

13.08.01 – Reading File

December 2003

Exxon Valdez Oil Spill Trustee Council

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



MEMORANDUM

TO: Trustee Council Members

FROM: Gail Phillips
Executive Director *Gail*

DATE: December 4, 2003

SUBJECT: Public comment on GEM Science Plan

We request your comments on the Science Plan for the Gulf of Alaska Ecosystem Monitoring and Research Program (GEM), available for downloading at <http://www.oilspill.state.ak.us/gem/documents.html>. The review of the Science Plan is an annual invitation for comments from everyone to improve the Science Plan. After the Science Plan is edited in response to comments, the Invitation for Proposals is prepared based on the needs and priorities identified in the Science Plan. Normally the review period for the Science Plan is from August to November; however events beyond our control limit the review period this year to the month of December – first week of January, with comments closing at the end of the day of January 5, 2004.

Reviewers should take care to limit comments to changes that may be required as a result of updates to the best available scientific information. Comments should be based on new scientific findings, or scientific findings that were overlooked in the GEM Program Document or the National Research Council review of GEM (available on the EVOSTC website). For example, comments are welcome on topics such as advances in current understandings of fate and effects of oil in biological systems, new findings on biological or climatic mechanisms of control of marine bird, mammal or fish populations, and information considered relevant to status of species and other resources injured by the oil spill.

On the other hand, comments of a policy nature, such as ideas for modifying the Trustee Council's mission statement, or ideas for projects outside the established geographic or topical scopes of GEM are not appropriate for the purposes of modifying the Science Plan. The Science Plan is based on the best scientific information available in January 2003. The scientific information selected was limited by its relevance to the mission statement supplied by the Trustee Council. Hence changing the mission statement would require assembling a different suite of information for a different Science Plan, which is not conducive to a long-term monitoring program.

If you have questions about this invitation for comments, please contact Phil Mundy, Science Director, via the Trustee Council office, 907-278-8012.

Exxon Valdez Oil Spill Trustee Council

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



December 3, 2003

Phillip R. Taylor, Program Director
Directorate for Geosciences
Division of Ocean Sciences
National Science Foundation
4201 Wilson Boulevard, Room 725
Arlington, VA 22230
telephone: (703) 292-8582
fax: (703) 292-9085,
email: prtaylor@nsf.gov

Re: EVOSTC/GEM is a partner institution in the coastal Alaska LTER (Schoch and Eckert)

Dear Mr. Taylor:

This is to confirm that Gulf of Alaska Ecosystem Monitoring and Research Program (GEM), Exxon Valdez Oil Spill Trustee Council, is a committed partner institution in the coastal Alaska LTER (Schoch and Eckert). GEM is a long term monitoring program funded by an endowment created by the Trustee Council in 1999. As stated by the National Research Council in the publication *A Century of Ecosystem Science: Planning Long-Term Research in the Gulf of Alaska* (National Academy Press) GEM offers, "... an unprecedented opportunity to increase our understanding of the functioning of large marine ecosystems ..." (p. 3).

Our commitment is based on the certainty that partnerships are essential to the success of GEM. As the NRC also pointed out, GEM cannot attain its mission without substantial leveraging of its own resources through partnerships. We see the Schoch and Eckert LTER proposal as an excellent opportunity to form a framework within which those connections and interactions with other long-term research entities can be forged. Indeed the past assistance of the coastal Alaska LTER co-authors in networking GEM with other groups, such as the Partnership for Interdisciplinary Studies in Coastal Oceanography (PISCO), has already been invaluable to the development of our current program.

Our commitment is also based on the belief that the time is ripe for the LTER concept to be extended to the marine environment. GEM is among a growing number of long-term research programs nationwide to recognize that marine ecosystems do not stop at the shoreline. GEM research seeks to understand how the biogeochemical cycle joins the

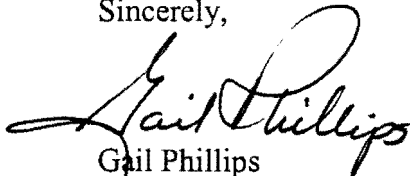
Mr. Taylor RE: coastal Alaska LTER (Schoch and Eckert)

marine and terrestrial environments of Alaska to make them inseparable components of the same ecosystem. By seeking to understand the nature of the connection between the Gulf of Alaska and Prince William Sound, the LTER participants would produce information essential to GEM objectives.

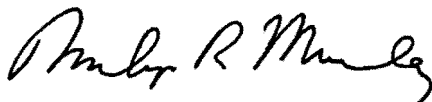
The conceptual foundation of GEM makes clear that variations in productivities of terrestrial ecosystems cannot be understood in the absence of information on variation in transfer rates of carbon and nitrogen from gulf to sound, and from sound to watershed. The understandings of the connection between gulf and sound that would become available via the LTER, is of enormous potential benefit to our objective of understanding variations in the productivities of coastal watersheds in Alaska. As a consequence, our commitment to the coastal Alaska LTER is expected to be strong and of long duration.

Please call on us if you have any questions.

Sincerely,



Gail Phillips
Executive Director



Phillip R. Mundy, Ph.D.
Science Director

Cc: Drs. Schoch and Eckert

Exxon Valdez Oil Spill Trustee Council

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



December 12, 2003

Glenn Seaman, Manager,
Kachemak Bay Research Reserve
Alaska Dept. of Fish and Game
2181 Kachemak Dr.
Homer, Alaska 99603

Greg Siekaniec, Refuge Manager
Alaska Maritime National Refuge
U.S. Fish and Wildlife Service
95 Sterling Highway, Suite 1
Homer, Alaska 99603-8021

Re: Congratulations on the opening of the Islands and Oceans Visitor
Center in Homer

Gentlemen:

The opening of such a beautiful new facility in Homer that is dedicated to the understanding and conservation of the marine environment is indeed cause for celebration. As partners with your organizations in monitoring and research on the marine environment, we congratulate you on the foresight, hard work and commitment represented by the Islands and Oceans Visitor Center.

The marine environment has never been more important to Alaska's future than now, and the challenges of conservation are growing daily as demands for goods and services from marine resources increase. Only through understanding the marine environment can the two ideals of conserving the legacy of our bountiful and diverse marine resources and developing Alaska's

economy for future generations be realized. The occupants and visitors of the Islands and Oceans Visitor Center will make achieving these ideals all the more possible.

Heightening public awareness of the marine environment and its importance to our lives and cultures through public involvement and outreach is another ideal shared by the Trustee Council and implemented through its Gulf of Alaska Ecosystem Monitoring and Research Program. By providing a facility in Homer where scientists, managers and the public can gather to focus on the marine environment, the Reserve and Refuge are making a major contribution to community involvement and awareness of marine resources. We congratulate you, and we look forward to working with you in the future.

Sincerely,

Warmest Congratulations!

Gail Phillips
Gail Phillips, Executive Director

Phillip Mundy
Phillip Mundy, Science Director

*** ERROR TX REPORT ***

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Exxon Valdez Oil Spill Trustee Council

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



December 12, 2003

Glenn Seaman, Manager,
Kachemak Bay Research Reserve
Alaska Dept. of Fish and Game
2181 Kachemak Dr.
Homer, Alaska 99603

Greg Siekaniec, Refuge Manager
Alaska Maritime National Refuge
U.S. Fish and Wildlife Service
95 Sterling Highway, Suite 1
Homer, Alaska 99603-8021

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Exxon Valdez Oil Spill Trustee Council

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December 12, 2003

Glenn Seaman, Manager,
Kachemak Bay Research Reserve
Alaska Dept. of Fish and Game
2181 Kachemak Dr.
Homer, Alaska 99603

Greg Siekaniec, Refuge Manager
Alaska Maritime National Refuge
U.S. Fish and Wildlife Service
95 Sterling Highway, Suite 1
Homer, Alaska 99603-8021

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*** ERROR TX REPORT ***

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Exxon Valdez Oil Spill Trustee Council

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December 12, 2003

Glenn Seaman, Manager,
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Alaska Dept. of Fish and Game
2181 Kachemak Dr.
Homer, Alaska 99603

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Alaska Maritime National Refuge
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Homer, Alaska 99603-8021

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Exxon Valdez Oil Spill Trustee Council

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MEMORANDUM

TO: EVOS Trustee Council

FROM: Gail Phillips, Executive Director

RE: Small Parcels Program

DATE: December 23, 2003

Gregg
Gail

Happy Holidays!

Attached is the information you requested and a status report for the small parcel acquisition grant that was issued to The Nature Conservancy and the Conservation Fund.

Of the \$1,000,000 originally established for the small parcels program, there is approximately \$294,350 left unexpended.

We need to reimburse the grantees \$217,756.59 for purchases authorized by the previous Council but not as yet reimbursed by EVOS plus an additional \$18,650 in direct acquisition costs that the grantees spent in order to convey acquired properties to the State of Alaska. The attached spreadsheet will give you the details of these purchases.

After the first of the year, I would like to schedule a teleconferenced Trustee Council meeting to discuss the small parcels program. We need a formal resolution from the Council to approve the reimbursement of funds expended by the grantees on behalf of EVOS. We also need to discuss disposition of the remaining \$294,350 in the program and whether or not you wish to re-enter a new contract with the grantees to purchase more small parcels or whether you wish to put this money back into the investment account or elsewhere.

Please let me know if you need any further information regarding this issue before the teleconference. Also, please let me know if your schedule would work for a conference call sometime during the week of January 20th.

Thanks very much.

MEMORANDUM

TO: EVOS Trustee Council

FROM: Gail Phillips, Executive Director

RE: Small Parcels Program

DATE: December 23, 2003

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Please let me know if you need any further information regarding this issue before the teleconference. Also, please let me know if your schedule would work for a conference call sometime during the week of January 20th. Thanks very much.

THE CONSERVATION FUND

2727 Hiland Road
Eagle River, AK 99577
Phone: (907) 694-9060
Fax: (907) 694-9070



EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL
715 L Street, Suite 100
Anchorage, AK 99501
Phone: (907) 276-3133
Fax: (907) 276-2584

December 12, 2003

Gail Philips
Executive Director
Exxon Valdez Oil Spill Restoration Office
441 West 5th Avenue, Suite 500
Anchorage, AK 99501

Re: Small parcel grant expenditures

Dear Gail:

The purpose of this letter is to provide an accurate accounting under the small parcel acquisition grant provided by the Exxon Valdez Oil Spill Trustee Council to The Conservation Fund (TCF) and The Nature Conservancy (TNC) (the Grantees) through the U.S. Fish and Wildlife Service. The attached spreadsheet provides details on specific properties and related expenses and an overall summary.

To summarize, of the original \$1 million grant:

- ◆ \$82,500 has been spent on salary and administrative support by USFWS and the Grantees, including \$25,000 each to TNC and TCF. (Administrative support to other agencies has not been included in this figure.)
- ◆ \$386,733.34 has been reimbursed to the Grantees for land acquisition including land costs and other direct acquisition costs (e.g., appraisals, title insurance,...).
- ◆ \$217,756.59 has been expended by the Grantees but not yet reimbursed by EVOS.
- ◆ Approximately \$18,650 in direct acquisition costs will have to be expended by the Grantees or the State of Alaska to convey acquired properties to the State of Alaska.
- ◆ Approximately \$294,350 remains to acquire additional properties.

We would be happy to provide alternatives for expending the remaining funds or fully develop cost estimates for proceeding with specific acquisitions. Hopefully, this accounting gives us all an accurate picture of the funds expended to date, outstanding obligations, and remaining funds. We look forward to working closely with you and the Trustee Council on the next steps.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Brad Meiklejohn'.

Brad Meiklejohn
Alaska Representative

A handwritten signature in dark ink, appearing to read 'Randy Hagenstein'.

Randy Hagenstein
Conservation Director

EVOS Small Parcel Acquisition Grant - Summary of incurred and projected expenses

Summary of expenses incurred and projected:

Original funding allocated:	\$ 1,000,000	
Administrative costs to USFWS	(32,500)	} \$82,500
Staff and indirect costs to TNC:	(25,000)	
Staff and indirect costs to TCF:	<u>(25,000)</u>	
Amount available for acquisitions:	917,500	
Land cost and other direct expenses reimbursed by EVOS:	<u>(386,733)</u>	
Current balance remaining:	530,767	
Land cost and other direct expenses not yet reimbursed by EVOS:	<u>(217,757)</u>	
Balance remaining after full reimbursement:	313,010	
Projected expenses to convey acquired lands to State of Alaska:	<u>(18,652)</u>	
Balance remaining for future acquisitions:	294,358	

Note: Additional agency expenses to be drawn from the original habitat protection grant should be added here.
--

Financial Status Report -- EVOS Small Parcel Grant to The Nature Conservancy and The Conservation Fund -- December 10, 2003

Location:	Tract:	Acres:	Value \$	Agency:	Lead:	Purchase Price to EVOS	Other Direct Costs to EVOS (1)	Total Incurred Cost to EVOS	Total Paid to Date by EVOS to grantee	Total Incurred Costs Unpaid to Date	Projected Future Costs to EVOS (2)	Total Projected Cost by Parcel
Completed Transactions												
<i>Kodiak Island</i>	Chokwak	160	160,000	DNR	TCF	160,000	-	160,000.00	160,000.00	-	-	160,000.00
<i>Anchor River</i>	Thorn/Crowther	46	200,000	ADFG	TCF	200,000	7,315.77	207,315.77	207,315.77	-	-	207,315.77
<i>Ninilchik River</i>	Swartzes Enterprises	0.2	6,000	DNR	TCF	6,000	5,017.57	11,017.57	11,017.57	-	-	11,017.57
<i>Prince William Sound</i>	UA-Jack Bay	942.03	1,130,000	USFS	TNC	(see Note 3)	11,514.46	11,514.46	-	11,514.46	-	11,514.46
Acquired Parcels Awaiting EVOS Funding												
<i>Anchor River</i>	Nakada	5	27,500	ADFG	TNC	15,000	461.94	15,461.94	-	15,461.94	7,493.00	22,954.94
	Knol	37	80,000	ADFG	TNC	80,000	1,042.08	81,042.08	-	81,042.08	5,420.00	86,462.08
	Thompson	64	90,000	ADFG	TNC	90,000	7,794.28	97,794.28	-	97,794.28	5,739.00	103,533.28
Parcels for Potential Acquisition (4) (5)												
<i>Anchor River</i>	McGee	8	50,000	DNR	TNC		3,250.00	3,250.00	-	3,250.00		3,250.00
<i>Kasilof River</i>	Mental Health	23.35	18,500	DNR	TCF		1,500.00	1,500.00	1,500.00	-		1,500.00
	Mental Health	19.95	275,000	DNR	TCF		1,500.00	1,500.00	1,500.00	-		1,500.00
<i>Prince William Sound</i>	Best	2.05	28,000	DNR	TCF		2,500.00	2,500.00	-	2,500.00		2,500.00
	UA-Duck Flats	32.66	130,000	USFS	TNC		6,193.83	6,193.83		6,193.83		6,193.83
<i>Kenai River</i>	Corr	170.4	2,000,000	ADFG	TCF		3,000.00	3,000.00	3,000.00	-		3,000.00
<i>Stariski Creek</i>	Moser	260	90,000	ADFG	TCF		2,400.00	2,400.00	2,400.00	-		2,400.00
Total						551,000	53,489.93	604,489.93	386,733.34	217,756.59	18,652.00	623,141.93

- (1) Other Direct Costs include appraisals, appraisal reviews, hazardous materials surveys, title reports, title insurance, escrow and closing fees, real property taxes, and travel related to project acquisition.
- (2) Projected Future Costs include estimated costs of transferring land to the appropriate agency. These costs include: escrow and closing fees, title reports, title insurance, and updates to appraisals and hazardous materials reports.
- (3) UA-Jack Bay land was purchased with other EVOS funds; other direct expenses were charged to this grant.
- (4) No money has been spent on land costs yet, but money has been spent on appraisals and preliminary title work. If we proceed on these deals then the land purchase price and other direct expenses would need to be added to the projected costs.
- (5) There are additional parcels (not listed here) that have been identified for potential acquisition, but for which funds have not been expended.

Exxon Valdez Oil Spill Trustee Council

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MEMORANDUM

TO: Kevin Buckland, Finance Officer, ADF&G
Bruce Nessler, Budget Officer, DOI
Divina Pelayo, Accountant, ADF&G
~~Bruce Smith~~, Investment Officer, DOR
Sue Bump

FROM: Gail Phillips
Executive Director *Gail Phillips*

RE: Authorization to Transfer Funds
Authorization to Transfer funds to Trustee Agencies

DATE: December 1, 2003

Per the attached documents, this memo authorizes the transfer of funds from the EVOS Research Investment Sub-Account to the State of Alaska (GeFONSI Fund) and the United States (NRDAR Fund) for restoration projects. The Alaska Department of Law and the United States Department of Justice have notified the United States District Court of our intent to expend \$3,187,402 from the EVOS Investment Fund, as follows: \$3,187,402 from the Research Investment Sub-Account. The transfer is to take place on December 9, 2003.

Purpose	From Research Sub-Account
FY 04 Work Plan	\$3,187,402
Subtotal United States \$ 1,682,955	
Subtotal State of Alaska \$ 1,504,447	
Total \$ 3,187,402	
TOTAL \$ 3,187,402	\$3,187,402
Subtotal United States \$ 1,682,955	To be disbursed as follows:
Subtotal State of Alaska \$ 1,504,447	NRDAR \$ 1,504,447
	GeFONSI \$ 1,682,955

12/3/03
PB

There have been four Trustee Council meetings (April 23, July 24-25, and September 3, 2003, November 10, 2003) since the last court notice September 22, 2003.

Page 1

The following documents are attached:

- Draft meeting notes for November 10, 2003, with the following attachments:
- November 10, 2003 meeting agenda
- Approved meeting notes for September 3, 2003
- Resolution 04-01 including spreadsheet A

If you have any questions or need additional materials, please let me know.

Paula/court notice/FY04/fax
memo authorization to
transfer for FY 04
Workplan.doc

Exxon Valdez Oil Spill Trustee Council

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



TRUSTEE COUNCIL MEETING NOTES

Anchorage, Alaska

November 10, 2003

DRAFT

By Gregg Renkes
Trustee Council Member

DRAFT

Trustee Council Members Present:

Joe Meade, USFS
Drue Pearce, DOI
James Balsiger, NMFS

Kevin Duffy, ADF&G
Ernesta Ballard, ADEC
*Gregg Renkes, ADOL

*Chair

Meeting convened at 10:05 a.m., November 10, 2003 in Anchorage at the EVOS Conference Room.

1. Approval of the Agenda

APPROVED MOTION: Approved the agenda for the November 10, 2003 meeting. (Attachment A)

Motion by Duffy, second by Ballard

Public comment period began at 10:10 a.m.

Public comment received from 16 individuals in Anchorage, Cordova, Kodiak, Fairbanks, Valdez, and Virginia.

Public comment period closed at 11:45 a.m.

2. Approval of the Meeting Notes

APPROVED MOTION: Approved the September 3, 2003 meeting notes. (Attachment B)

Motion by Ballard, second by Duffy

3. Trustee Council and EVOS staff Investment Training

On September 26, 2003 Michael O'Leary, Executive Vice President, Callan Associates presented investment training to the EVOS staff and

Investment Working Group (IWG). The Trustee Council was also invited to attend. Mr. Callan's presentation was designed to give the EVOS staff and IWG as custodians of the Investment Fund a better understanding of investment strategies. He touched on capital market theory, asset allocation concepts, historical perspectives, endowment and foundation spending policies, market projections, and alternative asset allocation policies. Even though EVOS has money managers to manage the fund it is important that the staff and the Council have an understanding of its function and through continued education, keep up with the current market trends. Paula Banks recently attended an Asset Allocation Summit in San Francisco the message again was echoed, to understand what your money managers are doing and keep up with the current market trends.

4. Approval of FY 04 Work Plan

APPROVED MOTION: Approve for funding FY 04 Watershed projects by: Finney, Honnold, Walker, Heintz and Knudsen. (Knudsen met fund contingency criteria by responding to STAC recommendations in revised proposal submitted to EVOS office.)

Motion by Duffy, second by Balsiger

APPROVED MOTION: Approve for funding FY 04 Alaska Coastal Current projects by: Batten, Cokelet, Okkonen, Weingartner and Matkin.

Motion by Balsiger, second by Pearce

APPROVED MOTION: Approved for funding FY 04 Community Involvement projects by: Adams, Schneider and DeLorenza.

Motion by Pearce, second by Meade

APPROVED MOTION: Approve for funding FY 04 Lingering Oil projects by: Fall, Irons, Nelson and Rosenberg. Fund contingent on providing final reports to EVOS office projects by: Rice, Irvine and Bodkin.

Motion by Balsiger, second by Ballard

APPROVED MOTION: Approve for funding FY 04 Data Management projects by: Keiter, Macklin and Saupe

Motion by Balsiger, second by Meade

FAILED MOTION: Funding for FY 04 Modeling projects.

APPROVED MOTION: Approve for funding FY 04 Nearshore projects by: Bishop, Bodkin, Konar, Ruesink and Thorne.

Motion by Balsiger, second by Ballard

APPROVED MOTION: Approved for funding FY 04 Synthesis projects by: Eckert. Fund contingent upon meeting the following criteria: publish in Alaska, copyright to the Trustee Council and under Trustee Council's guidance project by: Spies.

Motion by Duffy, second by Meade

5. Adopt Resolution

APPROVED MOTION: Adopted Resolution 04-01 of the *Exxon Valdez* Oil Spill Trustee Council regarding the FY 04 Work Plan.

Motion by Ballard, second by Balsiger

6. Memorandum of Agreement

APPROVED MOTION: Approved accepting the Memorandum of Agreement between the Alaska Marine Highway System, Department of Transportation and the *Exxon Valdez* Oil Spill Trustee Council.

Motion by Ballard, second by Pearce

7. Science-related organizations in State

APPROVED MOTION: Approved EVOS staff preparing a report identifying various science-related organizations in the State; their sponsors, their funding sources and their area of scientific expertise.

Motion by Ballard, second by Durity

8. Executive Session

APPROVED MOTION: Approved moving to executive session to discuss litigation issues.

Motion by Duffy, second by Meade

EXECUTIVE SESSION

Off the record: 6:00 p.m.

On the record: 6:15 p.m.

Meeting adjourned at 6:20 p.m. Motion by Ballard, second by Balsiger

Exxon Valdez Oil Spill Trustee Council

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

AGENDA EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL MEETING

November 10, 2003 10:00 a.m.
441 West 5th Avenue, Suite 500, Anchorage



DRAFT

Trustee Council Members:

GREGG RENKES
Attorney General
State of Alaska

JAMES BALSIGER
Administrator, Alaska Region
National Marine Fisheries Service

ERNESTA BALLARD
Commissioner
Alaska Department of
Environmental Conservation

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

KEVIN DUFFY
Commissioner
Alaska Department of Fish
and Game

JOE MEADE
Forest Supervisor
U.S. Department of Agriculture
Forest Service

Meeting in Anchorage, Trustee Council Office, 441 West 5th Avenue, Suite 500
_____ State Chair

1. Call to Order – 10:00 a.m.
 - Approval of Agenda
 - Approval of Meeting Notes
September 3, 2003
2. Public comment – 10:05 a.m.
3. Executive Director comments – Gail Phillips
 - Investment Training Seminar
 - Investment Update
 - 15th Anniversary (March 2004)
 - ARLIS contribution percentages
 - Report on overdue projects
 - PAC comments re FY 04 Work Plan – Ellen Huber, PAC member

- Lease paragraph for FY 05 Invitation – Phil Mundy
- Trustee Council Chair rotation

Working lunch (provided)

4. Introduction of proposed FY 2004 Work Plan – Phil Mundy
5. Discussion and approval of FY 2004 Work Plan*
6. Lapsed FY 2003 funds*
7. Memorandum of Agreement between Alaska Marine Highway System, Alaska Department of Transportation and the *Exxon Valdez* Oil Spill Trustee Council*
8. Report identifying various science-related organizations in the State, who they are sponsored by, where they get their funding and what their area of scientific work entails*
9. Executive Session

Adjourn

* Indicates action items.

Exxon Valdez Oil Spill Trustee Council

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TRUSTEE COUNCIL MEETING NOTES

Anchorage, Alaska

September 3, 2003

By Jim Balsiger
Trustee Council Member

Trustee Council Members Present:

Joe Meade, USFS
Drue Pearce, DOI
*James Balsiger, NMFS

Kevin Duffy, ADF&G
Ernesta Ballard, ADEC
Gregg Renkes, ADOL

*Chair

By teleconference: Pearce, Ballard, Renkes

Meeting convened at 11:05 a.m., September 3, 2003 in Anchorage at the EVOS Conference Room.

1. Approval of the Agenda

APPROVED MOTION: Approved the amended agenda for the September 3, 2003 meeting adding discussion of Chair rotation if time permits. (Attachment A)

Motion by Duffy, second by Ballard

Public comment period began at 11:12 a.m.

Public comment received by one individual in Anchorage.

Public comment period closed at 11:23 a.m.

2. Approval of the Meeting Notes

APPROVED MOTION: Approved the July 24-25, 2003 meeting notes. (Attachment B)

Motion by Duffy, second by Ballard

3. Approval of NOAA/NOS Grant

APPROVED MOTION: Approved the motion to accept the NOAA/NOS grant totaling \$745,125 over the next three years (\$248,375 each year).

Motion by Meade, second by Duffy

4. Approval of Science Management Budget 040630/040630A

APPROVED MOTION: Approved the Science Management Budget 040630/040630A for \$391,600.

Motion by Meade, second by Pearce

5. Approval of Administrative Budget 040100

APPROVED MOTION: Approved the Administrative Budget 040100 for \$863,300.

Motion by Duffy, second by Renkes

6. Approval of ARLIS Budget 040550

APPROVED MOTION: Approved the Alaska Resources Library and Information Services' (ARLIS) Budget 040550 for \$160,900.

Motion by Duffy, second by Meade

6. Approval of Data Management Budget 040455

APPROVED MOTION: Approved the Data Management Budget 040455 for \$156,800.

Motion by Duffy, second by Meade

7. Executive Session

APPROVED MOTION: Approved moving to executive session to discuss personnel and litigation issues.

Motion by Duffy, second by Ballard

EXECUTIVE SESSION
Off the record: 2:07 p.m.

On the record: 2:59 p.m.

8. FY 04 Administrative Budgets 040100, 040455, 040550 and 040630/040630A

ADOPTED RESOLUTION: Adopted Resolution 03-05 of the *Exxon Valdez*
Oil Spill Trustee Council regarding FY 04 Work
Plan totaling \$1,572,600.
(Attachment C)

Motion by Meade, second by Duffy

Meeting adjourned at 3:03 p.m. Motion by Ballard, second by Duffy.

**RESOLUTION 04-01 OF THE
EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL
REGARDING THE FY 04 WORK PLAN**

We, the undersigned, duly authorized members of the *Exxon Valdez* Oil Spill Trustee Council do hereby certify that, in accordance with the Memorandum of Agreement and Consent Decree entered as settlement of United States of America v. State of Alaska, No. A91-081 Civil, U.S. District Court for the District of Alaska, and after public meetings, unanimous agreement has been reached to expend funds received in settlement of State of Alaska v. Exxon Corporation, et al., No. A91-083 CIV, and United States of America v. Exxon Corporation, et al., No. A91-082 CIV, U.S. District Court for the District of Alaska, for necessary natural resource damage assessment and restoration activities for fiscal years 2004, 2005 and 2006 as described in Attachment A. The Fiscal Year 2004 Work Plan is funded at \$3,187,402 as described in Attachment A. The monies are to be distributed according to the following schedule:

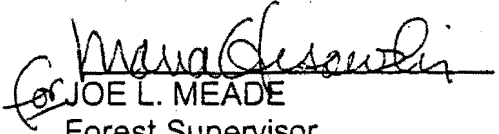
Alaska Department of Fish & Game	1,292,847
Alaska Department of Natural Resources	211,600
SUBTOTAL TO STATE OF ALASKA	\$1,504,447
 U.S. Department of the Interior	 581,534
National Oceanic & Atmospheric Administration	1,101,421
 SUBTOTAL TO UNITED STATES OF AMERICA	 \$1,682,955
 TOTAL APPROVED	 \$3,187,402


Funds must be spent in accordance with Attachments A, with the following conditions: (1) If a Principal Investigator (PI) has an overdue report or manuscript from


a previous year, no funds may be expended on a project involving the PI unless the report is submitted or a schedule for submission is approved by the Executive Director; (2) a project's lead agency must demonstrate to the Executive Director that requirements of the National Environmental Policy Act (NEPA) are met before any project funds may be expended (with the exception of funds spent to prepare NEPA documentation); and (3) a PI for each project must submit a signed form to the Executive Director indicating their agreement to abide by the Trustee Council's data and report requirements before any project funds may be expended.

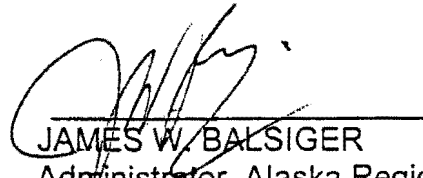
By unanimous consent, we hereby request the Alaska Department of Law and the Assistant Attorney General of the Environmental and Natural Resources Division of the United States Department of Justice to take such steps as may be necessary to make available for the Fiscal Year 2004 Work Plan, the amount of \$3,187,402 from the appropriate account designated by the Executive Director.

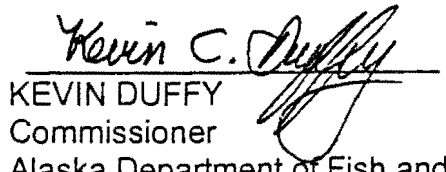
Approved by the Council at its meeting of November 10, 2003 held in Anchorage,
Alaska as affirmed by our signatures affixed below.

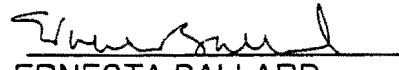

JOE L. MEADE
Forest Supervisor
Forest Service Alaska Region
U.S. Department of Agriculture


GREGG RENKES
Attorney General
State of Alaska


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


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


KEVIN DUFFY
Commissioner
Alaska Department of Fish and Game


ERNESTA BALLARD
Commissioner
Alaska Department of Environmental
Conservation

Attachments:
A Funding Distribution

FY 04-FY06 Attachment A Numbers Spreadsheet
Court Notice
FY 04

NOAA	1,101,421
DOI	581,534
Total to United States to NRDA	1,682,955

DNR Total	211,600
ADFG	1,292,847
Total to State to GeFONSI	1,504,447

Agency	Cooperating Agency	Listing	Project Number	FY04	FY05	FY06	Decision	Comments
ADFG		DeLorenzo-FY04-Youth Area Watch	40210	\$ 121,100	\$ 126,400	\$ 133,200	Fund	
ADFG		Eckert-FY04-Natural Variability in the Nearshore	40702	\$ 36,300	\$ 17,500	\$ -	Fund	
ADFG		Fall-FY04-Status of Subsistence Uses	40471	\$ 298,700	\$ 25,600	\$ -	Fund	
ADFG		Finney-FY04-Marine-terrestrial Linkages	40703	\$ 79,197	\$ 80,154	\$ 81,117	Fund	
ADFG		Honnold-FY04-Marine-derived Nutrients on Sockeye Salmon	040703-A	\$ 83,200	\$ 82,400	\$ 86,800	Fund	
ADFG		Konar-FY04-Natural Geography in Shore Areas	40666	\$ 248,729	\$ -	\$ -	Fund	
ADFG		Okkonen-FY04-Monitoring Program in the NE Pacific Ocean	40614	\$ 27,289	\$ 30,366	\$ 31,455	Fund	
ADFG		Rosenberg-FY04-Harlequin Duck Population	40407	\$ 37,100	\$ -	\$ -	Fund	
ADFG		Schneider-FY04-Kodiak Archipelago	40610	\$ 63,000	\$ 63,000	\$ 63,000	Fund	
ADFG		Walker-FY04-Marine Derived Nutrients	40726	\$ 150,200	\$ 153,400	\$ 149,700	Fund	
ADFG	NOAA	Cokelet-FY04-AK Marine Highway System Ferries	40699	\$ 15,300	\$ 22,700	\$ 23,200		
ADFG		Weingartner-FY04-Alaska Coastal Current	40340	\$ 75,482	\$ 75,482	\$ 75,482	Fund	
ADFG	DNR, DOI, NOAA	Project Management	40250	\$ 57,250	\$ -	\$ -	Fund	
		Total ADFG Funding for FY04-06		\$ 1,292,847	\$ 677,002	\$ 643,954		
ADNR		Spies-FY04-EVOS Damage Assessment & Restoration	40600	\$ 201,700	\$ -	\$ -	Fund Contingent	TC re-evaluation of contract
ADNR	ADFG, DOI, NOAA	Project Management	40250	\$ 9,900	\$ -	\$ -	Fund	
		Total DNR Funding for FY 04-06		\$ 211,600	\$ -	\$ -		
DOI		Bodkin-FY04-Lingering Oil and Sea Otters	040620-2	\$ 134,300	\$ 26,200	\$ 6,500	Fund Contingent	Submission of overdue reports
DOI		Bodkin-FY04-Nearshore Monitoring Decision Process	40687	\$ 10,000	\$ -	\$ -	Fund	
DOI		Irons-FY04-Bird Abundance in PWS	40159	\$ 175,518	\$ -	\$ -	Fund	
DOI	NOAA	Irvine-FY04-Lingering Oil on Boulder-Armored Beaches	40708	\$ 60,800	\$ 14,400	\$ -	Fund Contingent	Submission of overdue reports
DOI		Knudsen-FY04-Nutrient-Based Resource Management	40712	\$ 173,216	\$ 177,002	\$ 152,532	Fund	
DOI	ADNR, NOAA, ADFG	Project Management	40250	\$ 27,900	\$ -	\$ -	Fund	
		Total DOI Funding for FY 04-06		\$ 581,534	\$ 217,602	\$ 159,132		
NOAA	DOI	Irvine-FY04-Lingering Oil on Boulder-Armored Beaches	40708	\$ 11,100	\$ 2,800	\$ -	Fund Contingent	Submission of overdue reports

**FY 04-FY06 Attachment A Numbers Spreadsheet
Court Notice
FY 04**

Agency	Cooperating Agency	Listing	Project Number	FY04	FY05	FY06	Decision	Comments
NOAA		Adams-FY04-Fisheries Management	40636	\$ 46,760	\$ -	\$ -	Fund	
NOAA		Batten-FY04-CPR data	40624	\$ 135,200	\$ 135,200	\$ 135,200	Fund	
NOAA		Bishop-FY04-Top-down and Bottom-up Processes	40635	\$ 149,529	\$ 164,030	\$ 151,390	Fund	
NOAA	ADFG	Cokelet-FY04-AK Marine Highway System Ferries	40699	\$ 156,200	\$ 163,200	\$ 122,700	Fund	
NOAA		Heintz-FY04-Energy Allocation	40706	\$ 48,400	\$ 42,300	\$ 14,100	Fund Contingent	Submittal of budget reports
NOAA		Kiefer-FY04-Alaskan Groundfish Feeding Ecology	40710	\$ 80,900	\$ -	\$ -	Fund	
NOAA		Macklin-FY04-NGOA Metadatabase	40716	\$ 100,600	\$ -	\$ -	Fund	
NOAA		Matkin-FY04-Killer Whales in PWS/Kenai Fjords	40012	\$ 19,502	\$ -	\$ -	Fund	
NOAA		Nelson-FY04-Hydrocarbon Database	40290	\$ 22,200	\$ 22,200	\$ 22,200	Fund	
NOAA		Rice-FY04-Lingering Population Status	40620-1	\$ 60,000	\$ 61,000	\$ 29,100	Fund Contingent	Submittal of budget reports
NOAA		Ruesink-FY04-Altering the Community Structure	40647	\$ 81,600	\$ -	\$ -	Fund	
NOAA		Saupe-FY04-Habitat Web Site	40721	\$ 21,100	\$ -	\$ -	Fund	
NOAA		Short-FY04-Monitoring Exxon Valdez Oil & PWS	40724	\$ 45,900	\$ -	\$ -	Fund Contingent	Submittal of budget reports
NOAA		Thorne-FY04-Seafood Waste Discharge	40725	\$ 72,680	\$ 111,692	\$ 108,943	Fund	
NOAA	DNR, DOI, ADFG	Project Management	40250	\$ 49,750	\$ -	\$ -	Fund	
Total NOAA Funding for FY 04-06				\$ 1,101,421	\$ 699,622	\$ 583,633		

Total Funding for FY 04 - FY 06		FY04	FY 05	FY 06
		\$ 3,187,402	\$ 1,594,226	\$ 2,211,458
FY 04 EVOS FUNDING RECOMMENDATIONS		Total Funding by Agency		
NOAA		1,101,421		
DNR Total		211,600		
ADFG		1,292,847		
DOI		581,534		
Total		3,187,402		

*Trustee Council Approved EVOS Admin Funds at the October Trustees Council Meeting

Exxon Valdez Oil Spill Trustee Council

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

December 2, 2003



Exxon Valdez Oil Spill Trustee Council Members

Re: Final details on the FY 2004 Work Plan requiring your action

Dear Trustees:

Upon review of the transcripts of the Trustee Council meeting of November 10th, two additional actions remain pertaining to the FY 2004 Work Plan.

1. Funding of two continuing projects, now deferred, that cannot be finished without additional funds;
2. Funding of an alternative to the modeling proposals rejected on November 10th.

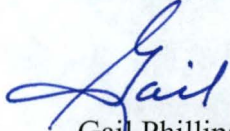
The Trustee Council agreed to re-consider funding deferred projects during FY 2004; however, given the current work load and the lateness in the fiscal year, I am recommending that you consider funding only two deferred projects in FY 2004 (Stabeno and Willette). The projects are continuing projects (funded in FY 2003) where we need additional investment to get full benefits from money already spent. If acceptable to the Trustee Council, authors of the other deferred projects would be notified not to expect funding in FY 2004. This would allow them to pursue other funding sources, or to consider re-submitting under the FY 2005 Invitation. At present, authors of all deferred proposals are waiting to hear from the Trustee Council.

The Trustee Council agreed to the concept of developing a modeling program; however, it asked for a less costly alternative to the proposals rejected on November 10th. Our Science Director, Dr. Mundy, has recommended that the budget of project 040630, Science Management, be increased by \$70,000 to support four workshops and preparation of a modeling report in FY 2004, which would allow us to do the work in-house. The workshops and report would address questions raised by the Trustee Council during the November 10th meeting, including availability of models from state and federal agencies, feasibility of engaging modeling personnel from state or federal agencies on a *pro bono* basis, and methods for making stakeholder input, traditional ecological knowledge, and other forms of community involvement integral components of the modeling process. The cost estimate is based on travel for 48 people, as the total attendance for the work shops at our offices in Anchorage and report preparation by staff.

I recommend that the Trustee Council could take care of these two items in a brief conference call at a time to be determined, if there is general agreement on the course of action recommended. I will e-mail you in several days to get your input.

If more discussion is required, I am hoping that all Trustee Council members will be present for the opening of the Alaskan Marine Science Symposium at the Hotel Captain Cook at 1:00 PM January 12, which would allow us to meet in the morning.

Sincerely,



Gail Phillips
Executive Director

Cc: Phil Mundy, Science Director