **Readiness.** When an agency or Council-funded Program receives funding from the Trustee Council, the agency assumes certain responsibilities with respect to those funds. These include ensuring that source documentation is organized and available for review, internal controls are documented and individuals knowledgeable about the projects are available to answer questions.

4. **Contracts.** Contractors who receive funding for professional or non-professional services are not automatically subject to an annual audit. However, this does not preclude the Trustee Council or the agency or Program from making a determination that an audit is required in addition to an agency or Program's review of expenditure documentation and work produced by a contractor.

5. **State and Federal Audits.** Each Federal agency and the State of Alaska have audit functions. In the event an audit is performed on a Trustee Council-funded activity, a copy of the audit shall be provided to the Executive Director.

6. **External Audits.** All external audits shall be conducted in accordance with Governmental Auditing Standards. In addition, the firm and the staff assigned to conduct the audit shall be independent of the Trustee Council, the funding agencies, the Alaska Department of Revenue, the Court Registry Investment System, Exxon Corporation, Exxon Shipping Company and Exxon Pipeline Company.

## APPENDIX A: FEDERAL INTERNAL PROCEDURES

Comment [emh6]: Forwarded to Bruce Nesslage at DOI for review.

### NATURAL RESOURCE DAMAGE ASSESSMENT AND RESTORATION FUND

1. **Segregation.** All principal and interest shall be accounted for separately by the Department of the Interior, Office of the Secretary. Each disbursement shall be assigned an appropriate account, sub-activity and/or project number when deposited to the aggregate Natural Resource Damage Assessment and Restoration Fund within the Federal Reserve Bank. Confirmation of the deposit shall be provided to the Treasury Department, which reconciles the deposit with the Federal Reserve Bank.

2. **Investments.** By law, the funds may only be invested in Treasury Securities and all ownership is maintained in the name of the Natural Resource Damage Assessment and Restoration Fund. Based on an estimate of cash flow requirements, the Department of the Interior, Office of the Secretary generates instructions for investment and forwards the instructions to the National Business Center. The National Business Center develops and submits an Investment Confirmation Letter that indicates which account investments are being purchased, the scheduled maturity dates and the investment type(s) to the Department of Treasury, which purchases the securities. At maturity, interest income is paid directly to the account.

3. **Reports.** The Department of the Interior shall report interest income to the Executive Director annually, at a minimum. If requested by the Executive Director, disbursements to the federal agencies shall be reported to the Executive Director. By March 31 of each year, the Department of Interior shall report to the Executive Director all lapsed funds returned to the Natural Resource Damage Assessment and Restoration Fund by the federal agencies.

### AUTHORIZATION

1. **General.** Congress permanently appropriated funding approved by the Trustee Council in Section 207 of Public Law 102-227. However, all authorization is subject to compliance with any terms and conditions imposed by the Trustee Council.

2. **Budget and Reports.** Under Section 207, agencies are required to comply with directions published by the Federal Office of Management and Budget. This includes submitting a budget for the upcoming fiscal year and documentation associated with the current and prior fiscal year.

3. **Obligation Authority.** Prior to the obligation of any funds, agencies must first complete the allocation process required by their respective budget offices to establish codes for each project. The allocation process provides the authority, amount of funding and the guidance with which to obligate funds.

4. **Instructions for Transfer.** Federal agencies are required to submit an annual cash flow plan to the United States Department of the Interior, Office of the Secretary, Natural Resource Damage Assessment and Restoration Office, and instructions regarding the transfer of settlement funds. The instructions shall specify the purpose of the transfer, which account the funds are to be transferred to, and an estimate of cash flow requirements. Unless the transfer represents a one-time payment, the cash flow estimate shall be structured on a quarterly basis. Any change in cash flow requirements that occurs during the fiscal year shall be communicated to the United States Department of the Interior, Office of the Secretary, Natural Resource Damage Assessment and Restoration Office, in writing. A change is defined as a decrease in the cash flow requirement due to an unanticipated delay in a project or an increase in the cash flow requirement due to an unanticipated change in the schedule, or subsequent Trustee Council action.

5. **Fund Transfers.** The vehicle used for transfers is a SF1151, a non-expenditure transfer. The SF1151 is initiated, prepared, and approved by the Natural Resource Damage Assessment & Restoration Office, Office of the Secretary and then sent to Treasury where the funds are transferred within the Treasury system.

6. **Return of Unobligated Balances.** On March 15 of each year, federal agencies must return to the Natural Resource Damage Assessment and Restoration Fund the unobligated balance for the fiscal year just ended. Concurrently, the agencies must return any recovery of prior year obligations. Agencies are required to submit to the United States Department of the Interior, Office of the Secretary, Natural Resource Damage Assessment and Restoration Office, a report reflecting the total unobligated balance for the fiscal year just ended and the amount of funding recovered from prior year obligations. The report submitted must also indicate the date the agency intends to return the funds. The vehicle used for transfers is a SF1151, non-expenditure transfer. The Department of the Interior shall report the total unobligated balance for the fiscal year just ended and the amount of funding recovered from prior year obligations to the Executive Director by March 31 of each year.



## APPENDIX B: STATE INTERNAL PROCEDURES

### EXXON VALDEZ OIL SPILL SETTLEMENT FUND

Comment [emh7]: Forwarded to ADOR for review.

1. **Segregation.** All principal and interest shall be accounted for separately by the Alaska Department of Revenue, Division of Treasury. Each disbursement shall be deposited in a Department of Law sub-account, *Exxon Valdez Oil Spill Settlement Fund*. Confirmation of the deposit shall be provided by the bank to the Alaska Department of Revenue.

2. **Investments.** The Alaska Department of Revenue, Division of Treasury shall calculate the daily income amount and provide for daily compounding (including weekends and holidays). The income shall be credited to the fund and posted in the Alaska State Accounting System on a monthly basis.

3. **Reports.** The Alaska Department of Revenue, Division of Treasury shall report income earned to the Executive Director on a monthly basis.

### AUTHORIZATION

1. **General.** Pursuant to Alaska Statute 37.14.405(a), a state agency may not expend money received from the trust unless the expenditure is in accordance with an appropriation made by law. However, prior to the expenditure of funds, Trustee Council approval must be obtained, the notice filed, any terms and conditions placed on the funding by the Trustee Council met, and the funds transferred from the Investment Fund to the *Exxon Valdez Oil Spill Settlement Fund*, if necessary.

2. **Budget and Reports.** To meet the requirements of Alaska Statute 37.14.415, agencies are required to comply with directions published by the State Office of Management and Budget, Division of Budget Review. Alaska Statute 37.14.415 states: The state trustees shall

- a. submit to the governor and the legislature by December 15 of each year a report setting out, for each object or purpose of expenditure, the amounts approved for expenditure from the trust during the preceding fiscal year and the amounts actually expended during the preceding fiscal year;
- b. prepare and submit, under AS 37.07, a budget for the next fiscal year setting out, for each object or purpose of expenditure, the Trustees' estimate of the amounts that are, during the next fiscal year, to be funded by the trust and expended by state agencies; and
- c. prepare and submit to the legislature, at the same time the budget for state agency expenditures is submitted under (b) of this section, a proposal setting out, for each object or purpose of expenditure, the trustees' estimate of the amounts that are to be funded by the trust in the next fiscal year and that are not included in the budget submitted under (2) of this section.

3. ***Legislative Budget and Audit Committee.*** Alaska Statute 37.14.405(b) allows agencies to meet the requirements of an appropriation conditioned on compliance with the program review provisions of AS 37.07.080(h). In accordance with the procedures of the Alaska Office of Management and Budget (OMB), agencies are required to submit a request to OMB for transmittal to the Legislative Budget and Audit Committee.

4. ***Expenditure Authority.*** Authorization to receive and expend shall be recorded in the Alaska State Accounting System within the *Exxon Valdez* Oil Spill Settlement Fund. Following legislative action, OMB will record the authorization by approving an Authorized Budget Transaction (AB).







**Exxon Valdez Oil Spill Trustee Council**  
**Procedures for the Preparation and Distribution of Reports**

Adopted: \_\_\_\_\_, 2012

**Comment [emh1]:** Has been reviewed by TC staff, Pete Hagen, Dede Bohn and ADOL and USDOJ and the LTM and Herring Program Team Leads.

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## Exxon Valdez Oil Spill Trustee Council

### Procedures for the Preparation and Distribution of Reports

Adopted: \_\_\_\_\_, 2012

#### INTRODUCTION

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These *Procedures for the Preparation and Distribution of Reports* provide instructions regarding the preparation, peer review, printing and distribution of reports for projects funded by the Exxon Valdez Oil Spill Trustee Council. Trustee Council-funded projects are required to submit quarterly, annual and final reports. Projects working within a Trustee Council-funded Program are required to submit semi-annual, annual and final reports. This document does not address Natural Resource Damage Assessment (NRDA) studies and reports, as this series has been completed.

Unless otherwise specified by the Trustee Council Office, each project funded by the Trustee Council shall produce a final report that has been subjected to the Trustee Council's peer review process or approval of peer review, for projects within a Trustee Council-funded Program. In the case of multi-year projects, an annual report shall also be prepared each year until the project is completed, at which time a final report shall be prepared. The Trustee Council encourages principal investigators to publish the results of their work in peer-reviewed journals. Subject to the approval of the Trustee Council Office and on a project-by-project basis, journal articles or manuscripts may be used to fulfill requirements for the preparation of final reports. (See Use of Manuscripts for Final Report Writing, Section C, page 7.)

These *Procedures for the Preparation and Distribution of Reports* update and supersede earlier versions of this document and should be read together with the report writing guidelines published by the *Journal of Wildlife Management*:

Block, W.M., F.R. Thompson, D. Hanseder, A. Cox, and A. Knipps. 2011.  
Journal of Wildlife Management Guidelines.  
<http://joomla.wildlife.org/documents/JWMguidelines2011.pdf>

To the extent that there are any inconsistencies between these *Procedures for the Preparation and Distribution of Reports* and the guidance provided by Block, et al. (2011), the instructions provided in these *Procedures* shall be followed.

**Project Numbers:** For purposes of identification each project is assigned a unique number. The project number that appears on the final report will be the number of the final year of funding. Over time the Trustee Council's project numbering system has evolved to meet the changing needs of the Restoration Program. Project numbers now have eight digits: the first two digits designate the current funding year, the second two digits represent the year the initial funding was authorized by the Trustee Council, and the last four digits are the project identification number.



For example, for project number 10071234:

10071234 indicates the project received funding in 2010

10071234 indicates the project was initially funded by the Council in 2007

10071234 can be cross-referenced with projects from other funding years such as 071234, 081234, etc.

The eight-digit system began in 2010; previous numbering conventions include:

- Natural Resource Damage Assessment (NRDA) studies are designated by alpha-numeric study numbers (e.g., MM6 for "Marine Mammal Study 6" or FS2 for "Fish/Shellfish Study 2").
- Restoration projects and Gulf Ecosystem Monitoring and Research Program (GEM) projects funded between FY 1993 and FY 2002 have five-digit project numbers (e.g., 95225). The first two digits identify the fiscal year in which the project was funded; the last three digits provide a specific project identifier.
- Projects funded between FY 2003 and FY2009 have six-digit project numbers. The first two digits identify the fiscal year in which the project was funded; the last four digits provide a specific project identifier.

## **FINAL REPORTS**

### **I. Preparation: Final Reports**

**A. Final Report Format** – Authors shall follow the format set out below to prepare final reports. Reports shall meet normal scientific standards of completeness and detail that permit an independent scientific reader to evaluate the reliability and validity of the methods, data and analyses.

1. **Report Cover** – The report shall have a front and back cover of quality cover stock. To ensure consistent appearance, the color shall be goldenrod. An example of a final report cover is provided. (See Attachment A.) A final report cover shall:

- a. identify the report, using the appropriate series title, for example:
  - i. *Exxon Valdez Oil Spill Restoration Project Final Report*, or
  - ii. *Exxon Valdez Long-Term Monitoring Program*, or
  - iii. *Exxon Valdez Long-Term Herring Program*, or



iv. *Exxon Valdez* Oil Spill Gulf Ecosystem Monitoring and Research Project Final Report, or

v. other series that may be designated by the Trustee Council;

b. provide the report title;

c. include the project identification number;

d. identify the author(s) with appropriate affiliation(s);

e. include the date (month and year) of publication; and

f. include the following non-discrimination statement toward the bottom of the page on the inside front cover:

"The *Exxon Valdez* Oil Spill Trustee Council administers all programs and activities free from discrimination based on race, color, national origin, age, sex, religion, marital status, pregnancy, parenthood, or disability. The Council 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, or if you desire further information, please write to: EVOS Trustee Council, 441 West 5<sup>th</sup> Avenue, Suite 500, Anchorage, Alaska 99501-2340, or [dfg.evos.restoration@alaska.gov](mailto:dfg.evos.restoration@alaska.gov); or O.E.O. U.S. Department of the Interior, Washington D.C. 20240."

2. **Title Page** – The Title Page of the report shall immediately follow the report cover page on white bond paper and be identical in content and format to the front of the report cover page. (See Attachment A.)

3. **Study History, Abstract, Key Words, Project Data and Citation** – Following the Title Page, the report shall include, on not more than two pages: a study history; an abstract; key words; summary of data gathered during the project; and a recommended citation for the final report. (See Attachment A.)

a. *Study History* – A brief study history shall include reference to any prior project numbers; changes in the title of the project or report over time; annual reports or other reports which contributed to the final report; and citation of publications that have preceded publication of the final report. If the final report includes information regarding related projects or synthesis, the study history should reference this information.

b. *Abstract* – An abstract, with a maximum length of 200 words, shall enable readers to quickly identify the basic content of the report, determine its relevance to their interests and thus decide whether to

read the document in its entirety. If the final report consists of several chapters or manuscripts, the abstract shall summarize the entire report. (See Use of Manuscripts for Report Writing, Section C, page 7.) Do not use abbreviations or acronyms in the abstract. This abstract is submitted by ARLIS to the National Technical Information System.

- c. *Key Words* – A short list of key words (up to 12 in alphabetical order) shall be provided. Include words from the title and others that identify:

- i. common and scientific names of principal organisms, if any;
- ii. geographic area or region;
- iii. phenomena and entities studies (e.g., behavior, reproduction);
- iv. methods (only if the report describes a new or improved method); and
- v. other words not covered above but useful for indexing.

- d. *Project Data* – A summary of the data collected during the project shall be provided in order to preserve the opportunity for other researchers and the public to access this data in the future. The summary shall:

- i. describe the data;
- ii. indicate the format of the available data collections;
- iii. identify the archive in which the data have been stored or the custodian of the data (including contact name, organization, address, phone/fax, e-mail, and web address where data may be acquired); and
- iv. indicate any access limitations placed on the data. Limiting access requires written pre-approval by the Trustee Council Office.

- e. *Citation* – A recommended citation for the final report shall be provided. See Attachment A for the correct citation format.

4. Table of Contents, including Lists of Tables, Figures and Appendices.

5. Executive Summary – The executive summary shall:

- a. consolidate principal points of the report in one place and provide enough detail for the reader to understand the significance of the report without having to read it in full;

- b. be written so that it can be understood independently of the report (i.e., it must not refer to figures, tables or references contained elsewhere and all acronyms, uncommon symbols, and abbreviations must be spelled out);
  - c. not exceed four single-spaced pages;
  - d. concisely state the objectives, methods, results and conclusions of the report and reference any related projects or synthesis; and
  - e. be organized in the same manner as the report it summarizes.
- 6. Introduction – The introduction shall and reference any related projects or synthesis, where appropriate, and:
  - a. clearly present the nature and scope of the problem investigated, including the general area in which field activities were conducted; and
  - b. review pertinent literature, state the method(s) of investigation and briefly state principal results.
- 7. Objectives – The statement of objectives shall be the same as the objectives identified in the approved proposal. If the objectives have changed, describe what has changed and why.
- 8. Methods – The discussion of methods shall include a clear description of the study area. To the extent the methodology differs from that described in the proposal; explain the reason for the deviation.
- 9. Results – The presentation of results shall provide an objective and clear presentation of the data collected.
- 10. Discussion – The discussion section shall:
  - a. interpret the study results and explore the meaning and significance of the findings, including alternative interpretations of the results;
  - b. discuss whether the study hypotheses are upheld or disproven;
  - c. note where there are unanswered questions; and
  - d. where appropriate, cite relevant findings from other *Exxon Valdez* oil spill restoration studies, including published literature.
- 11. Conclusions – This shall be a brief, clear statement of the conclusions that are apparent from the discussion. Major unanswered questions shall be identified.

12. Acknowledgments

13. Literature Cited

14. Other References – If there is a need to list references other than the literature cited (e.g., personal communications), these references shall be identified in this section.

B. Technical Format – The following guidelines shall help provide consistent formatting:

1. Word Processing Conventions

a. *Standard Settings*

Line

Line spacing: single  
Hyphenation: off (i.e., do not hyphenate at right margin)  
Justification: left (i.e., do not right-justify margins)  
Margins: 1 inch at top, bottom  
1 inch left, right  
Tabs: every 0.5"  
Widow Protection: yes

Page

Page numbering: bottom center  
Header: none

Font

Times: 12 point

*Note:* If Times is not available, some other serif font shall be used (e.g., Palatino, Bookman or New Century Schoolbook).

- b. *Literature Citations* – In the Literature Cited section, start each citation with a hanging indent as shown below:

Byrd, G.V., D. Gibson, and D.L. Johnson. 1974. The birds of Adak Island, Alaska. *Condor* 76:288-300.

2. Other Conventions

- a. *Italics* – Use italics, rather than underlining, for Latin names and for *Exxon Valdez*.
- b. *Paper* – Use good quality white paper 8.5 x 11" (215 x 280mm) or metric size A4.



- c. *Terms for oil spill* – When referring to the oil spill that occurred because the *Exxon Valdez* ran aground, use *Exxon-Valdez* oil spill. After the first mention of the *Exxon Valdez* oil spill, refer to it simply as the spill.
- d. *Acronyms* – Clearly define any acronyms. Avoid the use of acronyms completely in the Abstract and Executive Summary.
- e. *Terms* – Use the terms "damages" and "injury" as defined by CERCLA regulations (See 43 CFR 11.14):
  - i. "*Damages*" means the amount of money sought by the natural resource trustee as compensation for injury, destruction or loss of natural resources.
  - ii. "*Injury*" means a measurable adverse change, either long or short-term, in the chemical or physical quality or the viability of a natural resource resulting either directly or indirectly from exposure to a discharge of oil. Injury encompasses the phrases "destruction" and "loss."
  - iii. "*Destruction*" means the total and irreversible loss of a natural resource.
  - iv. "*Loss*" means a measurable adverse reduction of a chemical or physical quality or viability of a natural resource.

**C. Use of Manuscripts for Final Report Writing** – The Trustee Council encourages principal investigators to publish the results of their work in peer-reviewed journals. With the written approval of the Trustee Council's Science Coordinator, and on a project-by-project basis, manuscripts or journal articles may be used to satisfy project final report writing requirements. When a manuscript is used to fulfill report requirements, it is strongly preferred that the manuscript be in draft form before it has been submitted to a journal to allow duplication without violation of copyright or publication rights. (See Copyright and Publication Rights, Section 4, page 8.)

- 1. **Authority to Use Manuscripts** – Principal investigators shall contact the Science Coordinator to request written approval to use a manuscript(s) as the body of a final report.
- 2. **Objectives** – Because final reports are the primary and permanent record of how Trustee Council funds have been spent and what has been accomplished with those funds, it is necessary that these reports address all of the objectives for which the Trustee Council has provided funds.
  - a. If all of the project's objectives are completely described within one or more manuscripts being prepared for publication, a copy of the



manuscript(s) may be submitted as the entire body of the report. (See Standard Format requirements, Section 3, page 8.)

- b. If a project's objectives are not all described completely within one or more manuscripts, the manuscript(s) may serve as a portion of the report. For example, if only two of five project objectives are addressed in a manuscript, the report shall include – in addition to the manuscript – information on the three objectives not covered in the manuscript. The two objectives covered by the manuscript shall be referenced in the report as appropriate (e.g., in the Methods and Results sections) and substantially integrated into the Discussion section, where there shall be an overall discussion of the project. In such cases, the combination of the manuscript and additional report material shall present an organized, integrated and complete account of project activities and results.
3. Standard Format – Every report, regardless of whether it is in the standard format or includes manuscripts, shall adhere to the formatting prescribed for the Report Cover, Title Page, Study History, Abstract, Key Words, Project Data and Citation. (See Final Report Format, Section A, page 2.)
4. Copyright and Publication Rights – When a manuscript is used to fulfill report writing requirements, it must be in a form that can be duplicated freely and posted on the Trustee Council website. This may require obtaining permission from the publisher. When appropriate:
  - a. The author shall provide the Trustee Council Office with a copy of the publisher's written permission to duplicate and post the article as part of the report.
  - b. The statement "This article is reprinted with permission from the publisher." shall precede the journal article(s) in the report.
5. Disclaimer Statement – Investigators seeking to publish the results of Trustee Council sponsored projects shall include the following statement with all manuscripts:

"The research described in this paper was supported by the *Exxon Valdez* Oil Spill Trustee Council. However, the findings and conclusions presented by the author(s) are their own and do not necessarily reflect the views or position of the Trustee Council."
6. Reprints – Investigators who publish the results of Trustee Council sponsored projects shall provide the Trustee Council Office (attention: Science Coordinator) three (3) reprints of any published manuscript. The Trustee Council Office shall provide one (1) of the reprints to the Alaska Resources Library and Information Services (ARLIS).

#### **D. Due Date –**

1. Due Dates – Unless a different date is specified in the approved proposal or contract, draft final reports shall be submitted for peer review in the year following the fiscal year in which project work was completed: for an October 1 – September 31 fiscal year, by April 15, and for a February 1 – January 31 fiscal year, by August 1.
2. Request for Extension – If the due date cannot be met, the principal investigator shall file an extension request with the Science Coordinator at least 15 days prior to the due date. The request must be in writing and state a reason the report will be late. With approval of the Executive Director, an alternative final report due date may be identified.

#### **E. Withholding of Funding Pending Deliverables –**

1. Ten Percent (10%) of the project funding will be withheld by project managers until the following criteria have been met:
  - a. the final report has gone through peer review and format review and has been accepted by the Science Coordinator;
  - b. all print copies of the final report have been delivered to the Alaska Resource Library and Information Services (ARLIS);
  - c. an electronic copy of the final report has been delivered to the Trustee Council office; and
  - d. all project data and metadata have been submitted to approved archives in accordance with the Trustee Council Data Policy.
2. Due Date – The Executive Director has the discretion to alter the due date on the deliverables, whether planned for or for other grounds the Executive Director determines are reasonable.
3. Multi-Year Projects – The 10% withholding will apply to the final year of multi-year projects.
4. Tardy Deliverables – No further funding will be awarded to proposers with tardy Trustee Council deliverables.

## **II. Review Process**

- A. Submission of Draft Final Reports for Peer Review** – Draft final reports are required to undergo the peer review process outlined below. For projects which are not in a Trustee Council-funded Program, the principal investigator shall submit one (1) paper copy and one (1) electronic copy of the draft final report to the Science Coordinator for peer review. The electronic copy shall be

submitted as a word processing document (most recent version of Microsoft Word for Windows) with any figures and tables imbedded.

Science Coordinator	phone: (907) 278-8012
EVOS Trustee Council Office	fax: (907) 276-7178
441 W. 5 <sup>th</sup> Ave., Suite 50	<a href="mailto:dfg.evos.projects@alaska.gov">dfg.evos.projects@alaska.gov</a>
Anchorage, AK 99501	

**B. Draft Final Report Peer Review** – Draft final reports shall be scientifically or technically peer reviewed under the direction of the Science Coordinator or, for Trustee Council-Funded Programs, the Team Leads:

1. Peer Review – The Science Coordinator or Team Leads, where applicable, may secure the services of a minimum of two qualified reviewers who will provide comments, identify questions, and suggest revisions as appropriate for the report.
  - a. Reviewers will be selected based upon experience, expertise, availability, and objectivity.
  - b. Reviewers will be screened to avoid conflicts of interest and shall sign a conflict of interest disclosure form before being selected for a peer review.
  - c. Peer reviews will be confidential. Comments may be submitted in writing to the Science Coordinator or Team Leads.
  - d. Peer reviewers will be anonymous to the authors of the report and the general public.
2. Peer Review Comments – The Science Coordinator or Team Leads, where applicable, shall consolidate the peer review comments and provide the consolidated comments and any recommendations in writing to the principal investigator(s); Team Leads will also forward the peer review comments and any recommendations to the Science Coordinator.

**C. Revision of Final Report and Re-Submission for Approval** –

1. Revision – Within 30 days of receiving peer review comments, principal investigators will revise their draft final reports to address peer review comments, as appropriate.
2. Re-Submission – After revision, principal investigators will submit one (1) paper copy and one (1) electronic copy of the revised final report to the Science Coordinator for acceptance.
3. Approval – Final reports will not be distributed from the Trustee Council Office until peer review is complete. Once the final report is accepted,

- a. the Science Coordinator shall notify the principal investigator in writing and send a copy of the letter of acceptance to the project manager, ARLIS, and Team Leads, where applicable;
- b. the Science Coordinator will also forward the report to ARLIS for format review.

**D. Final Report Review of Format** – Once the content of the report is accepted by the Science Coordinator, the Science Director shall forward the final report to ARLIS for review of format.

- 1. **Format Review** – After approving the final report, the Science Coordinator will send an electronic copy of the final report as a Word file to ARLIS (attention: Carrie Holba at [reference@arlis.org](mailto:reference@arlis.org)) for format review.
- 2. **Revisions** – Within 15 days of receipt of the final report, ARLIS staff shall review it for compliance with the report format standards, remove all references to “draft” and make any revisions needed for format compliance.
- 3. **Approval** – After revising and approving the format, ARLIS staff will email a copy of the report to the principal investigator with written confirmation that the format has been approved and the report is ready to be printed. The principal investigator shall not reproduce the report until format approval is confirmed in writing by ARLIS. ARLIS staff will also email final copies of the report and format approval letter to the Science Coordinator, project manager and Team Leads, where applicable.

### **III. Printing and Distribution Process**

- A. Reproduction and Number of Copies** – Within 60 days of the date of the written confirmation from ARLIS indicating approval of the final report format, the principal investigator shall produce and send to ARLIS six (6) two-sided, bound copies of the report.
- B. Binding** – Copies of final reports shall be bound using PERFECT binding. Smaller reports may be bound with black tape or comb binding. Very small reports may be bound with staples in three places along the spine, but only when other binding options are not available. Questions regarding binding shall be directed to ARLIS (attention: Carrie Holba at [reference@arlis.org](mailto:reference@arlis.org)).
- C. Distribution of Final Reports** – ARLIS shall send two bound copies of final reports to the Trustee Council Office for the Science Coordinator and the Trustee Council’s Official Record. Final reports, in locked PDF format, shall be posted on the Trustee Council website at [www.evostc.state.ak.us](http://www.evostc.state.ak.us). ARLIS will provide URLs for final reports to the Alaska State Library and National Technical Information Service (NTIS) to fulfill state and federal depository requirements. (See Attachment C, *How to Find EVOS Reports*.)



## **ANNUAL AND SEMI-ANNUAL REPORTS**

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### **I. Annual and Semi-Annual Reporting Requirements for Projects and Programs:**

- A. Multi-year projects** – An annual report shall be prepared each year until the project is completed, at which time a final report shall be prepared.
- B. Trustee Council-funded projects not in a Program** – The principal investigator for a project is responsible for the submission and production of an annual report. No semi-annual report is required.
- C. Trustee Council-funded Programs** – The Team Leads are responsible for collecting, reviewing and collating the semi-annual and annual reports from the individual projects within the Program, including any agency projects, and for submission to the Trustee Council. Team Leads are also responsible for preparing and submitting with semi-annual and annual reports a Program Status Report. The Program Status Report will summarize the status of the program and may include general information as to the development of the program, progress towards milestones, and may detail or highlight any noteworthy issues or findings relating to the program and individual projects within the program.

### **II. Preparation of Annual and Semi-Annual Reports**

- A. Annual and Semi-Annual Report Format** – Annual and semi-annual reports shall be brief documents (2-3 pages) that include the information listed below. An example of the annual report form, available for downloading from the Trustee Council's web site ([www.evostc.state.ak.us](http://www.evostc.state.ak.us)) or from the Trustee Council Office upon request, is provided. (See Attachment B.)
  - 1. Project Number
  - 2. Project Title
  - 3. Principal Investigator's Name(s)
  - 4. Time Period Covered by the Report: For Trustee-Funded projects- not in a Program, an Annual report will report on the prior year's work. For Trustee Council-funded Programs, the Semi-Annual and Annual Reports will report on the prior six month's work.
  - 5. Date of Report
  - 6. Summary of Work Performed – This section shall include a brief summary of work performed during the reporting period, including any results available to date and their relationship to the original project objectives. Any deviation from the original project objectives, procedures or statistical methods, study area, or schedule shall be included. Any known problems

or unusual developments, and any other significant information pertinent to the project, shall also be described.

7. Summary of Future Work to be Performed – This brief summary shall describe work to be performed during the upcoming reporting period, if changed from the original proposal. A description of any proposed changes in objectives, procedural or statistical methods, study area, or schedule shall be included.
8. Coordination/Collaboration – This section shall describe efforts undertaken during the reporting period to achieve the coordination and collaboration provisions of the proposal, if applicable.
9. Community Involvement/TEK and Resource Management Applications – This section shall describe efforts undertaken during the reporting period to achieve the community involvement/TEK and resource management application provisions of the proposal, if applicable.
10. Information Transfer – This section shall list (1) publications produced during the reporting period, (2) conference and workshop presentations and attendance during the reporting period, and (3) data and/or information products developed during the reporting period.
11. Budget – This section shall explain any differences and/or problems between actual and budgeted expenditures, including any substantial changes in the allocation of funds among line items on the budget form. Any new information regarding matching funds or funds from non-Trustee Council sources for the project shall be included.

**B. Due Date** – Unless a different date is specified in the approved proposal or contract annual reports shall be submitted for each fiscal year for which a project receives funding, for an October 1 – September 31 fiscal year, by September 1; for Trustee Council-funded Programs, the annual report is due by March 1 and semi-annual report is due September 1. The information in the annual and semi-annual reports shall be a key component in the Trustee Council's annual decision to continue funding a project. Failure to submit an annual or semi-annual report by the due date above for each fiscal year, or unsatisfactory review of an annual or semi-annual report, will result in withholding of additional project funds, and may result in cancellation of the project or denial of funding for future projects.

### **III. Review Process: Annual and Semi-Annual Reports**

- A. Submission of Annual or Semi-Annual Report for Review** – The principal investigator, or Team Lead, as applicable, shall electronically submit the report to the Science Coordinator, care of [dfg.evos.projects@alaska.gov](mailto:dfg.evos.projects@alaska.gov). The subject line of the e-mail transmitting the report must include the project number and the words "annual report" or "semi-annual report" (e.g., "035620 Annual



Report” or “035620 Semi-Annual Report). Electronic reports shall be submitted either as an Acrobat Portable Document Format (PDF) file or word processing document (using the most recent versions of Acrobat, Word, or Word Perfect) with all figures and tables imbedded. The preferred Acrobat file format is ‘formatted text with graphics’ format. Minimally, “PDF searchable image” format may be used if pre-approved by the Trustee Council Office. In either case, the PDF file shall not be secured or locked from future editing, or contain a digital signature from the principal investigator

- B. Annual and Semi-Annual Report Review Process** – Annual and semi-annual reports shall be reviewed by the Science Coordinator. Under the guidance of the Science Coordinator, annual and semi-annual reports may also be reviewed by qualified outside peer reviewers. The review process shall be used to determine whether continued funding of the project is warranted and to guide further work on the project. Any written comments on annual or semi-annual reports shall be provided to the principal investigator and kept on file at the Trustee Council Office, available upon request.

#### **IV. Distribution of Annual and Semi-Annual Reports**

Annual and semi-annual reports shall be kept on file as public documents at the Trustee Council Office, available upon request. Annual and semi-annual reports shall also be posted on the Trustee Council’s website at [www.evostc.state.ak.us](http://www.evostc.state.ak.us).

## **QUARTERLY REPORTS**

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**I. All Trustee Council-funded projects must submit a quarterly report.** Projects within a Trustee Council-funded Program are not required to submit quarterly reports.

**II. Quarterly Project Status Reports –**

- A. Within 30 days following the end of each quarter, the investigator for each Trustee Council-funded project shall submit a status report to the Executive Director.
- B. Principal investigators shall work with their agency project managers to address measurable project tasks in their quarterly reporting obligations .



ATTACHMENT A

*Exxon Valdez* Oil Spill  
Restoration Project Final Report

Responses of River Otters to Oil Contamination:  
A Controlled Study of Biological Markers

Restoration Project 99348  
Final Report

**NOTE: The Report  
Cover must be  
quality cover stock,  
goldenrod in color.**

Merav Ben-David  
R. Terry Bowyer  
Lawrence K. Duffy

Institute of Arctic Biology  
311 Irving Building  
University of Alaska Fairbanks  
Fairbanks, Alaska 99775

for:

Alaska Department of Fish and Game  
Habitat and Restoration Division  
333 Raspberry Road  
Anchorage, Alaska 99518

September 1999

**NOTE: The statement  
below must be printed on  
the back of the goldenrod  
Report Cover.**

The *Exxon Valdez* Oil Spill Trustee Council administers all programs and activities free from discrimination based on race, color, national origin, age, sex, religion, marital status, pregnancy, parenthood, or disability. The Council 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, or if you desire further information, please write to: EVOS Trustee Council, 441 West 5<sup>th</sup> Avenue, Suite 500, Anchorage, Alaska 99501-2340; or O.E.O. U.S. Department of the Interior, Washington, D.C. 20240.

*Exxon Valdez* Oil Spill  
Restoration Project Final Report

Responses of River Otters to Oil Contamination:  
A Controlled Study of Biological Markers

Restoration Project 99348  
Final Report

**NOTE: The Title  
Page must be on  
white bond paper.**

Merav Ben-David  
R. Terry Bowyer  
Lawrence K. Duffy

Institute of Arctic Biology  
311 Irving Building  
University of Alaska Fairbanks  
Fairbanks, Alaska 99775

for:

Alaska Department of Fish and Game  
Habitat and Restoration Division  
333 Raspberry Road  
Anchorage, Alaska 99518

September 1999

Responses of River Otters to Oil Contamination:  
A Controlled Study of Biological Stress Markers

Restoration Project 99348  
Final Report

**Study History:** Project 99348 originated from the need to better understand the effects of contamination by crude oil on biomarkers in river otters (*Lontra canadensis*). Previous studies demonstrated elevated levels of biomarkers in river otters from oiled areas compared with those from non-oiled areas throughout Prince William Sound, Alaska, shortly following the *Exxon Valdez* oil spill (EVOS). Although the data collected to date strongly indicated a correlation between oil contamination and physiological stress in river otters, this evidence required verification through controlled experiments as identified by the EVOS Trustee Council review process (1997). This 2-year project was conducted at the Alaska SeaLife Center in Seward, Alaska, USA, between April 1998 and March 1999. Additional funding was provided by the Council for completion of 3 manuscripts in FY 2000 for publication in a peer-reviewed journal.

**Abstract:** In this study, we experimentally determined the effects of oil contamination on river otters. Fifteen wild-caught male river otters were exposed to 2 levels of weathered crude oil (i.e., control, 5 ppm/day/kg body mass, and 50 ppm/day/kg body mass) under controlled conditions in captivity at the Alaska SeaLife Center in Seward, Alaska. Responses of captive river otters to oil ingestion provided mixed results in relation to biomarkers. Although hemoglobin, white blood cells, alkaline phosphates, and possibly interleukin-6 immunoreactive responded in the expected manner, other parameters did not. Aspartate Aminotransferase Alanine Aminotransferase haptoglobin did not increase in response to oiling or decrease during rehabilitation. In addition, although expression of P450-1A increased in captive river otters during oiling, several inconsistencies in the data complicated data interpretation. Nonetheless, we were able to establish that reduction in hemoglobin led to increase in energetic costs of terrestrial locomotion, decrease in aerobic dive limit, and potential increase in foraging time due to a decrease in total length of submergence during each foraging bout. We offer a theoretical physiological model to describe interactions between the different biomarkers and advocate the exploration and development of other biomarkers that will be independent of the heme cycle.

**Key Words:** Aerobic dive limit, Alaska, captivity, CYP1A, crude oil, hemoglobin, immuno-histochemistry, liver enzymes, *Lontra canadensis*, lymphocytes, oxygen consumption, quantitative RT-PCR.

**Project Data:** *Description of data* – data was collected from live animals held in captivity at the Alaska SeaLife Center. Blood and other tissues were sampled and processed in different laboratories. Additional samples are archived at the Institute of Arctic Biology, UAF. *Format* – All data were entered as Excel spreadsheets. *Custodian* – contact Merav Ben-David, Institute of Arctic Biology, 311 Irving Building, University of Alaska Fairbanks, Fairbanks, Alaska 99775.



**Citation:**

Ben-David, M., R.T. Bowyer, and L.K. Duffy. 1999. Responses of river otters to oil contamination: A controlled study of biological stress markers, *Exxon Valdez* Oil Spill Restoration Project Final Report (Restoration Project 99348), Alaska  
Department of Fish and Game, Habitat and Restoration Division, Anchorage, Alaska.

## ATTACHMENT B

### EVOSTC ANNUAL PROJECT REPORT

All recipients of funds from the *Exxon Valdez* Oil Spill Trustee Council must submit an annual project report in the following format by September 1 of each fiscal year for which project funding is received, with the exception of the final funding year in which a final report must be submitted. Satisfactory review of the annual report is necessary for continuation of multi-year projects. Failure to submit an annual report by September 1 of each year, or unsatisfactory review of an annual report, will result in withholding of additional project funds and may result in cancellation of the project or denial of funding for future projects.

**PLEASE NOTE:** Significant changes in a project's objectives, methods, schedule, or budget require submittal of a new proposal that will be subject to the standard process of proposal submittal, technical review, and Trustee Council approval.

**Project Number:**

**Project Title:**

**PI Name:**

**Time Period Covered by Report:**

**Date of Report:**

1. **Work Performed:** Summarize work performed during the reporting period, including any results available to date and their relationship to the original project objectives. Describe and explain any deviation from the original project objectives, procedural or statistical methods, study area, or schedule. Also describe any known problems or unusual developments, and whether and how they have been or can be overcome. Include any other significant information pertinent to the project.
2. **Future Work:** Summarize work to be performed during the upcoming year, if changed from the original proposal. Describe any proposed changes in objectives, procedural or statistical methods, study area, or schedule. **[PLEASE NOTE:** Significant changes in a project's objectives, methods, schedule, or budget require submittal of a new proposal that will be subject to the standard process of proposal submittal, technical review, and Trustee Council approval.]
3. **Coordination/Collaboration:** Describe efforts undertaken during the reporting period to achieve the coordination and collaboration provisions of the proposal, if applicable.

4. **Community Involvement/TEK & Resource Management Applications:**  
Describe efforts undertaken during the reporting period to achieve the community involvement/TEK and resource management application provisions of the proposal, if applicable.
5. **Information Transfer:** List (a) publications produced during the reporting period, (b) conference and workshop presentations and attendance during the reporting period, and (c) data and/or information products developed during the reporting period. [PLEASE NOTE: Lack of compliance with the Trustee Council's data policy and/or the project's data management plan will result in withholding of additional project funds, cancellation of the project, or denial of funding for future projects.]
6. **Budget:** Explain any differences and/or problems between actual and budgeted expenditures, including any substantial changes in the allocation of funds among line items on the budget form. Also provide any new information regarding matching funds or funds from non-EVOS sources for the project. [PLEASE NOTE: Any request for an increased or supplemental budget must be submitted as a new proposal that will be subject to the standard process of proposal submittal, technical review, and Trustee Council approval.]

Signature of PI: \_\_\_\_\_  
Project Web Site Address: \_\_\_\_\_

SUBMIT ANNUAL REPORTS ELECTRONICALLY TO [dfg.evos.projects@alaska.gov](mailto:dfg.evos.projects@alaska.gov). THE REPORTS WILL BE POSTED ON THE TRUSTEE COUNCIL'S WEB SITE AND SHOULD ALSO BE POSTED ON THE PI'S WEB SITE. The subject line of the e-mail transmitting the report must include the project number and the words "annual report" (e.g., "035620 Annual Report"). Electronic reports must be submitted either as an Acrobat Portable Document Format (PDF) file or word processing document (using the most recent versions of Acrobat, Word, or Word Perfect) with all figures and tables imbedded. The preferred Acrobat file format is 'formatted text with graphics' format. Minimally, "PDF searchable image" format may be used if pre-approved by the Trustee Council Office. In either case, the PDF file shall not be secured or locked from future editing, or contain a digital signature from the principal investigator.

## ATTACHMENT C

### How to Find EVOS Reports

A list of [EVOS final and annual \(prior to 2002\) reports](#) is maintained at the EVOS Trustee Council website at [www.evostc.state.ak.us/Publications/bibliographies.cfm](http://www.evostc.state.ak.us/Publications/bibliographies.cfm).

EVOS reports are available as listed below. Reports are also submitted to the Alaska State Library and the National Technical Information Service in fulfillment of state and federal depository requirements.

Final reports are available full-text at:

- [EVOS Trustee Council website](#). The Trustee Council's database of restoration projects is searchable via Project Search by project number, researcher, or project title.
- [ARLIS](#) catalog. The catalog is searchable by title, project number, principal investigator, additional authors, series title, subject heading, and key words. A searchable notes field in the catalog record describes the report and provides additional access points. From the catalog record, a link takes the researcher to the full-text report. Paper copies of reports are available for check out at ARLIS and are loaned worldwide through interlibrary loan.
- [National Technical Information Service \(NTIS\)](#). Copies of most final reports can be purchased in electronic, paper or microfiche formats through NTIS at (703) 487-4650 or [www.ntis.gov](http://www.ntis.gov).

Annual reports are available full-text at:

- [EVOS Trustee Council website](#). The Trustee Council's database of restoration projects is searchable via Project Search by project number, researcher, or project title.
- [ARLIS](#) catalog. Annual reports for projects funded prior to 2002 are available full-text through the ARLIS catalog. Paper copies are available for check out and are loaned worldwide through interlibrary loan.

For assistance in locating EVOS final and annual reports, contact ARLIS at:

Alaska Resources Library and Information Services (ARLIS)  
Suite 111 Library Building  
3211 Providence Drive  
Anchorage, AK 99508  
(907) 27-ARLIS (272-7547)  
[reference@arlis.org](mailto:reference@arlis.org)  
[www.arlis.org](http://www.arlis.org)



Motions available at later date.

They will be emailed for inclusion in meeting binder.

Habitat

## **Womac, Cherri G (EVOSTC)**

---

**From:** Schorr, Jennifer L (LAW)  
**Sent:** Wednesday, January 25, 2012 3:37 PM  
**To:** Hsieh, Elise M (EVOSTC)  
**Cc:** Carroll, Samantha J (DNR); Womac, Cherri G (EVOSTC)  
**Subject:** RE: Chokwak Resolution

Thanks.

Samantha, we will need you to present this to the TC at the meeting (just a very brief overview).

---

**From:** Hsieh, Elise M (EVOSTC)  
**Sent:** Wednesday, January 25, 2012 3:25 PM  
**To:** Schorr, Jennifer L (LAW)  
**Cc:** Carroll, Samantha J (DNR); Womac, Cherri G (EVOSTC)  
**Subject:** Re: Chokwak Resolution

Thank you Jen. We will adjust the agenda and motion sheet and send out this information tomorrow afternoon in our update to the TC and PAC.

Elise

On Jan 25, 2012, at 3:23 PM, "Schorr, Jennifer L (LAW)" <[jennifer.schorr@alaska.gov](mailto:jennifer.schorr@alaska.gov)> wrote:

Hi –

Elise, we are *finally* getting close to closing on the Chokwak transaction. Barring any unforeseen hitches (please no), it will close in March.

However, I've checked the Resolution (07-04) and it specifies that a Purchase and Sale Agreement needed to be executed by July 15, 2008. Given the huge delays in this process, obviously that didn't happen. It doesn't appear that the date has been extended in a subsequent resolution.

This means that we will need the TC to reauthorize funding at the Feb. 1 meeting. I apologize for the late notice. I will draft a resolution based on similar past reauthorizations and send it to both of you for review tomorrow morning.

I've confirmed that the funds for the Chokwak acquisition were included in Court Notice 24 (filed in July 2007). Samantha, can you please start working on tracking down where the \$160k that would have been disbursed at that time to DNR ended up? Thank you!

Jen

*Jennifer L. Schorr*

Assistant Attorney General

State of Alaska Department of Law

Environmental Section

Phone: (907) 269-5274

Fax: (907) 278-7022

[Jennifer.Schorr@alaska.gov](mailto:Jennifer.Schorr@alaska.gov)



**Womac, Cherri G (EVOSTC)**

---

**From:** Hsieh, Elise M (EVOSTC)  
**Sent:** Wednesday, January 25, 2012 3:25 PM  
**To:** Schorr, Jennifer L (LAW)  
**Cc:** Carroll, Samantha J (DNR); Womac, Cherri G (EVOSTC)  
**Subject:** Re: Chokwak Resolution

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Elise

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Jen

*Jennifer L. Schorr*

Assistant Attorney General

State of Alaska Department of Law

Environmental Section

Phone: (907) 269-5274

Fax: (907) 278-7022

[Jennifer.Schorr@alaska.gov](mailto:Jennifer.Schorr@alaska.gov)

Habitat info available at later date.

It will be emailed for inclusion in meeting binder.

## Womac, Cherri G (EVOSTC)

---

**From:** Carroll, Samantha J (DNR)  
**Sent:** Tuesday, January 17, 2012 10:57 AM  
**To:** Hsieh, Elise M (EVOSTC)  
**Cc:** Womac, Cherri G (EVOSTC); Schorr, Jennifer L (LAW); Carroll, Samantha J (DNR)  
**Subject:** RE: Habitat for Upcoming Feb. 1 meeting

Hi All –

Ok so it's not so "brief", after all..... if needed you can drop the last paragraph and please feel free to edit as you see fit.

As for my initial recommendation – This is a prime opportunity to protect habitats within a greater protected landscape (Kenai Fjords National Park) and well established NPS land mgt regime that is aligned with regard to the TC's restoration efforts. However, I'll need to see the final hazmat and site reports before providing a final evaluation.

I'll keep you posted. Thanks!

**Port Graham (Revised)** - This project is comprised of two tracts of approximately 2,265 acres, owned by the Port Graham Corporation (PGC) and located on the Gulf of Alaska. These parcels are on the east shore of Aialik Bay within the boundaries of the Kenai Fjords National Park. Combined the parcels offer seven miles of ocean coast line containing rugged cliffs, coastal temperate rainforest, and tidally influenced shoreline. These lands have been designated as the first priority for fee simple acquisition in the 1988 NPS Land Protection Plan.

The Port Graham Corporation is currently considering the revised project scope and will vote on pursuing the project at their January 20, board meeting. (Note: this project originally contained four parcels; two of which were located on the west side of Aialik Bay and are no longer within the project scope.) A 2009 appraisal report determined the fair market value at \$2 Million dollars or between \$800 – 700 per acre; however this appraisal covered the original project lands.

Several species injured by the Exxon Valdez Oil Spill, including pink salmon and red salmon are supported by the park's upland habitat. In addition, numerous species of marine and other birds, including harlequin ducks, marbled and Kittlitz's murrelets, pigeon guillemots, black oystercatchers, cormorants, common loons and bald eagles, are found throughout the area and utilize the parks uplands.

*Samantha J. Carroll*  
*Project Manager*  
*Department of Natural Resources*  
*(907) 269-8425*

 Please consider the environment before printing this e-mail.....

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**From:** Hsieh, Elise M (EVOSTC)  
**Sent:** Friday, January 13, 2012 10:07 AM  
**To:** Carroll, Samantha J (DNR)  
**Cc:** Womac, Cherri G (EVOSTC); Schorr, Jennifer L (LAW)  
**Subject:** RE: Habitat for Upcoming Feb. 1 meeting

Hi Samantha,



I think a very brief written update would be great. Please include the any past appraisal information and your initial recommendations on the desirability of the property.

● I may circulate the update on the 23<sup>rd</sup> after the meeting if it looks like it is going to move, I may use it next week just to briefly review it at the briefing (before we know more about the Board's decision). If it looks like it will be pursued by PG, then we can also use the update at the meeting.

Thank you Samantha!

Elise


---

**From:** Carroll, Samantha J (DNR)  
**Sent:** Friday, January 13, 2012 9:30 AM  
**To:** Hsieh, Elise M (EVOSTC)  
**Cc:** Womac, Cherri G (EVOSTC); Schorr, Jennifer L (LAW); Carroll, Samantha J (DNR)  
**Subject:** RE: Habitat for Upcoming Feb. 1 meeting

Good Morning Elise, et al.,

On Port Graham - in speaking with Chuck at NPS this morning I learned that we do not need DD funds b/c he has sufficient funds to update the appraisal if the Port Graham Corp. Board wants to pursue the project – which we will learn more when the board meets on the 20<sup>th</sup>. Therefore, the most we'd want to give the TC is an update on the project – we could do this verbally or written depending on what your agenda time limitations are and how you want to approach this. Alternatively, we could wait until September when we will possibly be ready to request purchase funds and update the council at that time. your thoughts???

● *Samantha J. Carroll*  
*Project Manager*  
*Department of Natural Resources*  
*(907) 269-8425*

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**From:** Hsieh, Elise M (EVOSTC)  
**Sent:** Thursday, January 12, 2012 1:46 PM  
**To:** Carroll, Samantha J (DNR)  
**Cc:** Womac, Cherri G (EVOSTC)  
**Subject:** RE: Habitat for Upcoming Feb. 1 meeting

Hi Samantha,

It sounds like Port Graham is the only potential habitat matter you will shepherding.

I anticipate sending out information to the TC early next week. I know it is before the PTG meeting, but can you draft a very general paragraph just so I can introduce the subject and what might be coming their way? That way, they'll at least have a little familiarity if we send something to them right before the meeting.

● Thanks Samantha!  
Elise



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**From:** Carroll, Samantha J (DNR)  
**Sent:** Tuesday, January 10, 2012 2:53 PM  
**To:** Hsieh, Elise M (EVOSTC); Schorr, Jennifer L (LAW)  
**Cc:** Womac, Cherri G (EVOSTC); Carroll, Samantha J (DNR)  
**Subject:** RE: Habitat for Upcoming Feb. 1 meeting

Hi all –

Update on the Habitat agenda items -

- Port Graham – the PTG board meets on the 20<sup>th</sup> - we will know more then.
- Sitkalidak – Jen will continue to keep us posted.
- Torsen - Please take off the agenda – I need to do a bit more work with the USFWS on this before we move on this one.

When do you need final written materials for your briefings?

Is there anything else that is needed??

Elise – thanks for addressing the Lt. Governor's office inquiry regarding the reopener today – by the time I got back to her, she said you had pointed her in the right direction.

Thanks!

*Samantha J. Carroll*  
*Project Manager*  
*Department of Natural Resources*  
*(907) 269-8425*



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**From:** Carroll, Samantha J (DNR)  
**Sent:** Friday, January 06, 2012 1:09 PM  
**To:** Hsieh, Elise M (EVOSTC); Schorr, Jennifer L (LAW)  
**Cc:** Womac, Cherri G (EVOSTC)  
**Subject:** RE: Habitat for Upcoming Feb. 1 meeting

Hi Elise,

Sorry for the delay in my response – I failed to turn on my out of office message and I'm just back in.

As for the agenda, below are my thoughts:

1. Port Graham – waiting to see if the Port Graham Corporation board approves the project in mid-January. At the most we would want to update the TC on this project and possibly ask for due diligence funds to update the appraisal, hazmat, etc. Possible presentation by Chuck Gilbert of NPS. A estimate on funds to be requested is \$24k for DD activities – my guess is this is going to be less given that we would be updating the appraisal and hazmat reports, etc.
2. Sitkalidak – Jen will get back to you on this.

- 

Let me know what you think about this approach. Thanks & Happy New Year!!

*Samantha J. Carroll*  
*Project Manager*  
*Department of Natural Resources*  
*(907) 269-8425*



Please consider the environment before printing this e-mail.....

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**From:** Hsien, Elise M (EVOSTC)  
**Sent:** Wednesday, January 04, 2012 11:05 AM  
**To:** Carroll, Samantha J (DNR)  
**Cc:** Womac, Cherri G (EVOSTC)  
**Subject:** Habitat for Upcoming Feb. 1 meeting

**Hi Samantha –**



**Happy New Year!**  
**Elise**



2000/01/11





**RESOLUTION 12-02 OF THE EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL  
REGARDING SMALL PARCEL KAP 3001**

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

1. On June 27, 2007, the Council resolved through Resolution 07-04 to provide funds for the State of Alaska to purchase all of the seller's rights and interests in the small parcel KAP 3001, consisting of 160 acres, subject to certain conditions. One of the conditions was that a purchase agreement had to be executed by July 15, 2008. The Sellers are the heirs of Philip Chokwak, represented by the Department of Interior, Bureau of Indian Affairs (BIA) ("Sellers"). As per the Council's direction in Resolution 07-04, funds in the amount of \$160,000 were transferred to the State of Alaska for the purchase of this parcel.

2. Although the Sellers have agreed to sell the land to the State for the price in Resolution 07-04 (\$160,000) and the State expected to be able to complete the acquisition, a purchase agreement was not executed prior to July 15, 2008 as required by the Resolution 07-04.

3. On May 29, 2009, the Council resolved through Resolution 09-08 to reauthorize the funding to purchase KAP 3001. One of the conditions was that a purchase agreement had to be executed by December 30, 2010.

4. Due to the death of one of the Sellers and subsequent probate, a purchase agreement was not executed prior to December 30, 2010.

5. For all of the reasons detailed in Resolution 07-04, the Council continues to find that the purchase of KAP 3001 is an appropriate means to restore a portion of the injured resources and services in the spill area.

THEREFORE, we resolve to reauthorize the expenditure of funds previously provided to the State of Alaska to purchase all of the seller's rights and interests in the small parcel KAP

3001 pursuant to the following conditions:

- (a) the amount of funds (hereinafter referred to as the "Purchase Price") previously provided by the Trustee Council to the State of Alaska was one-hundred sixty thousand dollars (\$160,000) for small parcel KAP 3001;
- (b) authorization for funding for any acquisition described in the foregoing paragraph shall terminate if a purchase agreement is not executed by February 1, 2013;
- (c) 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 warranty deed;
- (d) no timber harvest, road development or any alteration of the land will be initiated on the land without the express written agreement of the State of Alaska and the United States prior to purchase of this parcel;
- (e) a hazardous materials survey satisfactory to the State of Alaska and United States is completed;
- (f) compliance with the National Environmental Policy Act; and
- (g) a conservation easement on parcel KAP 3001, satisfactory in form and substance to the United States and the State of Alaska Department of Law, shall be conveyed to the United States.

It is the intent of the Trustee Council that the above-referenced conservation easement will provide that any facilities or other development on the foregoing small parcel 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.

The Purchase Price authorized in this Resolution 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 February 1, 2012 held in Anchorage, Alaska,  
as affirmed by our signatures affixed below:

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STEVE ZEMKE  
Trustee Alternate  
Chugach National Forest  
U.S. Department of Agriculture

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RICHARD SVOBODNY  
Acting Attorney General  
State of Alaska

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KIM ELTON  
Senior Advisor to the Secretary  
for Alaska Affairs  
U.S. Department of Interior

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

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CORA CAMPBELL  
Commissioner  
Alaska Department of Fish and Game

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LARRY HARTIG  
Commissioner  
Alaska Department of Environmental  
Conservation