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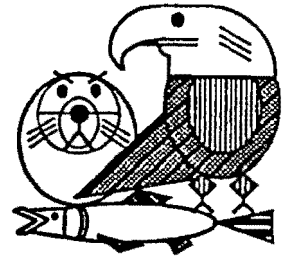
May 1995

Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 "G" Street, Anchorage, AK 99501

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



May 31, 1995

Bernard L. Marsh, President
Whittier Boat Owners's Association, Inc.
2550 Denali Street, Suite 1310
Anchorage, Alaska 99503

Dear Mr. Marsh:

Thank you for your letter concerning a potential sport fishing restoration proposal for Esther Island Hatchery. Unfortunately, we have not yet received the restoration proposal to which your letter refers, and our deadline for next year's proposals was May 1.

Restoration proposals received by the Trustee Council are subject to independent scientific review. In addition, they are examined by the Trustee Council's Public Advisory Group, a 17-member advisory group representing a cross-section of interest groups affected by the spill, by agency staff for policy considerations, and by the Trustee Council's legal advisors to ensure they are consistent with the requirements of the settlement. Finally, proposals are published for public review before the Trustee Council makes its funding decisions.

The deadline for proposals for the upcoming fiscal year, which begins this October, was May 1. We received 128 proposals totalling approximately \$39 million. This is roughly double the amount likely to be available to fund these projects in fiscal year 1996. The review process for these proposals is already underway, and draft recommendations will be published for public review in late June.

To ensure that you get timely notice of future proposal opportunities, I am adding your name to our mailing list. If you have any further questions, please do not hesitate to call myself or Bob Loeffler on my staff.

Sincerely,

A handwritten signature in cursive script, reading "Molly McCammon".

Molly McCammon
Executive Director

RECEIVED
APR 30 1996

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL
ADMINISTRATIVE RECORD



RECEIVED
MAY 24 1995

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

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

May 22, 1995

Dear Ms. McCammon:

The Whittier Boat Owners Association by resolution dated May 17, 1995 requests consideration by the Trustee Council of a recreation restoration project in Prince William Sound.

The project proposed is the enhancement of a Coho (silver) Salmon fishery designed specifically for sports fishermen. The Trustee Council is asked to finance the construction of one or two raceways at the Wally Noerenburg (Esther Island) hatchery so Coho Salmon smolts can be reared and released in Prince William Sound, thus creating a return of adult salmon for sport fishermen. Coho Salmon are of little or no interest to commercial fishermen, but are highly prized for sport fishing.

Prince William Sound Aquaculture Corporation has indicated a willingness to design and construct the necessary structure(s) at Esther Island. Their own Coho release program is being severely cut back because of inadequate rearing facilities at the hatchery (see attached PWSAC press release).

WBOA believe a silver salmon sport fishery is the best recreational improvement that could be provided in the Sound. We add our encouragement and assistance to the City of Whittier in promoting this project. We expect a cost estimate from PWSAC shortly and will forward it to you.

Sincerely,

Bernard L. Marsh
President

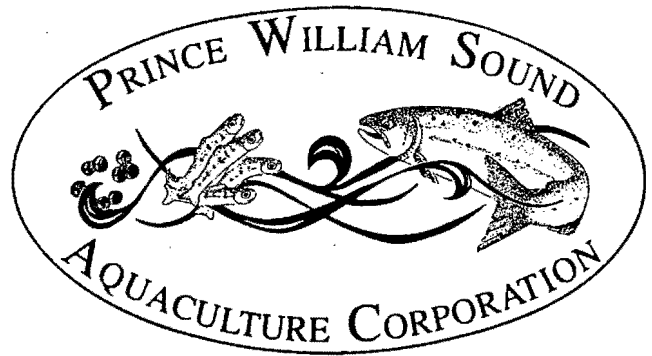
BLM:ckf

Enclosure: PWSAC Press Release

cc: Gov. Tony Knowles
Whittier Mayor Ben Butler
Heather McCarty, PWSAC

2550 Denali Street - Suite 1310 - Anchorage, Alaska 99503 - (907) 278-3615

March 13, 1995



PRESS RELEASE

EXECUTIVE COMMITTEE RECOMMENDS REDUCTION IN COHO, CHINOOK SMOLT RELEASES

At their March 11 meeting, the Executive Committee (ExComm) of the Board of Directors of Prince William Sound Aquaculture Corporation (PWSAC) voted to recommend to the full Board of Directors that they approve the management's proposal regarding changes to the chinook and coho smolt programs at the Wally Noerenberg Hatchery. The changes recommended by PWSAC Operations Manager Eric Prestegard and Chief Scientist Tim Linley are reductions in the coho and chinook production numbers because of concerns regarding present and past disease problems, and present fish culture practices.

Changes in production are designed to reduce the incidence of Bacterial Kidney Disease (BKD), minimize the risk of loss, and increase marine survival rates. The recommendation is for a reduction by about 90% of total production for both chinook and coho, and the implementation of an intensive screening program to isolate and eliminate the disease in eggs taken from returning adults. According to Linley and Prestegard, the changes would begin in 1994, and impact sport and commercial catches beginning in 1997.

According to the management recommendation, release numbers of chinook would be reduced from 670,000 to 75,000 smolts, with 50,000 of those targeted for continuing the remote release program at Chenega Bay, and 25,000 for release on-site to maintain the broodstock. Coho releases would be reduced from a total of 2.5 million to 225,000 smolts. As recommended by the ExComm, 100,000 of the coho smolts would be maintained for sport fish releases, half of the number presently released. The remaining 125,000 would be released on site to maintain broodstock requirements.

At the direction of the ExComm, the ADF&G Sport Fish Division has been contacted for assistance in supplementing the sport fish releases in the Sound. Initial contact with Sport Fish biologist Kelly Hepler has been positive, but no commitment has yet been made, according to Prestegard.

"We believe this action will maintain sport fish harvest near present levels as a result of higher ocean survival, and provide the framework to develop a rational plan of enhanced smolt production that benefits all user groups," Linley said.

According to the technical staff, approximately 90% of the brood year 1993 production of coho and chinook has tested positive for Bacterial Kidney Disease (BKD). The disease has been detected in adults of all species at least once, and on several occasions in chinook and coho fry and smolt. The prevalence of the disease has increased during the last five years, Linley and Prestegard told the ExComm, and now presents a serious risk to the chinook and coho program. There is also a potential, although limited, risk of transmission to other species due to an overlap in timing of returning adults and fry rearing. Moreover, the disease has been isolated in dolly varden from Esther Lake, the water source for the Noerenberg Hatchery.

Coincident with this problem has been an increase in smolt production to levels far exceeding the available rearing capacity. Each winter, approximately 1.5 to 2 million coho are transferred to the brood pond, which was not designed for rearing. This practice has most likely contributed to a decline in ocean survival from ~ 17% for brood year 1984 to ~ 3% for brood year 1990. In contrast, returns to southeast Alaska coho enhancement projects have ranged from 15 to 30% in recent years.

"We believe that the combination of lower production numbers, and therefore lower rearing densities, and a program of testing each individual fish for the presence of BKD bacteria before using the eggs for incubation will result in healthy and productive stocks of coho and chinook," said Prestegard.

#####

For further information, contact:
Heather McCarty or Eric Prestegard
PWSAC Cordova office, (907) 424-7511

June 1, 1995

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



Dear Molly:

You have recently received a letter dated May 22, 1995, from the Whittier Boat Owners Association, requesting consideration by the Trustee Council of a recreation restoration project in Prince William Sound. As you see, these folks have no experience with the Trustee Council, and I'm sure by now have received your packet of information as to how they should proceed! I wanted to let you know how their request came into being.


We annually make a presentation to the WBOA regarding the numbers of returning hatchery-produced salmon expected to be available for the common property fishery -- with an emphasis on the coho and chinook remote releases targeted for sport fish harvest. This spring, the presentation included a report on the reduction of the coho and chinook programs at our Noerenberg Hatchery because of the increased incidence of Bacterial Kidney Disease. (As detailed in the press release attached to the letter from WDOA.) Beginning in 1996, no chinooks and a reduced number of cohos will be released at the Whittier and Cordova sport fishing locations. The commercial catch of cohos, now a small but important chunk of a PWS gillnetter's season, will also cease until the program is rebuilt.

Our Chief Scientist has laid out a strategy for rebuilding the coho and chinook programs that will include screening the broodstock and using only spawning pairs free of the disease. In addition, increased rearing space at Noerenberg will be necessary in order to rebuild the programs to their present level, to help prevent reoccurrence of BKD brought on in part by overcrowding. PWSAC has begun the process of determining the rearing space needs, and by this winter should know the approximate cost of capital improvements.

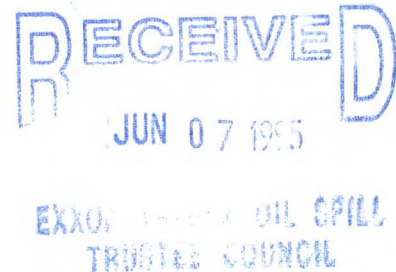
As the coho and chinook returns are a growing part of the recreation and tourism business in and close to Whittier, the WBOA and the City of Whittier representatives at the meeting immediately offered their assistance in obtaining funding for additional rearing space construction at Noerenberg. We welcome their help and support, and will be working with both groups towards our common goal of maintaining PWSAC's sport fish program.

If you have suggestions or questions, give me a call.

Best regards,


Heather McCarty
Marketing/Public Relations Manager

cc: Ben Marsh, WBOA President
Ben Butler, Mayor of Whittier
Ted Achilles, Jr.



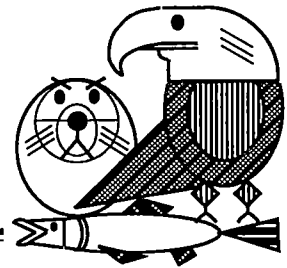
Corporate Office • Post Office Box 1110 • Cordova, Alaska 99574-1110
phone: 907/424-7511 * fax: 907/424-7514

Exxon Valdez Oil Spill Trustee Council

Restoration Office

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

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



May 30, 1995

Uwe Gross
Chief Executive Officer
Koniag, Inc.
4300 B Street, Suite 407
Anchorage, Alaska 99503

Dear Mr. Gross:

Thank you for your recent correspondence regarding our depiction of the status of negotiations with Koniag in a recent edition of the Trustee Council's newsletter. After reviewing your comments and the table used in the newsletter, I agree with you that our article is misleading. Our status documents actually have the correct information, but displaying it in a simplified version for the newsletter resulted in inaccuracies that unfortunately were not caught in our review process.

I sincerely apologize if this has caused you any problems with your board or your shareholders. We will plan on running a correction in the next issue of the newsletter. If you would like me to do anything further, please don't hesitate to contact me.

Sincerely,

A handwritten signature in cursive script, reading "Molly McCammon". The signature is fluid and extends across the width of the text area.

Molly McCammon
Executive Director

cc: Bill Timme

mm/raw

Trustee Agencies

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

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

KONIAG, INC.

• 4300 B Street, Suite 407, Anchorage, AK 99503

(907) 561-2668 • FAX (907) 562-5258 •

FAX TRANSMITTAL

TO: EVOS Trustee Council DATE: 5/24/95 ^{Uma Gross} ^{cc: Bill} ^{Turner.}
ATTN: Molly Mc Common FROM: U.L. GROSS, CEO
Fax #: (907) 276-7178 TIME: 1345 hrs
NUMBER OF PAGES INCLUDING THE COVER SHEET: 2

MESSAGE:

Ms. Mc Common,

Attached is a copy
of "Page 3" of the EVOS
Trustee Council's "Restora-
tion Update".

Please note the
errors in reporting
the status of negotiations
regarding the KNAK
lands owned by Koniag,
Inc. Above I of any Koniag
acquisition is still in
progress (as of today I have no
agreements to take to our board).
Above II discussions for the

IF YOU DID NOT RECEIVE ALL THE PAGES INDICATED ABOVE, PLEASE CALL
(907) 561-2668 AS SOON AS POSSIBLE.

Balance of the lands we own,
about 59,779 acres, will not even
be sold.

Program Update

Large parcel discussions underway

Some land transfers imminent

Lands owned by Akhiok-Kaguyak Inc. and Old Harbor Corporations will be transferred to the U.S. Department of the Interior soon, resulting in protection of almost 152,000 acres of forest lands in the Kodiak National Wildlife Refuge.

Transfer of another 115,000 acres of land owned by Konig, Inc. is expected to follow shortly. Negotiations and appraisals continue for offers made by the Trustee Council to Afognak Joint

Ventures, Chenega, Eyak and Tatitlek Corporations, as well as the Kodiak Island Borough. Talks are also underway with the English Bay and Port Graham Corporations. The current status of these habitat protection negotiations is summarized in the table shown below.

For more information on the status of the Trustee Council's habitat protection activities, call Carol Fries at 907/278-8012.

Status of Large Parcel Habitat Protection Actions

As of May 15, 1995

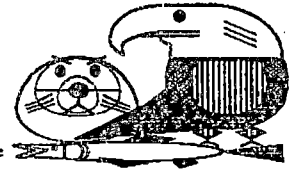
	Acreage	Purchase Price (In Millions)	Civil Trust Funds (In Millions)	Other Sources (In Millions)
Completed Transactions				
Kachemak Bay State Park Inholdings	23,800	\$22.0	\$7.5	\$14.5
Seal Bay/Tonki Cape	41,549	\$38.7	\$38.7	
Orca Narrows Timber Rights	2,052	\$3.45	\$3.45	
Subtotal:	67,401	\$64.15	\$49.65	\$14.50
Agreements Reached				
Akhiok - Kaguyak Inc.	119,885	\$46.0	\$36.0	\$10.0
Konig - <i>Chenega</i>	415,720 <i>56,000</i>	\$28.5	\$21.5	\$7.0
Old Harbor	32,100	\$14.5	\$11.25	\$3.25
Subtotal:	267,724	\$89.0	\$68.75	\$20.25
Offers - Subject to Appraisals				
Afognak Joint Venture	48,728	\$70.0	\$70.0	\$0
Chenega	74,554	\$48.0	\$38.0	\$10.0
Eyak - Core Parcels	13,700	\$21.0	\$21.0	\$0
Shuyak Island	25,665	\$42.0	\$42.0	\$0
Tatitlek	56,785	\$22.0	\$12.0	\$10.0
Subtotal:	219,432	\$203.0	\$183.0	\$20.0
Negotiations Continuing				
English Bay	49,300			
Eyak - Orca Revised & Other Lands	48,700			
Port Graham	46,170			
Subtotal:	145,170			
Total:	699,727	\$356.2	\$301.4	\$54.75

\$ 59,739 acres subject to discussions/negotiations only after the successful completion of the above 56,000 acres.

Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 G Street, Suite 401, Anchorage, Alaska 99501-3451
Phone: (907) 278-8012 Fax: (907) 278-7178



FAX COVER SHEET

To: Glenn Ellison Number: 786-3640
From: Molly McCann Date: 5/26
Comments: _____ Total Pages: 3

Document Sent By: _____

2/18/95

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

TRANSMISSION REPORT

THIS DOCUMENT (REDUCED SAMPLE ABOVE)
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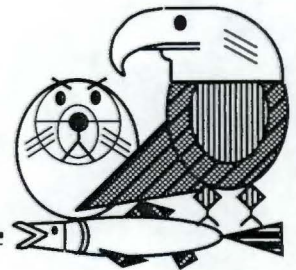
XEROX TELECOPIER 7021

Exxon Valdez Oil Spill Trustee Council

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To: Glenn Ellison Number: 786-3640
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FAX COMPLETE

Document Sent By: _____

2/15/95

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

Exxon Valdez Oil Spill Trustee Council

Restoration Office

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

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



FAX COVER SHEET

To: Negotiators

Date: Friday 5/26/95 8:52a

From: Molly McCammon

Pages: 1

DISTRIBUTION

Juneau Office	907-586-7238	John Harmening, FS	907-586-7843
Glenn Elison, FWS	786-3640	Maria Lisowski, OGC	907-586-7251
Carol Fries, DNR	562-4871	Dennis Lattery, DNR	762-2406
Dave Gibbons, FS	907-586-7555	Judy Robinson, DNR	762-2406
Chuck Gilbert, NPS	257-2448	Bary Roth, DOI	202-208-3877
Rich Goossens, FS	907-586-7843	Alex Swiderski, ADOL	278-7022

Next Negotiators Meeting: TODAY @ 10:30 a.m.

Comments: _____

JUST A REMINDER

Please call Rebecca at 907-278-8012 to confirm your attendance.

Document Sent By: Rebecca

5/17/95

Trustee Agencies

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

*** MULTI TRANSACTION REPORT ***

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INCOMPLETE TX/RX

TRANSACTION OK

[09] 19075867589

JUNEAU OFFICE

[10] 19075867555

D. GIBBONS

[15] 5624871

C. FRIES

[33] 19075867843

J. HARMENING

[36] 2787022

ALEX-CRAIG

[42] 7863640

G. ELISON

[43] 19075867251

M. LISOWSKI

[44] 7622406

LATTERY/ROBINSON

[45] 12022083877

B. ROTH

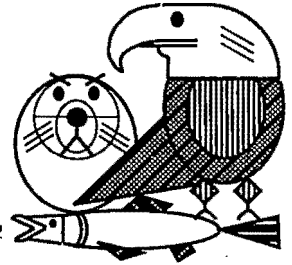
ERROR

Exxon Valdez Oil Spill Trustee Council

Restoration Office

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

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



May 26, 1995

John Katz
Special Counsel
State of Alaska
Office of the Governor
444 North Capital Street N.W. Suite 336
Washington, D.C. 20001-1512

Dear John:

Enclosed, please find a copy of the General Accounting Office's August 1993 report on use of *Exxon Valdez* Oil Spill Settlement Funds, our April 17, 1995 update on implementation actions taken in response to that report and Judge Holland's opinions on the Coastal Coalition's motions to intervene.

It was nice to see you in Washington. If you need anything else, please don't hesitate to contact me at (907) 278-8012.

Sincerely,

A handwritten signature in cursive script, reading "Molly".

Molly McCammon
Executive Director

Attachments

mm/raw

Trustee Agencies

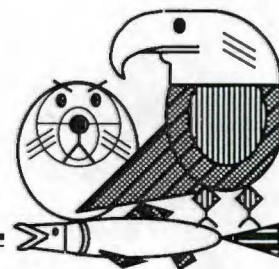
State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation
United States: National Oceanic and Atmospheric Administration, Departments of Agriculture and Interior

Exxon Valdez Oil Spill Trustee Council

Restoration Office


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

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



MEMORANDUM

TO: Molly McCammon
Leif Selkregg
Bob Spies
Kim Sundberg
Stan Senner

FROM: Eric F. Myers 

DATE: 5/26/95

SUBJ: Further Discussion of Alaska SeaLife Center Organization and Management Structure

This memo is intended to confirm that there will be further discussion of the ASC Organization and Management Structure on Tuesday, May 30 at 4:00 pm in the Anchorage Restoration Office.

Also, Kim Sundberg has indicated that he would like to have some discussion of the library functions of the ASC in order to guide the final design.

Other than Bob Spies, please let me know if anyone else will need to be hooked in by telephone.

Trustee Agencies

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

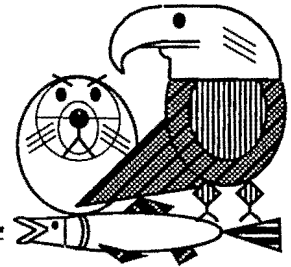
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Exxon Valdez Oil Spill Trustee Council

Restoration Office

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

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



May 26, 1995

Mr. Philip Hayward
P.O. Box 3650
Valdez, Alaska 99686

Dear Mr. Hayward:

I want to take this opportunity to respond to your recent letter to the Trustee Council members regarding the Small Parcel Program and to reaffirm the Trustee Council's interest in the possibility of purchasing the PWS 52 parcel.

I also want to specifically address the concerns you identify regarding the small parcel acquisition process. Although the nomination, evaluation and negotiation process may seem overly long and involved from your perspective as a single individual, I assure you that the staff involved with this program are making a great effort to move the program along as quickly as possible. As representatives of government agencies, however, procurement requirements for the purchase of land using public funds requires a methodical and deliberate process that is accountable to the public. These processes take considerable time even under the best of circumstances. The required steps — including the evaluation/ranking of hundreds of individual parcels, preliminary title searches, hazardous materials investigations, appraisals, etc. — must be undertaken for numerous parcels other than just the one that you have nominated. In some cases, services to perform these tasks must be obtained through contracts that, in turn, are subject to procurement regulations and requirements.

In your letter you suggest that a title report and appraisal could be commissioned by yourself to provide the information needed to make an offer by June 1, 1995, when the Council is again scheduled to meet. The Trustee Council must have an appraisal that is in conformance with the *Uniform Appraisal Standards for Federal Land Acquisitions* and *Uniform Standards of Professional Appraisal Practice*. These appraisal standards are required for land acquisitions that use federal funds. Also, appraisals must be reviewed and approved by federal and state review appraisers. Requests for Proposals (RFPs) for appraisal services are currently being issued in order to move forward with the appraisal process.

As you know, the Trustee Council can only work with willing private landowners. Your concern that the time required for the small parcel process may affect your

Trustee Agencies

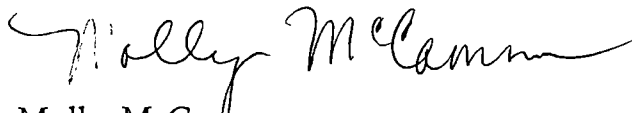
State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation
United States: National Oceanic and Atmospheric Administration, Departments of Agriculture and Interior

development plans is an important and valid consideration. The Trustee Council is extremely sensitive to this concern and a sincere effort is being made to avoid placing any undue burden on private landowners that participate. While the Trustee Council has specifically indicated its continuing interest in your property for restoration purposes, you are clearly free at any time to proceed with alternative plans for the property.

Finally, the Trustee Council has indicated it would like to look at an overall plan for the small parcel program prior to proceeding with offers on any individual small parcel. At the June 1, 1995 meeting in Cordova, I will present the Trustee Council with a status report on the program.

I regret that there has been confusion regarding the timing and progress of the small parcel program and I hope that this letter helps provide a better understanding of the process. If you have any further questions, please let me know, or contact Eric Myers of my staff (278-8012).

Sincerely,

A handwritten signature in cursive script, reading "Molly McCarmon". The signature is fluid and elegant, with the first name "Molly" and last name "McCarmon" clearly distinguishable.

Molly McCarmon
Executive Director

cc: Trustee Council

Faxed to 202-084684 on 5-4-95

May 4, 1995
Deborah Williams for
 George T. Frampton, Jr.
 EVOS Trustee Council

P.O. Box 3650
 Valdez, AK 99686
 (907) 835-5352

Dear Mr. Frampton:

I own a parcel of land which is on the Valdez Duck Flats and under "preliminary negotiations" for purchase through the small parcel habitat protection and acquisition program (Parcel PWS 52). I have become disenchanted with the program's working timeframe and the personnel in charge, and hope you can spare a few moments for me to state my case.

The opportunity to acquire this parcel is the culmination of years of work by many agencies and individuals. Long recognized as a unique and biologically diverse intertidal habitat, the Duck Flats have received regular attention as far as habitat protection. Through the Valdez Coastal Management Program in the late 1980's and early 1990's, the recommendation to purchase privately held parcels was made by lead agencies (like yours) through the AMSA process, although no action was taken.

Believing in the Nature Conservancy approach, I began purchasing Duck Flats parcels five years ago. Since that time I have come to realize the development potential here, although presently I still favor the option of acquisition for protection. I was proud to hear on Feb. 13 that the parcel had made the selection process cut; I was relieved to know that development was not my only option to maximize the potential of the land and my investment in it.

Now I find myself in the sad position of a willing seller to an uncommitted buyer whose agents aren't able to enter into any type of contract and who aren't even particularly interested in whether the sale takes place. The pace appears more related to a bureaucrat's job security than to the efficient conclusion to a business deal. The gentleman who signed a March 14 letter stating that a recommendation would be made to the Council by June 5 to help authorize formal offers, now informs me after my repeated inquiries that he never intended to be ready to proceed with formal offers until late August. He went on to tell me that I should perhaps look for other buyers or development plans, and that another selection process after late August could void Council interest in my parcel.

Is this how you wish to have negotiations conducted? Does it really take more than six months to get a title report and appraisal? This is absurd for a piece of residential property like my property. Had I known a month ago what the true timeline was, I easily could have obtained the title report and appraisal myself in order to be sure of presenting my case to the Council at its June meeting. Now I hear that the meeting has been set for June 1, which allows little time.

My main concern is that if the Council decides to back and is no longer interested in the purchase, and if you wait until late August or September to make that decision, then I will have lost a whole summer's building season and a year's worth of income from that potential development, since the work would have to be put off until next summer.

I implore you to take action in June, which would allow authorization of formal offers for those parcels which have no legal or environmental problems and which will have certified appraisals. Don't penalize me for the inefficiencies of governmental procedures, and don't require me to wait for every last parcel before any progress can be made toward a contract. You make the rules. Please give me the benefit of a commitment. My parcel will not break the bank, and I am willing to work on terms for payment over five years. Your action now will show a commitment to restoration and protection here in the shadow of the oil terminal.

Sincerely,

Philip Hayward
 Philip Hayward

OPTIONAL FORM 99 (7-90)

FAX TRANSMITTAL

of pages **1**

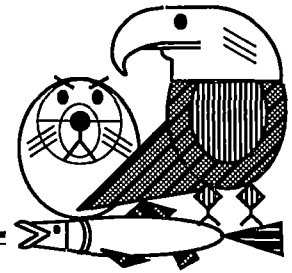
To <i>Rebecca</i>	From <i>Wanda</i>
Dept./Agency <i>EVOS</i>	Phone # <i>271-5485</i>
Fax # <i>276-7178</i>	Fax #

Exxon Valdez Oil Spill Trustee Council

Restoration Office

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

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



MEMORANDUM

To: Restoration Work Force

From: Molly McCammon
Executive Director

Date: May 25, 1995

Subj: May 26 RWF Meeting

The weekly Restoration Work Force meeting will be tomorrow, **FRIDAY, May 26, at 9:00 a.m.** The Juneau location is the Executive Director's Office while the Anchorage location is the Restoration Office.

Topics to be discussed will include:

- DPDs and FY96 Work Plan Review Process
- June 1 & 2 Trustee Council Meeting in Cordova
- Eyak Negotiations
- Miscellaneous Issues

mm/raw

Trustee Agencies

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

*** MULTI TRANSACTION REPORT ***

TX/RX NO.

8417

INCOMPLETE TX/RX

TRANSACTION OK

[09] 19075867589

JUNEAU OFFICE

[10] 19075867555

D.GIBBONS

[13] 19077896608

MORRIS-WRIGHT

[15] 5624871

C.FRIES

[16] 3494712

RITA MIRAGLIA

[17] 2713992

R.THOMPSON

[18] 5223148

J.SULLIVAN

[19] 7863636

L.BARTELS

[20] 7863350

C.BERG

[21] 2572517

B.RICE

[23] 19074655375

D.BRUCE

[24] 5624026

E.PIPER

[30] 19074654759

ELLEN FRITTS

[35] 15103737834

B.SPIES

[38] 2715827

G.BELT

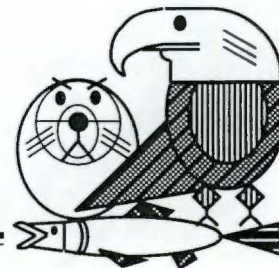
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Exxon Valdez Oil Spill Trustee Council

Restoration Office

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

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



FAX COVER SHEET

To: Restoration Work Force

From: Molly McCammon Date: May 25, 1995 11:30a

Comments: Total Pages: 2

Pls deliver to those listed
below.

RESTORATION WORK FORCE MEMBERS INCLUDE:

Bartels, Leslie
Attn: Lisa Thomas
Berg, Catherine
Fries, Carol
Fritts, Ellen
Gibbons, Dave
Miraglia, Rita
Morris, Byron
Bud Rice

Piper, Ernie
Rice, Bud
Senner, Stan
Spies, Bob
Sullivan, Joe
Thompson, Ray
Wright, Bruce

Document Sent By: Rebecca

3/29/95

Trustee Agencies

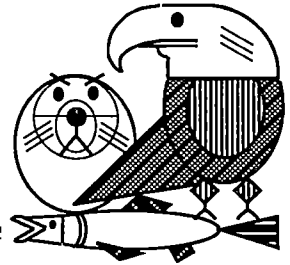
State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation
United States: National Oceanic and Atmospheric Administration, Departments of Agriculture and Interior

Exxon Valdez Oil Spill Trustee Council

Restoration Office

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

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



PUBLIC SERVICE ANNOUNCEMENT

Date: May 25, 1995
Subject: Trustee Council Meeting in Cordova on June 1, 1995
Contact: Eric Myers or L.J. Evans 278-8012

Please announce or post!

Exxon Valdez Oil Spill Trustee Council Meeting in Cordova

The next meeting of the *Exxon Valdez* Restoration Trustee Council will take place at the Mt. Eccles Elementary School Auditorium in Cordova on Thursday, June 1, beginning at 1:00 PM. The public is invited to attend.

- The meeting will be available by teleconference in Juneau in Room 859A of the Federal Building, 709 West 9th Street, and in Anchorage at 645 G St., in the fourth floor conference room.
- In response to public requests in Cordova, the public hearing period has been separated into two time segments. The first will take place from 1:15 to 1:30 PM. The second public hearing period will begin at 2:30 PM.
- Persons who may need a special modification in order to participate in this meeting should contact L.J. Evans or Cherri Womac at 278-8012 to make any necessary arrangements.

To obtain a copy of the agenda or additional information, please contact the Oil Spill Public Information Center, 645 G St, Anchorage, AK 99501, or call 278-8008 (toll free within Alaska at 1-800-478-7745).

###

Trustee Agencies

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

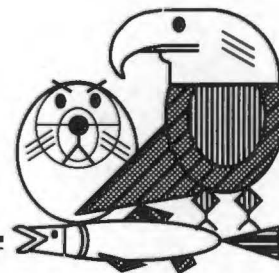
United States: National Oceanic and Atmospheric Administration, Departments of Agriculture and Interior

Exxon Valdez Oil Spill Trustee Council

Restoration Office


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

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



MEMORANDUM

TO: Public Advisory Group

FROM: Molly McCammon, Executive Director 

DATE: May 25, 1995

SUBJECT: Public Advisory Group Selection of Alternates

As you know, Public Advisory Group members have been asked to identify proposed alternates. The following is a list of proposed alternates submitted by some members of the PAG:

PAG Member

Rupert Andrews
Christopher Beck
Karl Becker
Kimberly Benton
Pamela Brodie
Dave Cobb
Chip Dennerlein
James Diehl
John French
James King
Nancy Lethcoe
Vern McCorkle
Brenda Schwantes
Thea Thomas
Charles Totemoff
Martha Vlasoff
Gordon Zerbetz

Proposed Alternate

Russ Redick
Mary McBurney

Geoff McNaughton

Doug Griffin (information forthcoming)

Sharon Gagnon
Bill Copeland

Please note that alternates must be nominated and confirmed by the Secretary of the Interior. Without an alternate, if you miss a meeting you will not be able to vote. The lack of designated alternates also affects the ability to conduct a meeting, since no business can be acted upon without a quorum.

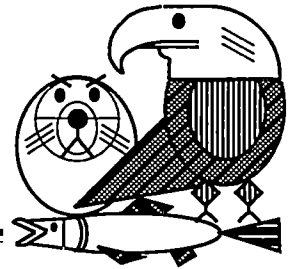
Please make every effort to propose a nominee by June 15. If you are not able to identify an alternate, please let Cherri Womac (278-8012 or 1-800/478-7745) know as soon as possible, so that the Restoration Office can assist in this effort. Thank you for your help.

Exxon Valdez Oil Spill Trustee Council

Restoration Office

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

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



MEMORANDUM

To: David Duffy, John Piatt, Bruce Wright, and Andy Gunther

From: Stan Senner *Stan*

Date: April 24, 1995

Subj: No. Pacific Universities Marine Mammal Research Consortium

Forgive me if this is old news, but Molly McCammon has brought to my attention the work of the North Pacific Universities Marine Mammal Research Consortium and inquired about possible linkages to the APEX seabird/forage project. The decline of the Steller sea lion is the current focus of the consortium's research program, and there are considerable similarities between the two.

I have enclosed an excerpt from the consortium's 1993 Annual Report in regard to "Changes in the Forage Base." (I've sent the entire report to David). Note the following:

- a joint University of Alaska-University of Washington proposal to sample and determine abundance of forage fish near two primary study sites (Sugarloaf and Forrester islands);
- an analysis of historical and current fishing activities near sea lion rookeries initiated in 1993 at Oregon State University. This has two components: one is a broad review of commercial fishing effort near rookeries during the 1970s and 80s; the other focuses on the Forrester and Kodiak areas; and
- an analysis by Alan Springer of whaling records and models of whale consumption and population dynamics.

The first two of these seem especially relevant. Does it make sense to check on the methods proposed for forage fish assessment and see whether there is overlap in the areas/data to be examined by APEX project 95163L with respect to historical and current fishing activities?

Again, I am bringing these to your attention in case you do not already know about them. Please let me know if there is something more that I can or should do to help.

encl: (1)

cc: Molly McCammon

Trustee Agencies

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

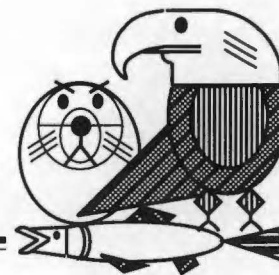
United States: National Oceanic and Atmospheric Administration, Departments of Agriculture and Interior

Exxon Valdez Oil Spill Trustee Council

Restoration Office

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

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



MEMORANDUM

TO: Carol Fries/ADNR
Alex Swiderski/DOL
Mark Kuwada/ADF&G
Glenn Elison/USFWS
Judy Robinson/ADNR
Dave Gibbons/USFS
John Harmening/USFS

FROM: Eric F. Myers *efm*

DATE: May 24, 1995

SUBJ: Correspondence From Marc Swanson

FAX COMPLETE

Attached you will find a recent letter from Marc Swanson of Seward with some additional information regarding:

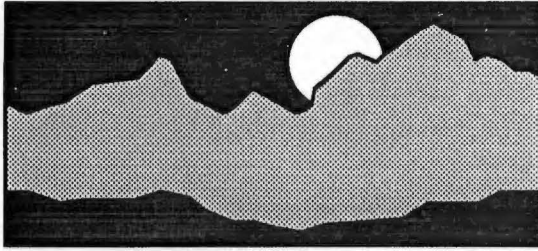
1. Lowell Point, and
2. Ellamar Properties

This may be useful for evaluation of these parcels.

EM/ty

Trustee Agencies

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



From the desk of....

Marc Swanson

PO Box 748
Seward, Alaska 99664

(907) 224-7349

RECEIVED
MAY 18 1995

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

Eric Myers
Director of Operations
Exxon Valdez Oil Spill Trustees Council
645 G Street
Anchorage, AK 99501

Dear Mr. Myers,

Thank you for sending me information regarding the small land acquisition information on the Lowell Point (Seward, AK) and Ellamar land holdings (Prince William Sound). I am very acquainted with both and would like to address each separately.

Lowell Point Land Acquisition

The land which is currently being considered for acquisition is multi-faceted. First, it represents an ecosystem which is unique to Seward. Despite being built on the edge of Resurrection Bay, Seward's waterfront is neither diverse nor especially captivating from a tidepool point of view. Typically Seward's beaches are loose, sharp edged cobble of shale. Because of the wave action and loose substrate, intertidal animals and 'grungies' are unable to develop a foothold.

In contrast, the land at Lowell Point offers two distinct (and unique to Seward area) tidal lands. First, a sand beach lies in front of the land being considered. Though free of tide pools, residents and visitors fish on this beach since king, silver, and pink salmon tend to school in this bite while waiting to go to the head of the bay. Secondly, a sheltered rock embankment and tidal area lies to the west of the Lowell Point land. Students and visitors often come to this area to observe the intertidal organisms. Access to this tidal area provides a wonderful educational opportunity to observe these tidal pools. As a teacher I especially appreciate access to this ecosystem for students to better understand the ocean which they live next to.

In addition to biological and educational considerations, Lowell Point has, in the past, provided recreational access beyond the 'end of the road.' First, kayakers use this strip of beach as a staging ground for trips into Kenai Fjords National Park. It's wide strip of beach and it's distance from motorized boat launches provide an ideal place for kayaks to gear up and launch into the semi-protected waters of the bay. Hikers also would benefit from this land acquisition. The trailhead to Caines Head Recreational Area (one of the finer hikes in the Kenai

Fjords National Park) begins near this point at the community sewage lagoon. The trailhead has always posed some challenges stemming from stench and access across public lands. With the acquisition of the Lowell Point property, access would be less of a problem and hikers would not be greeted by Seward sewage at the trail head.

Currently there has been an influx of building at Lowell Point. The only access to the lands described in this letter is now through the narrow strip of land which is being considered by the Trustees. This is the last opportunity to retain this eco-recreation system for residents and visitors to the area. Please, this is a valuable opportunity that will not be possible in the future.

I hope you will agree that acquisition of this property should warrant a high ranking. Thank you.

Ellamar Properties

I have mixed emotions regarding the acquisition of the Ellamar properties. I am a landholder in Ellamar. Frankly, I would personally benefit greatly from the Trustees acquiring the remaining available lots in the Ellamar Subdivision. My uneasiness with the acquisition stems from my personal involvement with the *Exxon Valdez* Oil Spill. My wife, Letty, and I were teachers in Tatitlek at the time of The Spill. We have seen how the Spill affected the Sound, its creatures, its people. We have seen how The Spill brought out the best in some folks....and the worst in many. Greed seemed at times to be the driving emotion amongst many people. Letty and I hoped to distance ourselves from this greed and not allow us to be caught up in self-preservation attitude which has been so prevalent since The Spill. Simply, we do not want to, in any way, benefit from the spilling of oil into the Sound.

It is ironic, then, that suddenly we stand to gain directly from the Spill settlement. It is not a situation that we are comfortable with, however certainly Ellamar is worthy of the objectives of the Trustees. It would make us proud to see Ellamar evolve from a place of mining and development exploitation to a place of historical and natural legacy for the public to enjoy for perpetuity.

The Scenery:

I trust you have been to Ellamar and realize it to be a place of awe. The view of the Sound, from Ellamar defines serenity, particularly on a calm summer evening as the sun sets below the western horizon. The land around Ellamar has many unique recreational opportunities. Since Ellamar sets beside a sheltered cove and is on a wide, meadowed bench, Ellamar provides the recreationist with a secure harbor with nearly endless hikes into the surrounding hillside.

One of my favorite treks follows the old wooden pipeline which supplied water from a diversion dike to the mining operations below. Continuing past the dike,

the hiker travels into thick woods which eventually breaks into meadows with small clear brooks emerging from mountain springs. I have seen few places that can compare with the serenity of these upper meadows of Ellamar

Wildlife

Wildlife such as bear, deer, goats as well as smaller mammals inhabit the surrounding area. Black bear are often seen throughout the summer. There are stories of a large brown bear being seen between Tatitlek and Ellamar but so far it seems more of legendary material.

The coves provide shelter and habitat for birds, both transient, residential, and migratory. The 3 coves are filled with gulls feeding on herring while shore birds and sea ducks feed in the sheltered waters. Though I know of no eagle nests per se, at times I have seen 20-30+ eagles in trees waiting to feed on fish in the creek.

The reef that extends southward from the northern cove is unique in formation, substrata, and sea life. The reef is rock with sand underneath. It provides a relative unique environment and is an ideal hide-out for octopus and some shellfish. Letty and I enjoy going out to this reef during low-spring tides to catch octopus. They make an awesome chowder. Since The Spill, the reef does not seem to be as productive. I have not caught nearly the number I once did. Whether this is a direct result of the Spill is not known.

The southern cove provides some type of unique habitat for silver salmon. Though silvers are not known to spawn in these waters, they still school up and cycle around in this small bay. Subsistence fishermen from the village often come here to catch the fish before they move on to their natal waters.

Cultural Aspects

Ellamar has a rich cultural history that reaches far back beyond the mining and cannery days. Certainly this history in itself should be considered when making the decision to acquire the land. In addition, indigenous people inhabited this land years before Western influence. There is evident from a possible village site with house pits 1/2 mile north of the subdivision. In addition, there are remnants of a historic burial/cemetery site on the peninsula which creates the southern cove to the peninsula. I've been told this is the cemetery for the mining operation though markers show the sign of Russian Orthodoxy.

My Concerns

If the Trustees chose to continue the process towards land acquisition of Ellamar Subdivision I have some concerns.

First: I think that Ellamar presents unique recreational opportunities while offering a beautiful natural and cultural setting. Ellamar could be a marvelous place for a state park but only if effects to the natural setting and the existing cultural resources could be minimized.

Second: Knowing the developer and his original intentions of profit, I hope measures have been taken to keep additional parcels from being sold while the Trustee's negotiations are proceeding. If the Trustees are serious about acquiring Ellamar, I hope that it requires ALL remaining parcels be purchased. I am concerned that without such stipulations, the developer will attempt to sell the choice parcels which would negate any positive affects of the land acquisition.

I hope you agree that Ellamar is worthy of the Trustee's objectives for land acquisition. It would be a fitting legacy to the disastrous spill to have land, which was within sight of the grounded tanker, set aside for the enjoyment of future generations and to the protection of this valuable ecosystem. Should you have any questions regarding Ellamar that I may be able to address please feel free to contact me at my home phone number.

Sincerely,

A handwritten signature in cursive script, appearing to read "Dan F. Swenson", followed by a long horizontal line extending to the right.

*** MULTI TRANSACTION REPORT ***

TX/RX NO.

8375

INCOMPLETE TX/RX

TRANSACTION OK

[10] 19075867555

D. GIBBONS °

[15] 5624871

C. FRIES °

[33] 19075867843

J. HARMENING °

[36] 2787022

ALEX-CRAIG °

[39] 3491723

MARK KUWADA °

[42] 7863640

G. ELISON °

[44] 7622406

LATTERY/ROBINSON °

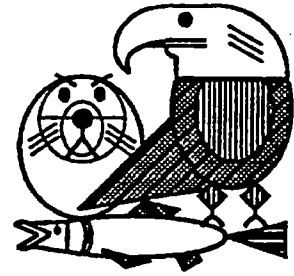
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Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 "G" Street, Anchorage, AK 99501

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



MEMORANDUM

TO: Molly McCammon
FROM: *Traci Cramer*
Traci Cramer
Administrative Officer

DATE: May 23, 1995

RE: FFY 1995 Budget Amendments

Based on communication from the Alaska Department of Fish and Game, the following amendments to the Federal Fiscal Year 1995 budget require consideration by the Trustee Council.

Transfers Between Trustee Projects

<u>No.</u>	<u>Title</u>	<u>Amount</u>
95139A1	Salmon Instream Habitat and Stock Restoration - Port Dick Spawning Channel	\$37,000

Comments - Funding is requested in FFY 1995 to continue data collection efforts and prepare the Environmental Assessment for the Port Dick Spawning Channel. The agency has requested \$223,100 to construction the spawning channel in FFY 1996. Trustee Council action on the FFY 1996 request will be sought in August. After Trustee Council action, the FFY 1995 Authorization will be \$37,000.

<u>No.</u>	<u>Title</u>	<u>Amount</u>
95139C2	Salmon Instream Habitat and Stock Restoration - Lowe River	(\$37,000)

Comments - The Draft Environmental Assessment has been produced and comments in response revealed that some original planning assumptions may be flawed. Additional data collection will be required before this project or a similar project in the Lowe River drainage can proceed. Since construction of the spawning channel cannot proceed as originally intended, funding is available for transfer to the Port Dick Spawning Channel. This is the second amendment affecting the Lowe River project, after Trustee Council action, the FFY 1995 Revised Authorization will be \$108,100.

Trustee Agencies

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

<u>No.</u>	<u>Title</u>	<u>Amount</u>
95320E	Pink Salmon and Herring Predators	(\$40,000)

Comments - The proposed request would transfer vessel charter needs associated with the SEA program and required for implementation of the Prince William Sound Science Center portions. After Trustee Council action, the FFY 1995 Revised Authorization will be \$903,100.

<u>No.</u>	<u>Title</u>	<u>Amount</u>
95320M	Physical Oceanography	\$40,000

Comments - The transfer represents the consolidation of vessel charter needs associated with the SEA program and required for implementation of the Prince William Sound Science Center portions. After Trustee Council action, the FFY 1995 Revised Authorization will be \$617,800.

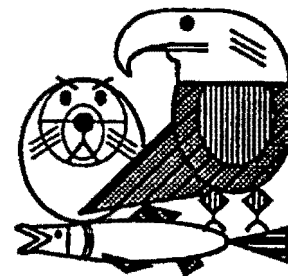
cc: Eric Myers
Joe Sullivan, ADF&G

Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 "G" Street, Anchorage, AK 99501


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



MEMORANDUM

TO: Trustee Council

THROUGH: Molly McCammon
Executive Director

FROM: 
Traci Cramer
Administrative Officer

DATE: May 19, 1995

RE: Financial Report as of April 30, 1995

Attached is the Statement of Revenue, Disbursements and Fees, and accompanying notes for the *Exxon Valdez* Joint Trust Fund for the period ending April 30, 1995.

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

Joint Trust Fund Account Balance	\$92,804,022	
Less: Current Year Commitments (Note 5)	\$27,750,000	
Less: Restoration Reserve Balance	\$24,000,000	
Plus: Adjustments (Note 7)	<u>\$2,851,277</u>	
Uncommitted Fund Balance		\$43,905,299
Plus: Future Exxon Payments (Note 1)	\$490,000,000	
Less: Remaining Commitments (Note 8)	<u>\$60,163,584</u>	
Total Estimated Funds Available		\$473,741,715

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

attachments

cc: Restoration Work Force
Bob Baldauf

Trustee Agencies

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

NOTES TO THE STATEMENT OF REVENUE, DISBURSEMENTS AND FEES
FOR THE *EXXON VALDEZ* JOINT TRUST FUND
As of April 30, 1995

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

Received to Date	\$410,000,000
Future Payments	\$490,000,000

2. Interest Income - In accordance with the MOA, the funds are deposited in the United States District Court, Court Registry Investment System (CRIS). All deposits with CRIS are maintained in United States government treasury securities with maturities of 100 days or less. Total earned since the last report is \$485,478.
3. Reimbursement of Past Costs - Under the terms of the agreement, the United States and the State are reimbursed for expenses associated with the spill.

Reimbursements to Date	\$150,382,887
Remaining Reimbursements	
United States	\$3,000,000
State of Alaska	\$23,300,000

4. Fees - CRIS charges a fee of 10% for cash management services. Total paid since the last report is \$53,942.
5. Current Year Commitments - Includes \$12,500,000 for the Alaska Sealife Center in Seward, \$8,000,000 for the September 1995 payment to Akhiok-Kaguyak and \$7,250,000 for the September 1995 payment to Old Harbor.
6. Restoration Reserve - The required documentation for establishment of the reserve is currently under review by the District Court in Texas.
7. Adjustments - Under terms of the Agreement, both interest earned on previous disbursements and prior years unobligated funding or lapse are deducted from future court requests. Since the last court request \$324,686 in interest have been earned and \$2,637,624 have been reported as unobligated for the 1992 and 1993 Federal Fiscal Years.

	Interest	Lapse
United States	\$13,648	\$240,859
State of Alaska	\$200,002	\$2,396,765

8. Remaining Commitments - Includes \$12,500,000 for the Alaska Sealife Center in Seward, the \$26,300,000 in remaining reimbursement and the following land payments.

<u>Seller</u>	<u>Amount</u>	<u>Due</u>
Seal Bay	\$6,363,584	November 1995 and 1996
Akhiok-Kaguyak	\$15,000,000	September 1996 and 1997

Trustee Agencies

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

STATEMENT OF REVENUE, DISBURSEMENT, AND FEES
EXXON VALDEZ OIL SPILL JOINT TRUST FUND
As of April 30, 1995

	Federal Fiscal Years Ending			To Date	Cumulative
	1992	September 30 1993	1994	1995	Total
REVENUE:					
Contributions: (Note 1)					
Contributions from Exxon Corporation	90,000,000	250,000,000	70,000,000		410,000,000
Less: Credit to Exxon Corporation for clean-up costs incurred		(39,913,688)			(39,913,688)
Total Contributions	90,000,000	210,086,312	70,000,000	0	370,086,312
Interest Income: (Note 2)					
Exxon Corporation escrow account	831,233				831,233
Joint Trust Fund Account	596,000	1,378,000	3,736,000	3,420,037	9,130,037
Total Interest	1,427,233	1,378,000	3,736,000	3,420,037	9,961,270
Total Revenue	91,427,233	211,464,312	73,736,000	3,420,037	380,047,582
DISBURSEMENTS:					
Reimbursement of Past Costs: (Note 3)					
State of Alaska	29,267,842	29,000,000	25,000,000		83,267,842
United States	24,726,280	36,117,165	6,271,600		67,115,045
Total Reimbursements	53,994,122	65,117,165	31,271,600	0	150,382,887
Disbursements from Joint Trust Account:					
State of Alaska	6,559,200	18,529,113	44,546,266	19,434,190	89,068,769
United States	6,320,500	9,105,881	6,008,387	25,452,361	46,887,129
Total Disbursements	12,879,700	27,634,994	50,554,653	44,886,551	135,955,898
FEES:					
U.S. Court Fees (Note 4)	23,000	154,000	364,000	363,775	904,775
Total Disbursements and Fees	66,896,822	92,906,159	82,190,253	45,250,326	287,243,560
Increase (decrease) in Joint Trust	24,530,411	118,558,153	(8,454,253)	(41,830,289)	92,804,022
Joint Trust Account Balance, beginning balance	0	24,530,411	143,088,564	134,634,311	
Joint Trust Account Balance, end of period	24,530,411	143,088,564	134,634,311	92,804,022	
Current Year Commitments: (Note 5)					(27,750,000)
Restoration Reserve: (Note 6)					24,000,000
Adjustments: (Note 7)					2,851,277
Uncommitted Fund Balance					43,905,299
Remaining Commitments: (Note 8)					(60,163,584)
Total Estimated Funds Available					473,741,715

Statement 1

**Statement of Exxon Settlement Funds
As of April 30, 1995**

Beginning Balance of Settlement 900,000,000

Receipts:

Interest Earned on Exxon Escrow Account 831,233

Net Interest Earned on Joint Trust Fund (See Note 1) 8,225,262

Interest Earned on United States and State of Alaska Accounts 1,362,526

Total Interest 10,419,021

Disbursements:

Reimbursements to United States and State of Alaska 150,382,887

Exxon clean up cost deduction 39,913,688

Joint Trust Fund deposits 220,534,658

Total Disbursements 410,831,233

Funds Available

Exxon future payments 490,000,000

Balance in Joint Trust Fund (See Statement 2) 92,804,022

Future acquisition payments (36,613,584)

Alaska Sealife Center (25,000,000)

Remaining Reimbursements (26,300,000)

Other (See Note 2) 2,851,277

Total Estimated Funds Available 497,741,715

Note 1: Gross interest earned less District Court registry fees.

Note 2: Adjustment for unreported interest earned and lapsed

Footnotes:

1 - The Joint Trust Fund Balance includes the Restoration Reserve Fund which has been allocated \$24 million to date.

2 - The statement does not reflect the funding approved at the March 31, 1995 meeting for \$1,652,014.

Statement 2

Cash Flow Statement

Exxon Valdez Oil Spill Settlement United States and State of Alaska Joint Trust Fund

As of April 30, 1995

Receipts:

Exxon payments

Deposit December 1991	36,837,111	
Deposit December 1992	56,586,312	
Deposit September 1993	68,382,835	
Deposit September 1994	58,728,400	
Total Deposits	<u>220,534,658</u>	<u>220,534,658</u>

Interest Earned 9,130,037

Total Interest	<u>9,130,037</u>	<u>9,130,037</u>
----------------	------------------	------------------

Total Receipts		<u>229,664,695</u>
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Disbursements:

Court requests

Withdrawal June 1992	12,879,700	
Withdrawal December 1992	6,567,254	
Withdrawal June 1993	21,067,740	
Withdrawal November 1993	29,950,000	
Withdrawal November 1993	4,743,925	
Withdrawal June 1994	15,860,728	
Withdrawal October 1994	10,664,256	
Withdrawal November 1994	3,111,204	
Withdrawal January 1995	13,911,091	
Withdrawal April 1995	17,200,000	
Total Requests	<u>135,955,898</u>	<u>135,955,898</u>

District Court Fees	<u>904,775</u>	<u>904,775</u>
---------------------	----------------	----------------

Total Disbursements		<u>136,860,673</u>
---------------------	--	--------------------

Balance in Joint Trust Fund		<u>92,804,022</u>
-----------------------------	--	-------------------

Footnotes:

1 - The Joint Trust Fund Balance includes the Restoration Reserve Fund which has been allocated \$24 million to date.

2 - The statement does not reflect the funding approved at the March 31, 1995 meeting for \$1,652,014.

Schedule of Payments for Exxon Valdez Oil Spill Settlement Monies from Exxon
As of April 30, 1995

	FFY 1991 December 31 1991	FFY 1992 December 1 1992	FFY 1992 September 1 1993	FFY 1994 September 1 1994	Total
Disbursements:					
Reimbursements:					
United States					
FFY92	24,726,280	0	0		24,726,280
FFY93	0	24,500,000	11,617,165		36,117,165
FFY94	0	0	0	6,271,600	6,271,600
FFY95	0	0	0		0
Total United States	24,726,280	24,500,000	11,617,165	6,271,600	67,115,045
State of Alaska					
General Fund:					
FFY92	25,313,756	0	0		25,313,756
FFY93	0	16,685,133	0		16,685,133
FFY94	0	0	14,762,703		14,762,703
FFY95	0	0	0	0	0
Mitigation Account:					
FFY92	3,954,086	0	0		3,954,086
FFY93	0	12,314,867	0		12,314,867
FFY94	0	0	5,237,297	5,000,000	10,237,297
FFY95 (Prevention Account)	0	0	0		0
Total State of Alaska	29,267,842	29,000,000	20,000,000	5,000,000	83,267,842
Total Reimbursements	53,994,122	53,500,000	31,617,165	11,271,600	150,382,887
Deposits to Joint Trust Fund					
FFY92	36,837,111	0	0		36,837,111
FFY93	0	56,586,312	68,382,835		124,969,147
FFY94	0	0	0		0
FFY95	0	0	0	58,728,400	58,728,400
Total Deposits to Joint Trust Fund	36,837,111	56,586,312	68,382,835	58,728,400	220,534,658
Exxon clean up cost deduction	0	39,913,688	0	0	39,913,688
Total Disbursements	90,831,233	150,000,000	100,000,000	70,000,000	410,831,233
Remaining Exxon payments to be made:					
September 1994	0				
September 1995	70,000,000				
September 1996	70,000,000				
September 1997	70,000,000				
September 1998	70,000,000				
September 1999	70,000,000				
September 2000	70,000,000				
September 2001	70,000,000				
	490,000,000				

*Schedule of Disbursements for Exxon Valdez Oil Spill United States and State of Alaska Joint Trust Fund
As of April 30, 1995*

	<i>June 1992</i>	<i>December 1992</i>	<i>June 1993</i>	<i>November 1993</i>	<i>December 1993</i>	<i>June 1994</i>	<i>October 1994</i>	<i>November 1994</i>	<i>January 1995</i>	<i>April 1995</i>	<i>Total</i>
Disbursements:											
Court Requests											
United States											
FFY92	6,320,500	0	0	0	0	0					6,320,500
FFY93	0	3,074,029	6,031,852	0	0	0					9,105,881
FFY94	0	0	0	0	2,516,069	3,492,318	0				6,008,387
FFY95	0	0	0	0	0	0	3,576,179	0	4,676,182	17,200,000	25,452,361
Total United States	6,320,500	3,074,029	6,031,852	0	2,516,069	3,492,318	3,576,179	0	4,676,182	17,200,000	46,887,129
State of Alaska											
FFY92	6,559,200	0	0	0	0	0					6,559,200
FFY93	0	3,493,225	15,035,888	0	0	0					18,529,113
FFY94	0	0	0	29,950,000	2,227,856	12,368,410					44,546,266
FFY95	0	0	0	0	0	0	7,088,077	3,111,204	9,234,909		19,434,190
Total State of Alaska	6,559,200	3,493,225	15,035,888	29,950,000	2,227,856	12,368,410	7,088,077	3,111,204	9,234,909	0	89,068,769
Total Court Requests	12,879,700	6,567,254	21,067,740	29,950,000	4,743,925	15,860,728	10,664,256	3,111,204	13,911,091	17,200,000	135,955,898
District Court Fees											904,775
Total Disbursements											136,860,673

The Trustee Council approved the following at the March 31, 1995. Due to timing the disbursement are not reflected on this statement.

1. \$1,652,014 for the Nearshore and APEX projects.

Schedule of Work Plan Authorizations

	FFY 92	FFY 93	FFY 94	FFY 95	Total
Work Plan authorizations					
United States:					
June 15, 1992	6,320,500	0	0		
January 25, 1993	0	3,113,900	0		
January 25, 1993	0	6,035,500	0		
November 10, 1993	0	0	0		
November 30, 1993	0	0	2,567,800		
June 1994			4,536,800		
June 1994			2,084,500		
July 1994			1,500,000		
August 1994				2,245,600	
November 1994				2,842,900	
December 1994				749,600	
January 1995				1,450,000	
March 1995				18,684,100	
Total United States	6,320,500	9,149,400	10,689,100	25,972,200	52,131,200
State of Alaska					
June 15, 1992	6,559,200	0	0		
January 25, 1993	0	3,574,000	0		
January 25, 1993	0	15,070,900	0		
November 10, 1993	0	0	29,950,000		
November 30, 1993	0	0	5,954,300		
June 1994			12,391,700		
June 1994			215,800		
July 1994			0		
August 1994				7,717,200	
November 1994				9,098,700	
December 1994				180,500	
March 1995				492,600	
Total State of Alaska	6,559,200	18,644,900	48,511,800	17,489,000	91,204,900
Total Work Plan authorizations	12,879,700	27,794,300	59,200,900	43,461,200	143,336,100
Restoration Reserve			12,000,000	12,000,000	
Total			71,200,900	55,461,200	

Footnotes:

Work Plan Authorization only. Will not balance to the Schedule of Disbursements of the Joint Trust Fund or the court requests due to the reauthorization of projects (carry-forward) and deductions for interest and lapse.

The authorization reflected for March 1995 had not been disbursed as of this statement.

Exxon Valdez Oil Spill Joint Trust Fund Account					
Interest Earned/District Court Registry Fees					
As of April 30, 1995					
	FFY 1992	FFY 1993	FFY 1994	FFY 1995	Total
Earnings Deposits	17,683	31,124	33,476	0	82,283
Earnings Allocated:					
1991	28,704				28,704
1992	526,613	553,696			1,080,309
1993		639,180	1,461,735		2,100,915
1994			1,876,789	1,402,937	3,279,726
1995				1,653,325	1,653,325
Total	555,317	1,192,876	3,338,524	3,056,262	8,142,979
Total Earnings	573,000	1,224,000	3,372,000	3,056,262	8,225,262
Registry Fees:					
1991	3,189				3,189
1992	19,811	100,223			120,034
1993		53,777	179,658		233,435
1994			184,342	180,072	364,414
1995				183,703	183,703
Total	23,000	154,000	364,000	363,775	904,775
Gross Earnings	596,000	1,378,000	3,736,000	3,420,037	9,130,037

Schedule of Interest Earned on United States and State of Alaska Accounts					
As of April 30, 1995					
		State of Alaska	United States		
		EVOSS Account	NRDA& R		Total
June 1992		22,675			22,675
July 1992		23,952			23,952
August 1992		21,300			21,300
September 1992		12,847			12,847
October 1992		13,774			13,774
November 1992		11,775			11,775
December 1992		9,463			9,463
January 1993		7,670			7,670
February 1993		16,263			16,263
March 1993		13,862			13,862
April 1993		11,568			11,568
May 1993		10,309			10,309
June 1993		7,713			7,713
July 1993		38,502			38,502
August 1993		31,719			31,719
September 1993		21,069			21,069
October 1993		19,030			19,030
November 1993		28,561			28,561
December 1993		16,817			16,817
January 1994		22,398			22,398
February 1994		19,086	117,178		136,264
March 1994		20,754			20,754
April 1994		18,714			18,714
May 1994		15,878			15,878
June 1994		17,707	34,621		52,328
July 1994		52,823			52,823
August 1994		43,845			43,845
September 1994		40,408	43,567		83,975
October 1994		44,291	(5,950)		38,341
November 1994		63,286			63,286
December 1994		67,496			67,496
January 1995		89,341	3,849		93,190
February 1995		100,714			100,714
March 1995		104,570			104,570
April 1995		95,432	13,648		109,080
Total		1,155,612	206,913		1,362,526
Footnote: The \$117,178 NRDA&R interest figure is a cumulative amount. Monthly and quarterly figures are not available for prior periods. Bob Baldauf at the Office of Budget will start tracking/recording on a quarterly basis.					
The October 1994 NRDA&R negative reflects an adjustment to interest earned.					

*Schedule of Interest Adjustments to the Court Requests
As of April 30, 1995*

	June 1992	December 1992	June 1993	November 1993	December 1993	June 1994	October 1994	November 1994	December 1994	March 1995	Total	Unallocated Interest
<i>Disbursements:</i>												
<i>Court Requests</i>												
United States												
FFY92	0										0	
FFY93		39,871	3,648		51,231	22,427					43,519	
FFY94				0			34,621		37,618	3,849	73,658	
FFY95											76,088	
Total United States	0	39,871	3,648	0	51,231	22,427	34,621	0	37,618	3,849	193,265	13,648
State of Alaska												
FFY92	0										0	
FFY93		80,775	35,012		64,944	239,090					115,787	
FFY94				0			52,823	117,838	44,291	320,837	304,034	
FFY95											535,789	
Total State of Alaska	0	80,775	35,012	0	64,944	239,090	52,823	117,838	44,291	320,837	955,610	200,002
Total Adjustment	0	120,646	38,660	0	116,175	261,517	87,444	117,838	81,909	324,686	1,148,875	

Footnotes:

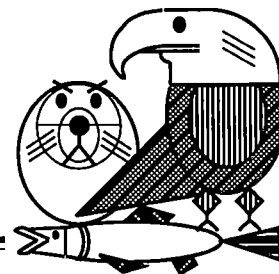
The unallocated interest is tied to the INT Acct. sheet.

Exxon Valdez Oil Spill Trustee Council

Restoration Office

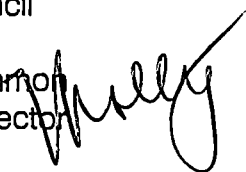
645 G Street, Suite 401, Anchorage, Alaska 99501-3451

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



MEMORANDUM

To: Trustee Council

From: Molly McCammon
Executive Director 

Date: May 18, 1995

Subj: Judge Holland's Response to the Coastal Coalition

I thought you would want to know that this week Judge Holland denied the Coastal Coalition's motions to intervene and compel compliance.

On page 8, the Judge concludes that "Given that the Trustee Council could spend \$1 billion of the public's money, their actions should be subject to scrutiny. The Coastal Coalition's concerns should be addressed to the legislative, not the judicial, branches of the state and federal governments."

Attachment

mm/raw

Trustee Agencies

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

RECEIVED

MAY 18 1995

Office of
United States Attorney
Anchorage, Alaska

FILED

MAY 17 1995

UNITED STATES DISTRICT COURT
DISTRICT OF ALASKA

By TH Deputy

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF ALASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

EXXON CORPORATION, EXXON SHIPPING
COMPANY, and EXXON PIPELINE
COMPANY, et al., in personam, and
the T/V EXXON VALDEZ, in rem,

Defendants.

No. A91-0082 CV (HRH)

O R D E R

(Motion to Intervene)

The Coastal Coalition has filed motions to intervene in United States v. State of Alaska, Case No. A91-0081 CV, United States v. Exxon, et al, Case No. A91-0082 CV, and State of Alaska v. Exxon Corp., Case No. A91-0083 CV.¹ The United States and the State of Alaska oppose the motions.² The Coastal Coalition did not

¹ Clerk's Docket Nos. 10 (A91-0081 CV), 108 (A91-0082 CV), and 77 (A91-0083 CV).

² Clerk's Docket Nos. 11 and 12 (A91-0081), Clerk's Docket No. 113 (A91-0082), and Clerk's Docket No. 81 (A91-0083).

1 file reply briefs. Oral argument was not requested and is deemed
2 unnecessary.

3 The purpose of the motions to intervene is to file motions
4 to compel compliance of the United States and the State of Alaska
5 and their designated trustees with an agreement and consent decree
6 filed in each case. The motions to intervene, opposition, and
7 motions to compel are nearly identical and will be considered
8 together.

9 Background

10 Subsequent to the March 24, 1989, Exxon Valdez oil spill,
11 the United States and the State of Alaska filed separate lawsuits
12 against Exxon Corporation, et al. (Exxon). These lawsuits sought
13 compensation for damages to the environment caused by the oil spill.
14 The United States also filed an action against the State of Alaska
15 regarding the governments' respective shares in any recovery for
16 spill related damages.

17 On August 29, 1991, the United States and the State of
18 Alaska entered into an Agreement and Consent Decree resolving Case
19 No. A91-0081. The Consent Decree constituted final judgment in Case
20 No. A91-0081.³

21 On October 9, 1991, the United States the State of Alaska
22 and the Exxon defendants entered in to an Agreement and Consent
23 Decree in Case No. A91-0082 and Case No. A91-0083.⁴ On November 25,
24

25 ³ Case No. A91-0081, Clerk's Docket No. 8 at 8.

26 ⁴ Clerk's Docket Nos. 46 and 47, Case No. A91-0082, and
Clerk's Docket Nos. 26 and 27, Case No. A91-0083.

1 1991, the United States, the State of Alaska, and the Alyeska
2 defendants⁵ entered into an Agreement and Consent Decree in Case
3 No. A91-0082.⁶ The consent decrees constituted final judgments in
4 Case No. A91-0082 and Case No. A91-0083.

5 Pursuant to the terms of the Consent Decree in Case
6 No. A91-0081, the United States and the State of Alaska were to "act
7 as co-trustees in the collection and joint use of all natural
8 resource damage recoveries for the benefit of natural resources
9 injured, lost or destroyed as a result of the Oil Spill." Case
10 No. A91-0081, Clerk's Docket No. 8 at 8. The Consent Decree further
11 provided:

12 The Governments shall jointly use all nat-
13 ural resource damage recoveries for purposes of
14 restoring, replacing, enhancing, rehabili-
15 tating or acquiring the equivalent of natural
16 resources injured as a result of the Oil Spill
17 and the reduced or lost services provided by
18 such resources....

19 Id. at 12.

20 The Coastal Coalition moves to intervene "on behalf of the
21 injured Environment in this Agreement and Consent Decree because the
22 Government parties have failed to fulfill their obligations to act
23 on behalf of the injured Environment." Case No. A91-0083, Clerk's
24 Docket No. 77, at second unnumbered page. In the underlying motions
25 to compel, the Coastal Coalition request that the court establish
26 an "Exxon Valdez Oil Spill Restoration Review Commission to conduct

25 ⁵ The Alyeska defendants include the various oil companies
26 which own the Alyeska Pipeline Service Company.

⁶ Clerk's Docket No. 65, Case No. A91-0082.

1 an independent, comprehensive, detailed review of all Government
2 policies, expenditures, and activities since March 24, 1989, related
3 to the mitigation of injuries caused by this Oil Spill." Case
4 No. A91-0083, motion to compel at 4, Clerk's Docket No. 77. The
5 motions to compel contain detailed steps by which the proposed
6 Commission should conduct its review.

7 The Motion to Intervene

8 The Coastal Coalition's motions are filed pursuant to
9 Rule 24(b) of the Federal Rules of Civil Procedure. The applicable
10 portion of Rule 24(b) states that "[u]pon timely application anyone
11 may be permitted to intervene in an action ... when an applicant's
12 claim or defense and the main action have a question of law or fact
13 in common." Id. The decision to grant or deny a Rule 24(b) motion
14 is a matter for the court's discretion. "In exercising its
15 discretion the court shall consider whether the intervention will
16 unduly delay or prejudice the adjudication of the rights of the
17 original parties." Id. Additionally, the movant must show an
18 "independent ground for jurisdiction". Greene v. United States, 996
19 F.2d 973, 978 (9th Cir. 1993).⁷

21 ⁷ Rule 24(c) requires: "[a] person desiring to intervene
22 shall serve a motion to intervene upon the parties as provided in
23 Rule 5. The motion shall state the grounds therefor and shall be
24 accompanied by a pleading setting forth the claim or defense for
25 which intervention is sought." Fed. R. Civ. P. 24(c). The United
26 States and the State of Alaska argue that the motions for
intervention and underlying motions to compel do not comply with the
technical "pleading" requirements. The court finds that the motions
have described the basis for intervention with sufficient
specificity to satisfy Rule 24(c). Regarding Rule 24(c), the
"proper approach is to disregard non-prejudicial technical
(continued...)"

1 The court will first consider whether the motion to
2 intervene was filed timely. As noted above, the consent decrees,
3 entered in August, October, and November of 1991, constituted final
4 judgments in the three cases at issue. The motions to intervene
5 were not filed until March 29 and 30, 1995, nearly three and a half
6 years after judgments were entered in the three cases.⁸

7 "The 'general rule [is] that a post-judgment motion to
8 intervene is timely if filed within the time allowed for the filing
9 of an appeal.'" United States ex rel McGough v. Covington
10 Technologies, 967 F.2d 1391, 1394 (9th Cir. 1992) (quoting Yniquez
11 v. Arizona, 939 F.2d 727, 734 (9th Cir. 1991) (alteration in
12 McGough). In addition to the general rule, the court may consider
13 three other factors to determine timeliness: "(1) the stage of the
14 proceeding at which an applicant seeks to intervene; (2) the
15 prejudice to other parties; and (3) the reason for and length of the
16 delay." County of Orange v. Air California, 799 F.2d 535, 537 (9th
17 Cir. 1986), cert. denied, 480 U.S. 946 (1987) (citation omitted).⁹

20 ⁷(...continued)
21 defects[.]" Beckman Indus., Inc. v. International Ins. Co., 966
22 F.2d 470, 475 (9th Cir. 1992), cert. denied, 113 S. Ct. 197 (1992)
(citation omitted).

23 ⁸ Case Nos. A91-0082 and A91-0083 remain active for the sole
24 administrative purpose of disbursing funds from the settlement
account.

25 ⁹ The timeliness considerations set out in County of Orange
26 were designed for motions for intervention as of right under
Rule 24(a). The standard "applies equally" to motions for
permissive intervention under Rule 24(b). County of Orange, 799
F.2d at 539.

1 The court finds that the motions were filed timely. Even
2 though the motions were filed more than three years after final
3 judgments were entered in the three cases, the manner in which the
4 trustees would fulfill their responsibilities under the consent
5 agreements was not immediately apparent. It is not untimely to seek
6 intervention at the time when the trustees have allegedly digressed
7 from their duties.

8 Regarding the potential for prejudice, neither the State
9 of Alaska nor the United States argue that prejudice would result
10 from intervention. The court finds that a review of the trustees'
11 activities would not unduly prejudice the parties in any of the
12 three cases.

13 The court also finds that a common question of law and
14 fact exists between the motions to intervene and the main action.
15 The main action concerns the "primacy of the United States'
16 trusteeship over the natural resources affected by the Spill."
17 Opposition at 6-7, Clerk's Docket No. 11, Case No. A91-0081. The
18 motion to intervene concerns the manner in which the trustees manage
19 the funds recovered from damage to natural resources. The two
20 actions are sufficiently similar to create a common question of law
21 and fact.

22 Having found that the motions are timely, non-prejudi-
23 cial, and present common questions of law and fact as compared with
24 the main action, the court must consider whether the motions state
25 an independent ground for jurisdiction. The motions to compel do
26 not discuss jurisdiction, but argue that the Oil Pollution Act of

1 1990 ("OPA"), 33 U.S.C. § 2701, et seq., provides authority for
2 persons seeking judicial review of federal officials who act as
3 natural resource trustees. OPA does not apply to the Exxon Valdez
4 litigation and does not create an independent ground for
5 jurisdiction. 33 U.S.C. § 2701 (Historical and Statutory Notes)
6 (1994).

7 An independent ground for jurisdiction may exist under
8 28 U.S.C. § 1367. This statute, which was not discussed by the
9 parties, states:

10 [I]n any civil action of which the district
11 courts have original jurisdiction, the district
12 courts shall have supplemental jurisdiction
13 over all other claims that are so related to
14 claims in the action within such original
15 jurisdiction that they form part of the same
16 case or controversy under Article III of the
17 United States Constitution. Such supplemental
18 jurisdiction shall include claims that involve
19 the joinder or intervention of additional
20 parties.

21 28 U.S.C. § 1367.

22 The court need not determine whether section 1367 dem-
23 onstrates an independent ground for federal jurisdiction, because
24 even if it did, the court would not have the jurisdiction to man-
25 date creation of Exxon Valdez Oil Spill Review Commission.¹⁰ In
26 asking the court to create the Commission, the Coastal Coalition is
requesting that the court perform a legislative function. Creation
of a commission to review the performance of the Exxon Valdez Oil

¹⁰ "Simply because the elements of permissive intervention are
present does not automatically entitle an applicant to inter-
vene...." MGM Grand Hotel, Inc. v. Smith-Hemion Prod. Inc., 158
F.R.D. 677, 680 (D. Nev. 1994).

1 Spill Trustees Council is beyond the court's Article III powers.¹¹
2 The court must therefore deny the motions to intervene.

3 The court is not unsympathetic with the Coastal Coali-
4 tion's concerns. Exxon has agreed to pay the United States and the
5 State of Alaska \$900 million through the year 2001.¹² The potential
6 for payment of an additional \$100 million exists. See Agreement and
7 Consent Decree at 7-19, Case No. A91-0083, Clerk's Docket No. 26.
8 Given that the Trustee Council could spend \$1 billion of the
9 public's money, their actions should be subject to scrutiny. The
10 Coastal Coalition's concerns should be addressed to the legislative,
11 not the judicial, branches of the state and federal governments.¹³

15 ¹¹ The court notes that the United States General Accounting
16 Office conducted a review of the Exxon Valdez Oil Spill Trustees
Council and published a report in 1993.

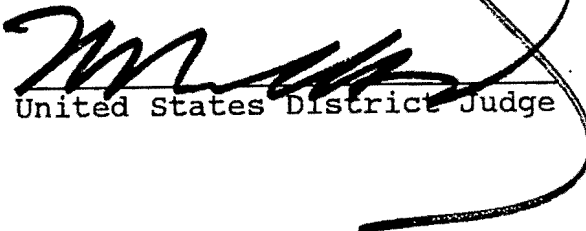
17 ¹² To date, Exxon has made four payments totaling \$410 mil-
18 lion. Exxon will pay an additional \$70 million per year through
19 2001. Depending upon the circumstances, Exxon could pay an addi-
tional \$100 million by 2006. See consent agreement at 7-19, Case
No. A91-0083, Clerk's Docket No. 26.

20 ¹³ In exercising its discretionary decision on the issue of
21 permissive intervention, the court may also consider other relevant
22 factors such as standing. Spangler v. Pasadena City Bd. of Ed., 552
23 F.2d 1326 (9th Cir. 1977). "An organization has standing to sue in
its own right if the associational ties of its members are injured."
24 E.E.O.C. v. Nevada Resort Ass'n, 792 F.2d 882, 885 (9th Cir. 1986)
(citation omitted). "[T]he 'injury in fact' test requires more than
25 an injury to a cognizable interest. It requires that the party
seeking review be himself among the injured." Lujan v. Defenders
26 of Wildlife, 112 S. Ct. 2130, 2137 (1992) (citation omitted). Here,
the Coastal Coalition has not claimed injury to itself or to one of
its members. Rather, the motion was filed on behalf of the
environment. The Coastal Coalition has not demonstrated standing
to file the motion to intervene.

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DATED at Anchorage, Alaska, this 17 day of May, 1993.

ka, this 17 day of May, 1995.


United States District Judge

A91-0082--CV (HRH)

J. BOTTINI (US-ATTNY)

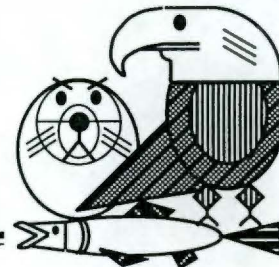
ORDER (Motion to Intervene)

Exxon Valdez Oil Spill Trustee Council

Restoration Office

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

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



FAX COVER SHEET

To: Trustee Council

From: Molly McCammon Date: May 19, 1995 4:00 pm

Comments: Total Pages: 11

Pls deliver to those listed
below. Thank you

TRUSTEE COUNCIL MEMBERS AND THEIR ALTERNATES:

Botelho, Bruce ✓

Burden, Gene ✓

Frampton, Jr., George T. ✓

Janik, Phil ✓

Pennoyer, Steve ✓

Rue, Frank ✓

Tillery, Craig ✓

Brown, Michele ✓

Williams, Deborah ✓

Wolfe, Jim ✓

Collinsworth, Don ✓

Fritts, Ellen ✓

Document Sent By: Rebecca

5/18/95

Trustee Agencies

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

*** MULTI TRANSACTION REPORT ***

TX/RX NO.

8285

INCOMPLETE TX/RX

TRANSACTION OK

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JUNEAU OFFICE

[25] 19075867840

P. JANIK

[26] 19074652075

B. BOTELHO

[27] 12022084684

G. FRAMPTON

[28] 19075867249

S. PENNOYER

[29] 19074652332

F. RUE

[31] 19074655070

G. BURDEN

[36] 2787022

ALEX-CRAIG

[37] 2714102

D. WILLIAMS

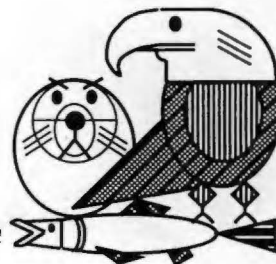
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Exxon Valdez Oil Spill Trustee Council

Restoration Office

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

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



FAX COVER SHEET

To: Negotiators

Date: May 22, 1995

From: Molly McCammon

Pages: 1

DISTRIBUTION

Juneau Office	907-586-7238	John Harmening, FS	907-586-7843
Glenn Elison, FWS	786-3640	Maria Lisowski, OGC	907-586-7251
Carol Fries, DNR	562-4871	Dennis Lattery, DNR	762-2406
Dave Gibbons, FS	907-586-7555	Judy Robinson, DNR	762-2406
Chuck Gilbert, NPS	257-2448	Bary Roth, DOI	202-208-3877
Rich Goossens, FS	907-586-7843	Alex Swiderski, ADOL	278-7022

Next Negotiators Meeting: FRIDAY - 5/26/95 - 10:30 AM

Comments: _____

Please call Rebecca at 907-278-8012 to confirm your attendance.

Document Sent By: R. Oiler

5/17/95

Trustee Agencies

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

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

*** MULTI TRANSACTION REPORT ***

TX/RX NO.

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INCOMPLETE TX/RX

TRANSACTION OK

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JUNEAU OFFICE

[10] 19075867555

D. GIBBONS

[15] 5624871

C. FRIES

[33] 19075867843

J. HARMENING

[36] 2787022

ALEX-CRAIG

[42] 7863640

G. ELISON

[43] 19075867251

M. LISOWSKI

[44] 7622406

LATTERY/ROBINSON

[45] 12022083877

B. ROTH

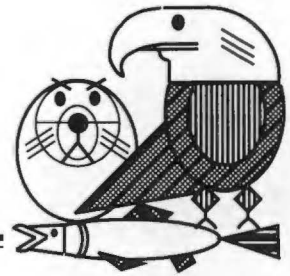
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Exxon Valdez Oil Spill Trustee Council

Restoration Office

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

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



May 19, 1995

Barry N. Roth, Esq.
Senior Attorney, Parks and Recreation Branch
Division of Conservation and Wildlife
Office of the Solicitor
Department of the Interior
1849 C Street, N.W., MS 6542
Washington, D.C. 20240

Dear Barry:

As directed by the Trustee Council in resolutions approved at its November 2, 1994 and March 31, 1995 meetings, I have reviewed the proposed final conveyance instruments you provided to me which are to be used by the U.S. Fish and Wildlife Service for the Akhiok-Kaguyak, Inc. (AKI) and Old Harbor Native Corporation acquisitions. I recognize that in preparing these instruments, you have worked closely with these sellers as well as the Alaska Department of Law and the U.S. Department of Justice. It is my understanding that each of those departments will provide its approval for these instruments directly to you.

With respect to my review, I conclude that you have complied with the terms and conditions sought by the Trustee Council in the above-described resolutions, including in particular, the provision of the required enforcement rights to the State of Alaska with respect to both sets of acquisitions, and for permitted public access with respect to the AKI conservation easement lands. Accordingly, this letter shall serve as my approval of the proposed conveyance instruments as required by these Council resolutions.

Sincerely,

Molly McCommon
Executive Director

cc: Craig Tillery, Esq.
Alaska Department of Law

William D. Brighton, Esq.
U.S. Department of Justice

mm/br/raw

Trustee Agencies

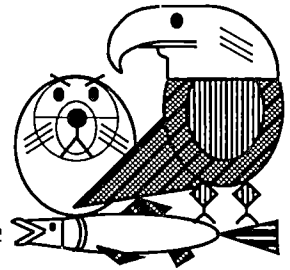
State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation
United States: National Oceanic and Atmospheric Administration, Departments of Agriculture and Interior

Exxon Valdez Oil Spill Trustee Council

Restoration Office

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

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



MEMORANDUM

TO: Byron Morris/NOAA

FROM: Molly McCammon
Executive Director

RE: Authorization -- Project 95117/Harbor Seals and EVOS: Blubber and Lipids as Indices of Food Limitation

DATE: May 19, 1995

The purpose of this memorandum is to formally approve work to proceed on Project 95117/Harbor Seals and EVOS: Blubber and Lipids as Indices of Food Limitation, consistent with the review of the Chief Scientist (see attached).

Attachment

cc: Bob Spies
Traci Cramer

Trustee Agencies

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

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

APPLIED
marine
SCIENCES

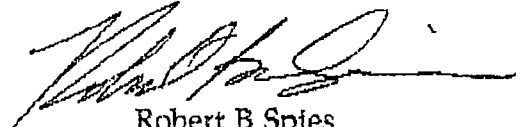
May 17, 1995

Ms. Molly McCammon
Executive Director
Exxon Valdez Oil Spill Trustee Council
645 G Street Ste.402
Anchorage, AK 99501

Dear Molly,

I have now completed the review process for the project "Harbor seals and EVOS: blubber and lipids as indices of food limitation" (95117-BAA), which was submitted by Dr. Castellini of the University of Alaska, Fairbanks. The reviewer has submitted comments and Dr. Castellini has responded in a thoughtful way. I am satisfied that this project, which is a companion project to "Condition and health of harbor seals" (95001), is a solid study that will contribute to our understanding of the health of harbor seals in Prince William Sound. I therefore recommend that it be funded as proposed. This does not preclude a careful analysis of the budget by Traci Cramer.

Sincerely,



Robert B Spies
Chief Scientist

CC: B. Morris
S. Schubert
S. Senner
T. Cramer



05/19/95

11:20

907 276 7178

EV Restoration

001

*** MULTI TRANSACTION REPORT ***

TX/RX NO.

8266

INCOMPLETE TX/RX [35] 15103737834

B.SPIES

TRANSACTION OK [09] 19075867589

JUNEAU OFFICE

ERROR

*** ACTIVITY REPORT ***

TRANSMISSION OK

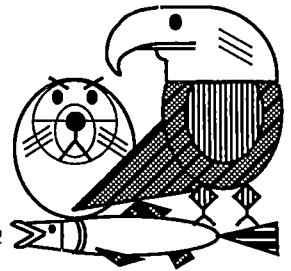
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START TIME	05/19 11:24
USAGE TIME	01'15
PAGES	2
RESULT	OK

Exxon Valdez Oil Spill Trustee Council

Restoration Office

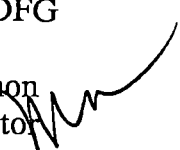
645 G Street, Suite 401, Anchorage, Alaska 99501-3451

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



MEMORANDUM

TO: Joe Sullivan/ADFG

FROM: Molly McCammon
Executive Director 

RE: Authorization -- Project 95165/PWS Herring Genetic Stock Identification

DATE: May 19, 1995

The purpose of this memorandum is to formally approve work to proceed on Project 95165/PWS Herring Genetic Stock Identification, as described in the Detailed Project Description and consistent with the review of the Chief Scientist (see attached).

Attachment

cc: Bob Spies
Traci Cramer

Trustee Agencies

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

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

A P P L I E D

marine

S C I E N C E S

May 18, 1995

Molly McCammon
Executive Director
Exxon Valdez Oil Spill Trustee Council
645 G Street Ste.402
Anchorage, AK 99501

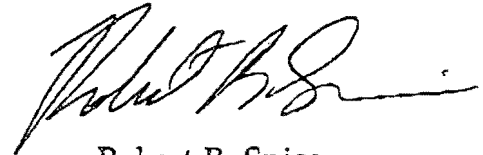
Dear Molly,

I have now received comments on the detailed project description "Genetic structure of Prince William Sound herring populations" (95165). This was favorably reviewed, with only several minor comments that concur should be kept in mind by the investigators:

1. Collecting tissues for allozyme analysis from the same individuals from which DNA samples are taken is essential.
2. An annual report will be necessary to judge the power of the data to differentiate sub-populations.

Provided that the investigators take these comments fully into consideration, I recommend that this project be funded as proposed. This recommend should not preclude a careful analysis of the budget by Traci Cramer.

Sincerely,



Robert B. Spies
Chief Scientist

CC: W. Hauser *Jan Moore?*
S. Senner
S. Schubert
J. Seeb



*** MULTI TRANSACTION REPORT ***

TX/RX NO.

8271

INCOMPLETE TX/RX

TRANSACTION OK

[09] 19075867589

JUNEAU OFFICE

[35] 15103737834

B.SPIES

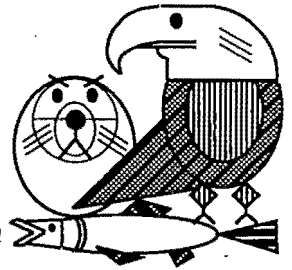
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Exxon Valdez Oil Spill Trustee Council

Restoration Office

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

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



May 18, 1995

Karl Kircher, President
Kenai Peninsula Fishermen's Association
34824 Kalifornsky Beach Road, Suite E
Soldotna, Alaska 99669

Dear Mr. Kircher:

Thank you for your letter of May 11, 1995 regarding funding for proposed projects for upper Cook Inlet. Basically, everything on the spreadsheet that refers to funding from the Exxon Valdez Oil Spill (EVOS) Trustee Council criminal funds is confirmed funding. Everything that uses the EVOS civil fund is presently under consideration by the Trustee Council, and action will probably be taken in late summer.

Again, thank you for your interest in the actions of the Trustee Council. If I can be of any further assistance, please do not hesitate to contact me or Director of Operations, Eric Myers.

Sincerely,

Molly McCammon
Executive Director

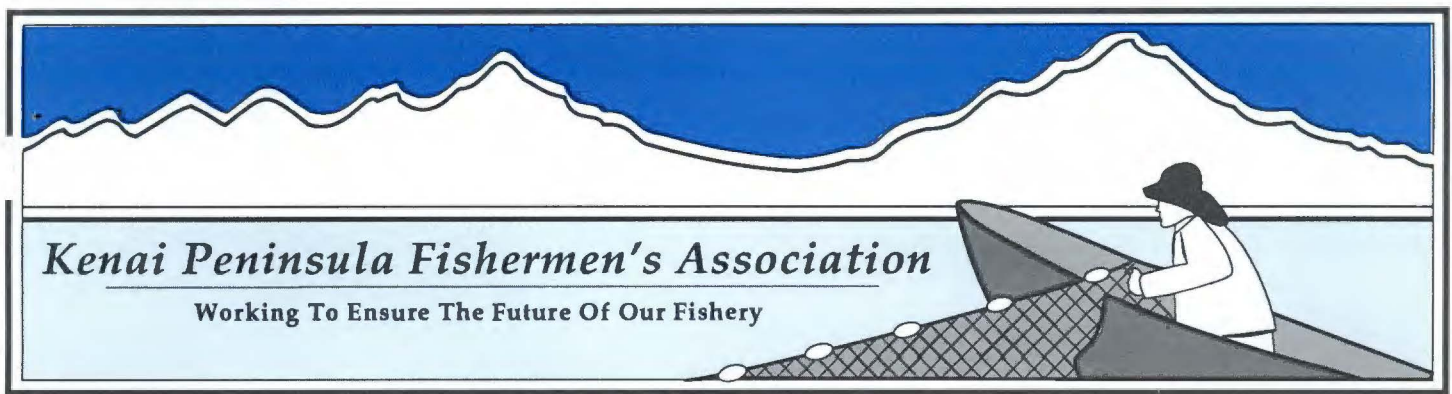
cc: Jim Ayers, Office of the Governor
Frank Rue, ADF&G Commissioner

mm/raw

Trustee Agencies

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

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



34824 Kalifornsky Beach Road • Suite E • Soldotna • Alaska • 99669 • (907) 262-2492

May 11, 1995

Exxon Valdez Oil Spill Trustee Council
Molly McCammon, Executive Director
645 "G" Street Suite 401
Anchorage, Alaska 99501

RECEIVED
MAY 15 1995

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

Dear Ms. McCammon,

Governor Knowles, in his speech before the Anchorage Chamber of Commerce on April 10, 1995, presented his Upper Cook Inlet Fisheries and Habitat Plan. Kenai Peninsula Fishermen's Association (KPFA) would like to request information on proposed funding of various projects included in the Governor's plan.

The enclosed copy of the *Acquisition & Responsible Recreation Access Development* plan, dated April 10, 1995 contains a detailed list of current and proposed projects. The majority of the projects included in the plan show EVOS or Exxon Criminal and/or civil monies as funding sources. Specifically, KPFA would like to confirm which individual projects have actually received funding approval from the Exxon Valdez Oil Spill Trustee Council.

KPFA appreciates your assistance in confirming the funding status of the proposed projects. If you need further information please contact the KPFA office at 262-2492. Thank you.

Sincerely,

Karl Kircher, President



**KENAI PENINSULA, ANCHORAGE, & SUSITNA BASIN
WORLD'S FINEST SPORT FISHERY**

**ACQUISITION &
RESPONSIBLE RECREATION ACCESS DEVELOPMENT**

April 10, 1995

Participating Agencies:

Department of Natural Resources

Department of Fish & Game

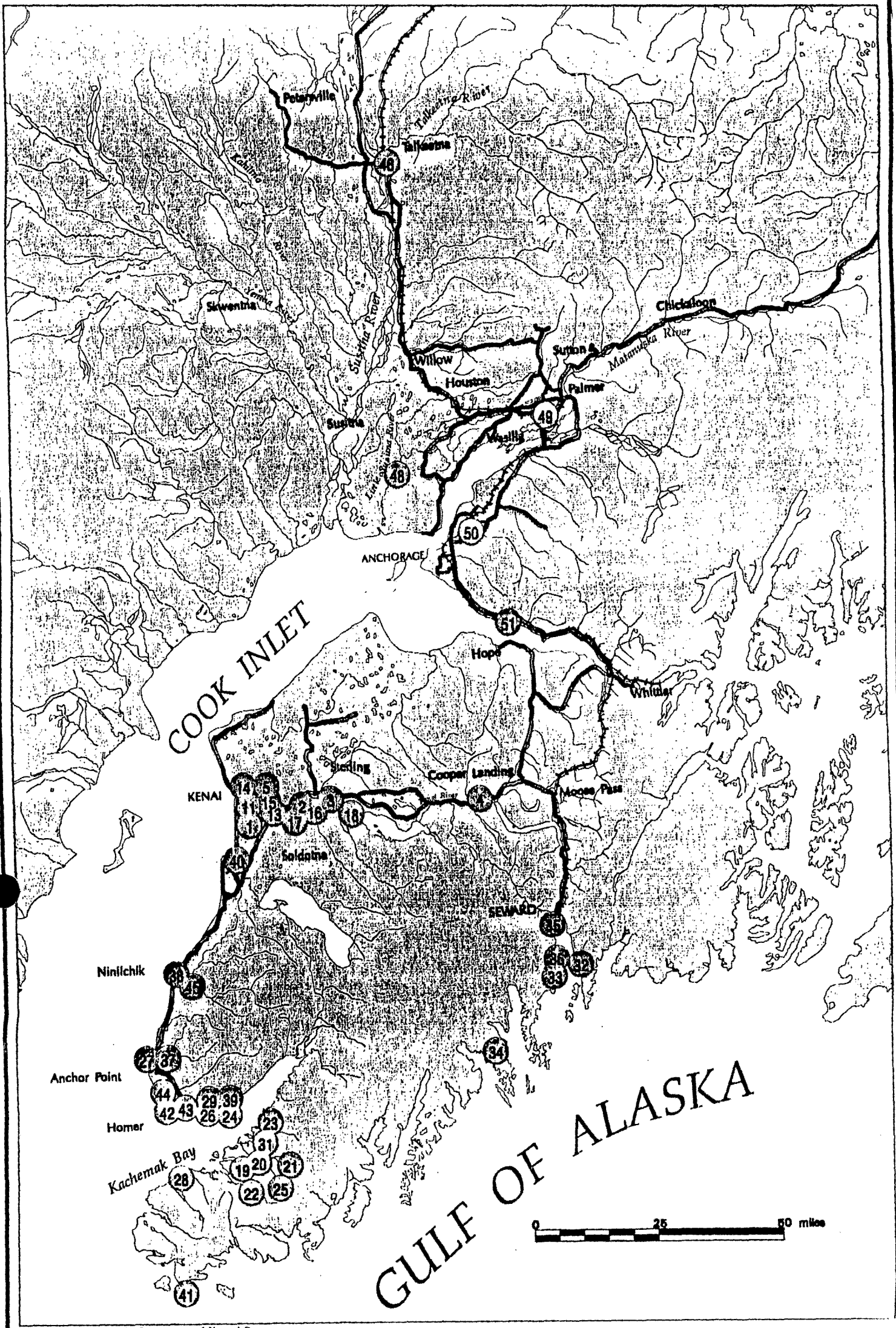
Department of Transportation & Public Facilities

U.S. Department of the Interior

KENAI PENINSULA, ANCHORAGE AND SUSITNA BASIN

WORLD'S FINEST SPORT FISHERY

ACQUISITION AND RESPONSIBLE RECREATION ACCESS DEVELOPMENT



KENAI PENINSULA

(Kenai River)

RECREATION

Project Title	Description	Cost	Funding Source	Start - Complete	Responsible Agency	Comments
1. Slikok Creek Access Improvements- Soldotna	Ladders and boardwalks to and along river for fishing access, interpretive displays.	\$265,000	Exxon criminal	5/95-10/96	State Parks	
2. Morgan's Landing Access Improvements-Soldotna	Ladders and boardwalks to and along river for fishing access, interpretive displays.	\$50,000	Exxon criminal	5/95-10/96	State Parks	
3. Bing's Landing Access Improvements- Soldotna	Ladders and boardwalks to and along river for fishing access, interpretive displays.	\$200,000	Exxon criminal	5/95-10/96	State Parks	
4. Cooper Landing Scenic Overlook and Boat Access	Construct parking, scenic viewing facilities with interpretive displays, toilets, and public water system. Construct boat ramp on Kenai River with parking and support facilities.	\$600,000	FHWA ISTEA TE	6/96-8/96	State Parks ADOT ADF&G	
5. The Pillars, Mile 12.5 Kenai River	Construct boat launch, boardwalks, dock, parking for 75 vehicles, toilets, interpretation, bank protection.	\$1,800,000	Dingle-Johnson Sport fish fund	6/95-10/96	State Parks ADF&G	
Total this page		\$2,915,000				

KENAI PENINSULA

(Kenai River)

HABITAT MAINTENANCE & RESTORATION

Project Title	Description	Cost	Funding Source	Start - Complete	Responsible Agency	Comments
6. Habitat Protection	Develop habitat enhancement and protection projects along the Kenai River and it's tributaries (public education, expedited permitting, streambank restoration/protection, streambank erosion research, pollution prevention)	\$1,000,000	National Marine Fisheries	8/95-9/97	ADF&G	SEE ATTACHMENT #1. Location not on map.
7. Land Acquisition in the Kenai River Watershed.	Evaluate and purchase lands, deeds, or conservation easements to protect and restore Pink and Sockeye salmon habitat	up to \$2,000,000	Exxon criminal/ civil and donations	Underway	ADF&G	Location not on map. Purchase coordinated with Exxon civil small parcel acquisitions.
8. EPA Watershed Conservation Grant Phase I- (FY93-94), Kenai River	Watershed stress analysis, public opinion poll, conservation resources directory.	\$73,000	Exxon criminal, EPA	Complete	ADF&G	Location not on map. Joint Project; EPA and ADF&G Habitat and Restoration.
9. EPA Watershed Conservation Grant Phase II- (FY95-96)- Kenai River	Public education for riparian restoration and protection through seminars, manuals, videos, and public service announcements.	\$72,000	Exxon criminal, EPA	Project underway, completion by fall '95	ADF&G	Location not on map. Joint Project; EPA and ADF&G Habitat and Restoration.
Total this page		\$3,145,000				

Project Title	Description	Cost	Funding Source	Start - Complete	Responsible Agency	Comments
10. Private Waterfront Demonstration Projects Kenai River	Small-scale restoration and protection of riparian habitat on Kenai River frontage parcels, using elevated walks, bio-engineering, revegetation. Includes long-term monitoring.	\$60,000	Exxon criminal, FWS	Project underway, completion by fall '96	ADF&G	Locations not on map. Joint Project; ADF&G Habitat and Restoration, U.S. Fish and Wildlife Service, and property owners.
11. Campground Riparian Restoration- Kenai River	Habitat and Restoration contribution toward USFWS Challenge Cost Share Grant project to restore and protect severely damaged riparian habitat at Riverbend Campground.	\$50,000	Exxon criminal, USFWS	Project underway, completion by fall '95	ADF&G	Joint Project; ADF&G Habitat and Restoration, U.S. Fish and Wildlife Service, and property owners.
12. Public Lands Protection and Restoration- Kenai River	Restoration of public riverbank damaged by public use and ADF&G activities. Endicott sonar site, ADF&G site above Kenai Keys, Slikok Park, Centennial Park, the Sportsman's Lodge site, Ciechanski, and campsites on USFWS lands below Skilak Lake, are candidates.	\$250,000	Exxon criminal	Project underway, completion in '98	ADF&G	Locations not on map. Joint Project; ADF&G Habitat and Restoration, USFWS, State Parks, and undetermined contributions.
13. Soldotna Creek Park Restoration Project	Restoration of heavily damaged City of Soldotna Park at Soldotna Creek. Includes elevated grate walk, live siltation, vegetated biogrid, rootwad installation, bank revegetation.	\$300,000	Exxon criminal, USFWS	Project underway, completion in '95	ADF&G	Joint Project; ADF&G Habitat and Restoration, USFWS.
14. Cone Parcel	Acquisition of 100 acres near the mouth of the Kenai River on the Kenai River Flats	Fair Market Value	Exxon civil small parcel	1995-1996	ADF&G / ADNR	Subject to negotiations with landowner
Total this page		\$660,000				

Project Title	Description	Cost	Funding Source	Start - Complete	Responsible Agency	Comments
15. Kobylarz Subdivision Parcel	Acquisition of 20 acres located on the Kenai River at Big Eddy	Fair Market Value	Exxon civil small parcel	1995-1996	ADF&G / ADNR	Subject to negotiations with landowner
16. River Ranch Parcel	Acquisition of 146 acres located near River Mile 32 on the Kenai River	Fair Market Value	Exxon civil small parcel	1995-1996	ADF&G / ADNR	Subject to negotiations with landowner
17. Salamatof Parcel	Acquisition of 1,260 acres on the Kenai River between river miles 26 and 28	Fair Market Value	Exxon civil small parcel	1995-1996	ADF&G / ADNR US FWS	Subject to negotiations with landowner
18. Stephanka Tract	Acquisition of 803 acres on the Kenai River southeast of Sterling.	Fair Market Value	Exxon civil small parcel	1995-1996	ADF&G / ADNR US FWS	Subject to negotiations with landowner
TOTAL - KENAI RIVER		\$6,720,000 plus acquisition costs				

KENAI PENINSULA

(Other than Kenai River)

RECREATION

Project Title	Description	Cost	Funding Source	Start - Complete	Responsible Agency	Comments
19. Kachemak Bay State Park Campsites	21 new campsites with tent platforms, food caches, fire rings, and toilets park-wide.	\$60,000	Exxon criminal	5/96-10/97	State Parks	
20. Public Use Cabins- Kachemak Bay State Park	5 new public use cabins (Halibut Cove Lagoon, Leisure Lake, Moose Valley, Sadie Cove quarry site).	\$200,000	Exxon criminal	5/95-10/97	State Parks	
21. Kachemak Bay State Park Trail System	Construct hiking trails in Kachemak Bay State Park including Emerald Lake, Moose Valley, Sadie ridge, Tutka hatchery area, Mallard Bay/Humpy Creek, Leisure Lake area, Cottonwood/Eastland Creek and Nuka Island.	\$310,000	Exxon criminal	5/95-10/97	State Parks	
22. Mooring Buoys- Kachemak Bay State Park	New buoys in Tutka, China Poot, Mallard Bays and Halibut Cove areas. Specific sites to be determined.	\$20,000	Exxon criminal	5/96-10/97	State Parks	
23. Grewingk Creek Bridge- Kachemak Bay State Park	Suspension bridge to link popular areas of the park and the trail system	\$100,000	Exxon criminal	5/95-10/96	State Parks	
24. Mud Bay viewing boardwalk- Homer	Construct .3 miles of boardwalk and viewing decks on mud bay at base of Homer Spit.	\$150,600	Exxon criminal	5/96-10/97	State Parks	
Total this page		\$840,600				

KENAI PENINSULA

(Other than Kenai River)

RECREATION

Project Title	Description	Cost	Funding Source	Start - Complete	Responsible Agency	Comments
25. Public Use Cabin Acquisitions- Kachemak Bay	Acquire existing private cabins at Bear Cove, Halibut Cove, Eldred Passage, Sadie Cove, and Tutka Bay suitable for public use.	\$350,000	Exxon criminal	5/96-12/97	State Parks	Subject to negotiations with landowners
26. Beluga Slough Trail-Homer	Trail construction for wildlife viewing, interpretation, benches.	\$300,000	Exxon criminal	5/96-12/96	State Parks	
27. Halibut Campground Development- Anchor Point	New 20 unit campground in Anchor River recreation area.	\$300,000	Exxon criminal	5/95-10/96	State Parks	
28. Otterbahn Trail-Seldovia	Complete trail and construct latrines and interpretive signs.	\$70,000	Exxon criminal	5/95-10/96	State Parks	
29. Homer Spit Handicapped Access	Access ramp from existing parking area to fishing hole.	\$80,000	Exxon criminal	5/95-10/96	State Parks	
30. Interpretive Program - Southcentral Alaska	Intertidal life interpretive signs.	\$11,000	Exxon criminal	5/96-10/97	State Parks	Location not on map.
31. Halibut Cove Lagoon Public Dock	Public dock in Kachemak Bay State Park at Halibut Cove Lagoon.	\$190,000	Exxon criminal	5/95-7/95	State Parks	
Total this page		\$1,301,000				

State Parks/April 6, 1995/knowles.l

KENAI PENINSULA

(Other than Kenai River)

RECREATION

Project Title	Description	Cost	Funding Source	Start - Complete	Responsible Agency	Comments
32. Resurrection Bay Public Use Cabins	Construct 2 cabins, 4 mooring buoys, trails and latrines in Thumb Cove State Marine Park.	\$159,000	Exxon criminal	5/95-10/97	State Parks	
33. Resurrection Bay Beach Front Trail	Develop day use parking, trailhead and interpretive exhibits. (Requires acquisition of 20 acres.)	\$200,000	Exxon criminal	5/95-12/97	State Parks	Subject to negotiations with landowners
34. Campsite Food Storage Lockers- Kenai Fjords	Install 10 food storage lockers at treeless sites to reduce bear encounters.	\$10,000	Exxon criminal	5/95-10/95	State Parks	
35. Seward Interpretive Display	Construct 2 interpretive exhibits at Kenai Fjords Visitor Center and at Sea Life Center.	\$40,000	Exxon criminal	5/96-12/97	State Parks	
36. Caines Head Alpine Trail- Seward	Hiking trail from North Beach to alpine.	\$50,000	Exxon criminal	5/95-11/95	State Parks	
37. Public Water System at Anchor River State Recreation Area.	Install public water system in Anchor River State Recreation Area.	\$44,000	State CIP	8/95-9/95	State Parks	
Total this page		\$503,000				

KENAI PENINSULA

(Other than Kenai River)

RECREATION

38. Ninilchik Overflow Parking.	Construct additional parking for access to sport fishing.	\$100,000	Federal Funding	5/96-6/96	State Parks ADF&G	
39. Kachemak Bay State Park Visitor's Center	Produce an interactive video of Kachemak Bay State Park, construct educational exhibits in Homer at the airport, Chamber of Commerce, and State Parks South District Office, construct interpretive displays at the Pratt Museum and the Homer Harbor, and construct a boat landing at the Saddle trailhead in Kachemak Bay State Park.	\$500,000	Exxon Criminal	5/95-9/96	State Parks	
Total this page		\$600,000				

KENAI PENINSULA

(Other than Kenai River)

HABITAT MAINTENANCE & RESTORATION PROJECTS

Project Title	Description	Cost	Funding Source	Start - Complete	Responsible Agency	Comments
40. Coal Creek Moorage	Acquisition of 53 acres located at the confluence of Coal Creek and Kasilof River	Fair Market Value	Exxon civil small parcel	1995-1996	ADF&G / ADNR	Subject to negotiations with landowner
41. Perl Island	Acquisition of 156 acres located at the N.W. corner of Perl Island in the Chugach Island group, south of the Kenai Peninsula	Fair Market Value	Exxon civil small parcel	1995-1996	ADNR	Subject to negotiations with landowner
42. Overlook Park	Acquisition of 97 acres located 3/4 miles north of Bluff Point from the Sterling Highway near Homer	Fair Market Value	Exxon civil small parcel	1995-1996	ADNR	Subject to negotiations with landowner
43. Baycrest	Acquisition of 90 acres located below Baycrest hill west of Homer; adjacent to "Overlook Park" parcel	Fair Market Value	Exxon civil small parcel	1995-1996	ADNR	Subject to negotiations with landowner
44. Tulin Parcel	Acquisition of 220 acres located between Sterling Highway and Cook Inlet; contains Diamond Creek and is adjacent to State land.	Fair Market Value	Exxon civil small parcel	1995-1996	ADNR	Subject to negotiations with landowner

KENAI PENINSULA

(Other than Kenai River)

HABITAT MAINTENANCE & RESTORATION PROJECTS

45. Deep Creek Parcel	Acquisition of 91 acres located adjacent to Deep Creek and Cook Inlet along Sterling Highway; adjacent to Deep Creek State Recreation area.	Fair Market Value	Exxon civil small parcel	1995-1996	ADNR	Subject to negotiations with landowner
TOTAL - KENAI PENINSULA		\$3,244,600 plus acquisition costs				

MATANUSKA-SUSITNA VALLEY

RECREATION

Project Title	Description	Cost	Funding Source	Start - Complete	Responsible Agency	Comments
46. Talkeetna River Boating Access	Construct boat launch, parking, & restrooms to improve sport fishing access in the Talkeetna River system	\$ 400,000	Dingle-Johnson	7/95-10/95	ADF&G	
47. Lake Louise State Recreation Area	Parking, interpretation facilities & restrooms	\$ 340,000	ISTEA Enhancement	7/96-9/96	State Parks	
48. Susitna River Landing	Concession building & access improvements	\$ 90,000	Dingle-Johnson	5/95-9/95	ADF&G	
49. Kepler Bradley State Recreation Area	Parking, picnic facilities, trails	\$ 300,000	ISTEA Enhancement	7/96-8/96	State Parks	
Total this page		\$1,130,000				

ANCHORAGE AREA

RECREATION

Project Title	Description	Cost	Funding Source	Start - Complete	Responsible Agency	Comments
50. Ft. Richardson Fish Hatchery	Connect fish hatchery to Anchorage water system, expanding Little Susitna River Coho, Ninilchik king salmon & Cook Inlet rainbow trout fishery	\$4,000,000	EVOS criminal	6/96-9/98	ADF&G	
51. Chugach State Park - Turnagain Arm Scenic Corridor	Potter trailhead & McHugh Creek rehabilitation & expansion, Indian Creek scenic overlook, Bird Ridge trailhead, Turnagain Arm trail improvements	\$2,907,500	ISTEA Enhancement	6/95-10/96	State Parks	
Total this page		\$6,907,500				

ATTACHMENT 1 TO #6 - Page 2

HABITAT MAINTENANCE & RESTORATION

Project Title	Description	Cost	Funding Source	Start-Complete	Responsible Agency	Comments
Kenai River Habitat: Public Awareness and Education	Increase public understanding of fish habitat in the Kenai River and the need to protect it through videos, presentations, public service advertisements, and public school materials.	\$134,000	National Marine Fisheries Service Grant	FY96-FY97	ADF&G	Grant proposal being prepared for submission to National Marine Fisheries Service.
Expedited Kenai River Permitting Process	Establish a multi-agency one-step permitting center on the Kenai River to expedite and facilitate the issuance of permits for Kenai River projects.	\$100,000	National Marine Fisheries Service Grant	FY96	ADF&G	Joint project with Kenai Peninsula Borough, ADNRR/DPOR.
Streambank Restoration and Protection Projects	This project will identify damaged fish habitat on public lands and prepare a priority list for restoration; identify sites where plant materials can be harvested; and help fund restoration demonstration projects on private and public lands on the Kenai River.	\$386,000	National Marine Fisheries Service Grant	1995-1998	ADF&G	Joint project with Kenai Peninsula Borough, ADNRR, EPA, USF&WS, municipalities, and private conservation groups.
Streambank Erosion Research	Determine the amount and source of bank erosion resulting from boat wakes and bank fishing. Provide recommendations to minimize bank damage from these sources if appropriate.	\$150,000	National Marine Fisheries Service Grant	FY96-FY97	ADF&G	Joint project with USGS.
Total this page		\$770,000				

ATTACHMENT 1 TO #6 - Page 2

HABITAT MAINTENANCE & RESTORATION

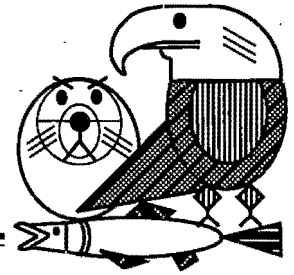
Pollution Prevention	Fund innovative projects to treat storm water prior to discharge into the Kenai River.	\$130,000	National Marine Fisheries Service Grant	FY96-FY97	ADF&G	Joint project with City of Soldotna, ADOT&PF, ADEC, and EPA.
TOTAL- ATTACHMENT 1		\$900,000				

Exxon Valdez Oil Spill Trustee Council

Restoration Office

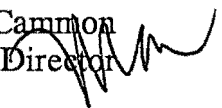
645 G Street, Suite 401, Anchorage, Alaska 99501-3451

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



FAX MEMORANDUM

TO: Public Advisory Group Members

FROM: Molly McCammon
Executive Director 

DATE: May 18, 1995

RE: PAG Participation in Review of FY 96 Project Proposals

On Tuesday, June 6 through Thursday, June 8, 1995 the Chief Scientist, Restoration Work Force, and Trustee Council staff will be meeting to review FY 96 project proposals. This meeting will be the basis for developing the FY 96 Draft Work Plan and the Executive Director's recommendation to the Trustee Council on funding of FY 96 projects. As discussed at the recent PAG meetings, I would like two members of the PAG to participate in the project review meeting, as they did last year. Martha Vlasoff has indicated her willingness to participate. The purpose of this memo is to solicit the participation of one other PAG member.

The meeting will be held at the Oil Spill Restoration Office at 645 G Street, Anchorage. We will begin at 9:00 a.m. each day. Although we have three days scheduled for the meeting, I am hopeful we can get our work accomplished in the first two days.

Please contact Cherri Womac at the Restoration Office (278-8012 or 1-800-478-7745) by the close of business Monday, May 22 if you would like to participate in the project review meeting.

Trustee Agencies

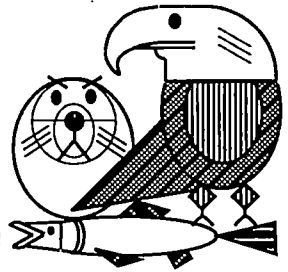
State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation
United States: National Oceanic and Atmospheric Administration, Departments of Agriculture and Interior

Exxon Valdez Oil Spill Trustee Council

Restoration Office

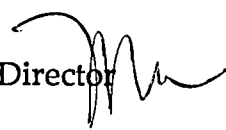
645 G Street, Suite 401, Anchorage, Alaska 99501-3451

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



MEMORANDUM

TO: Gina Belt
Maria Lisowski
Alex Swiderski
Barry Roth

FROM: Molly McCammon, Executive Director 

DATE: May 18, 1995

SUBJ: Project 95139A2/Port Dick Spawning Channel

In anticipation of the next Trustee Council meeting in Cordova on June 1, please find attached a copy of a Detailed Project Description for Project 9513A2/Port Dick Spawning Channel.

The Alaska Department of Fish and Game is seeking Trustee Council authorization to expend \$32,800 in the current FY 95 fiscal year. ADFG proposes to use funding from another project authorized in FY 95, but not currently active (95139C2/Lowe River) and has asked for consideration of this request at the June 1 meeting.

Background

In the FY 94 Work Plan, the Trustee Council authorized Project 94139/Salmon Instream Habitat and Stock Restoration, a project involving instream habitat improvement work on a number of individual streams in the spill area, including Port Dick. Work on the Port Dick project, located on the outside coast of the southern Kenai Peninsula was deferred, however, and funding for the project lapsed.

Since that time, ADFG has reexamined the Port Dick project and seeks authorization to proceed with the project at this time. The FY 95 Detailed Project Description has been prepared to specifically address the evaluation criteria developed as a result of the January 1995 Trustee Council-sponsored

Trustee Agencies

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

workshop on fishery supplementation issues (e.g., genetic risks, implication for mixed stock fisheries, monitoring/evaluation, cost effectiveness, etc.).¹

FY 95 Proposal

The Port Dick project would fund work to support development of a spawning channel to accelerate the recovery of depressed wild and pink and chum salmon stocks of Port Dick Creek. Specific work in FY 95 would include: preparation of an Environmental Assessment (EA); continued ground water measurements and analysis; and final engineering design/construction bid document development. (The work proposed in the FY 95 proposal would be in anticipation of actual construction of the spawning channel in FY 96 at an estimated cost of \$184,000.)

Scientific Peer Review

The Chief Scientist has reviewed the Detailed Project Description and recommended it favorably (see attached).

attachments

- 95139A2/Port Dick FY 95 Spawning Channel DPD
- Chief Scientist review memo

¹ See discussion of "Supplementation Criteria" in the *Invitation to Submit Restoration Projects for Federal Fiscal Year 1996*, pages 34-35.

STATE OF ALASKA

TONY KNOWLES, GOVERNOR

DEPARTMENT OF FISH AND GAME

HABITAT AND RESTORATION DIVISION

333 RASPBERRY ROAD
ANCHORAGE, ALASKA 99518-1599
PHONE: (907) 344-0541

8 May 1995

Dr. Robert Spies
Applied Marine Science, Inc.
2155 Los Positas Court, Suite 5
P.O. Box 824
Livermore, CA 94550

RECEIVED
MAY 10 1995

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

Dear Dr. Spies:

Enclosed is a copy of the FY 1995 Detailed Project Description (DPD) for the following *Exxon Valdez* oil spill Project:

Title: Salmon Instream Habitat and Stock Restoration - Port Dick Spawning Channel

Number: 95139A2

Principal Investigator: Nick Dudiak

Comments:

1. We will greatly appreciate your expedited review of this DPD so work can proceed during this field season. You will also receive the FY 1996 DPD soon.
2. Preparation of this DPD was delayed, in part, because of the timing of the Wild Stock Supplementation Workshop and the proceedings and because of some concerns about the funding status.
3. I was just reminded that final approval may require Trustee Council action. Optimally, this will occur during their late-May meeting.

This review and approval of the DPD is a requirement for obtaining the authority to spend funds approved by the Trustee Council.

If you have any questions involving the DPD, please call me at (907) 267-2172. Your prompt attention in this review is appreciated.

Sincerely,



William J. Hauser
Assistant Fisheries Program Manager

Enclosure

cc: E. Meyers
C. Rozen
D. Hughes

cc w/o enclosure: N. Dudiak
M. McCammon
✓ S. Schubert w/ encl.
J. Sullivan

EXXON VALDEZ TRUSTEE COUNCIL
FY 95 DETAILED PROJECT DESCRIPTION

PROJECT TITLE: Salmon Instream Habitat and Stock Restoration -
Spawning Channel on Port Dick Creek

PROJECT ID NUMBER: 95139-A2

PROJECT TYPE: Instream habitat & wild stock restoration

NAME OF PROJECT LEADERS: Nick Dudiak, Area Resource Development
Biologist
Mark Dickson, Fish and Wildlife
Technician IV
James Brady, Regional
Commercial Fisheries Biologist

LEAD AGENCY: Department of Fish and Game

COOPERATING AGENCIES: None

COST OF PROJECT/FY 95: \$32,850

COST OF PROJECT FY/96: \$184,883

COST OF PROJECT FY/97 AND BEYOND: \$90,200

PROJECT START-UP/COMPLETION DATES: May 1, 1995/Sept. 1, 2000

GEOGRAPHIC AREA OF PROJECT: West Arm Port Dick, Southern Kenai
Peninsula, Lower Cook Inlet.

NAME OF LEAD AGENCY PROJECT MANAGER: Joe Sullivan, 267-2213

INTRODUCTION

The portion of Lower Cook Inlet (LCI) along the southern Kenai Peninsula has a significant number of estuarine and intertidal nursery areas important to pink and chum salmon production. The harvest of pink and chum salmon returns to the area provide a significant contribution to the southern Kenai Peninsula economy. The original oil spill restoration survey involved the identification of EVOS impacted areas and the determination of the optimal methods of salmon restoration, in terms of habitat rehabilitation and enhancement methods.

The restoration surveys were initiated in FY/91 and FY/92, resulting in the final selection of Port Dick Creek, on the Outer Gulf Coastal area of the Kenai Peninsula (Figure 1). This system was chosen because it is considered one of the most important pink and chum salmon production streams in the LCI area and it was moderately to heavily oiled by the EVOS (ADF&G 1993). The Exxon Valdez Trustee Council approved funding to further evaluate the feasibility of developing new spawning habitat at this site in 1991

and 1992. A potential spawning channel feasibility analysis at this site was initiated in 1991 and was continued through the spring of 1993 (Figure 2). Although, this proposed project was initially approved for continued funding for FY/94 and FY/95 spending was placed on hold pending further review and discussion at the supplementation workshop.

After further review at the Wild Salmon Stock Supplementation Workshop held in Anchorage January 12 & 13, 1995, staff members from the Habitat and Restoration Office encouraged the resubmission of the Port Dick Spawning Channel project. Peer reviewer, Dr. Mundy's definition of supplementation as "artificial propagation actions with a net positive survival benefit to natural populations", fit the Port Dick project extremely well.

New criteria were developed at the workshop to assess the effectiveness of salmon supplementation projects. Some of the identified criteria included genetic considerations, monitoring and evaluation, mixed stock fisheries and economic issues. Dr. Spies, Chief Scientist for the EVOS Trustee Council, reviewed the Port Dick project under these criteria and developed several recommendations and requested further clarification. The following information attempts to address these concerns.

Genetic Risk:

It was found that the proposed project involves very little genetic risk to the wild salmon stocks. Because the broodstock used for this project is actually the native Port Dick chum and pink salmon. Additionally, the supplementation techniques to be used are limited to only on-site egg-take, instream incubation to eyed-egg stage and subsequent eyed egg plants. Thus human intervention to the native stock is minimized and should have very minor if any selective effect on the natural genetic makeup of the Port Dick stock.

Mixed Stock Fishery:

The Port Dick Creek pink and chum salmon commercial fisheries are both temporally and spatially segregated from other local stock fisheries. Additionally, in season fisheries management strategies for these natural terminal type fisheries further preclude any possible impact on mixed stock harvests (ADF&G 1993).

Limiting Factors:

The assumption that egg-to-fry survivals within the spawning habitat is the major limiting factor is based on the observed unstable conditions within the main channel of Port Dick Creek. These include wide fluctuations in water levels, extreme flooding effects, inadequate water flow and freeze out conditions. (ADF&G 1992/1993). Although escapements have generally been sufficient to fill existing spawning habitat, they have failed to yield significant harvestable surplus in recent years, further indicating that poor egg-to-fry survivals are related to marginal quality of spawning habitat. The proposed Port Dick Spawning Channel project would rehabilitate formally used spawning tributaries taken out of effective production by various physical effects. This spawning

channel would provide a much more consistent and stable spawning habitat than that of the main channel of Port Dick Creek.

Linkage to Injured Resources:

Although no damage assessment surveys were funded or conducted in the outer Gulf Coastal areas of the Kenai Peninsula or LCI, studies in the Prince William Sound area indicate differences in pink salmon egg mortality as well as growth in the early marine life stage (ADF&G 1994). These results should be considered applicable as potential impacts on pink and chum salmon stocks in the oil impacted areas of the outer Kenai Peninsula. Most of the streams and associated estuaries, including Port Dick Creek, that were exposed to oiling have demonstrated decreasing pink and chum salmon production trends, some even prior to the spill (Figure 3 & 4). Any further effects from the EVOS or other events could jeopardize long term wild stock salmon production in some of these systems. Moderate to intensive oil clean-up and remediation activities were conducted in only a small portion of the impacted areas in 1989 and 1992.

Monitoring and Evaluation:

A monitoring program to determine the success of the eyed-egg plants as well as the natural seeding of the restored tributaries will be designed with the aid of the biometrician from the Alaska Department of Fish and Game. Methods to capture emergent fry from known redd locations will follow a design by the Oregon State Game Commission (Phillips 1966).

Conclusion:

There exists a need to develop the proposed pink and chum salmon spawning channel project into the final engineering and evaluation phase. This would allow the completion of the actual rehabilitation of a formally effective spawning tributary system which will help to restore the currently depressed wild pink and chum salmon stocks of Port Dick Creek.

PROJECT DESCRIPTION

1. Resources and/or Associated Services:

The targeted resource is the pink and chum salmon stocks of Port Dick Creek, in the West Arm of Port Dick Bay. Benefits realized from the spawning channel will accelerate the recovery of the currently depressed wild pink and chum salmon stocks of Port Dick Creek. The LCI area commercial fisheries would definitely benefit from the increased salmon production at Port Dick Creek.

Preliminary benefit-cost analysis indicates that spawning channels may be the most cost effective technique for enhancement of wild chum salmon stocks in Lower Cook Inlet. The newly created spawning habitat would accommodate at least 1,500 additional chum salmon spawners, with at least that many contributing to the

commercial fisheries. The additional economic multiplier effect that these fish would provide to the Homer area economy would also be significant.

The construction costs for the Port Dick Spawning Channel and associated tasks are estimated at \$184,883 for 1996. Subsequent enhancement, evaluation and monitoring for the years 1997 through 2000 will cost \$90,200 for a total cost of \$275,083 for the expected 20 year life span of the spawning channel. The basic exvessel value factored with the 20 year life expectancy of the spawning channel and the cost of the project should ultimately produce a satisfactory benefit-cost ratio.

While the benefit-cost ratio is an important aspect, we also believe that this analysis should not be the only criteria used to evaluate the significance of the Port Dick Spawning Channel project. Restoration of these currently depressed wild pink and chum salmon stocks in the EVOS oiled Port Dick Creek should be considered as the primary reason for this effort. It is difficult to assign a monetary value to the restoration of natural resources as the intrinsic value of wild salmon stocks cannot easily be measured.

2. **Relation to other Damage Assessment/Restoration Work:**
Although no damage assessment surveys were actually conducted in the Outer Gulf Coastal areas of the Kenai Peninsula or LCI continuings studies in the Prince William Sound area indicated differences in pink salmon egg mortality as well as growth in the early marine life stage (ADF&G 1994). Therefore it is probable that these results could be considered as potential impacts that also occurred on pink and chum salmon stocks in the oil impacted areas of the outer Kenai Peninsula.

3. **Objectives:**

(April 1 through September 30, 1995)

1. Continue ground water level measurements and data analysis.
2. Complete final engineering design.
3. Develop construction bid documents.
4. Complete an environmental assessment

(October 1, 1995 through September 2000)

(Details presented in FY/96 DPD)

The ultimate goal of this project is to restore the wild pink and chum salmon stocks of Port dick creek.

1. Construct the spawning channel during the spring of 1996.
2. Conduct stream side egg-takes with native salmon stocks and replant the eggs into the new spawning channel at the eyed stage in 1996.
3. Monitor subsequent egg-to-fry survival through on site evaluations beginning in the spring of 1997 through 1999.
4. Monitor adult spawner density and species composition beginning in the summer of 1997.
5. Enumerate the number of adult salmon to develop a return per spawner value.

4. **Methods:**

Ground water level fluctuations will continue to be measured using subsurface standpipes and battery operated stream stage recorders. Results from these measurements will be used to finalize the size, depth and actual configuration of the spawning channel.

Groundwater levels were measured during the winters of 1991/92 and 1992/93 and the results will be used to determine the size, depth and configuration of the spawning channel (Figures 2, 5 & 6). Results from the winter of 1994/95 water table measurements are currently being read at Dryden Instrumentation in Anchorage and will be available in the FFY/96 Detailed Project Description.

The final spawning channel design will be prepared by the Engineering section of the Department of Fish and Game supervised by Bruce McCurtain. The design will be advertised through the official construction bid process.

Periodic stream surveys will be conducted during the spawning runs to determine adult spawner density and species composition.

5. **Location:**

Port Dick Creek is located at the head end of the West Arm of Port Dick Bay on the outer coast of the Kenai Peninsula (Figure 1). Benefits produced from the salmon spawning channel will be of value to the LCI salmon seining fleet and local seafood processing plants. These benefits will expand into the Homer and nearby communities through the economic multiplier effect.

6. **Technical Support:**

Groundwater data recorded onto data storage modules from the stream stage recorders will be retrieved and decoded at Dryden Instrumentation, Anchorage. Final engineering

analysis for the spawning channel will be completed by the Alaska Department of Fish and Game Engineering staff supervised by Bruce McCurtain.

7. **Contracts:**

No construction contract will be awarded during FY/95.

SCHEDULE:

1/.May through September:

Continue ground water level measurements, data analysis and report writing.

2/.June through September:

Prepare an environmental assessment.

3/.October through February 1996

Prepare and design spawning tributary engineering drawings and initiate bid/contract process.

EXISTING AGENCY PROGRAM

The Commercial Fisheries Management and Development (CFM&D) Division of the Alaska Department of Fish and Game may conduct Port Dick Creek chum salmon stream life studies in conjunction with this project. However it is highly unlikely that the department will fund this project from general fund monies.

ENVIRONMENTAL COMPLIANCE/PERMIT/COORDINATION STATUS

The Port Dick Spawning Channel site lies on state lands within the Kachemak Bay Wilderness State Park. An environmental assessment will be written by the State of Alaska to further determine if an environmental impact statement will be necessary. Permits will be applied for through the U.S. Corps of Engineers, Department of Natural Resources (Division of State Parks) and the Habitat Section of Alaska Department of Fish and Game.

PERFORMANCE MONITORING

With aid of the Biometrician Section of the Alaska Department of Fish and Game, a monitoring program will be developed to assess salmon fry survival each spring through 2000 to determine if optimal use of the channel site is accomplished and that survivals meet typical spawning channel expectations.

Ultimately, the additional adult wild pink and chum salmon available for the LCI seine fleet will be determined as a product of the spawning channel.

COORDINATION OF INTERGRATED RESEARCH EFFORTS:

This instream habitat restoration project is the only commercial fisheries EVOS related project on Outer Gulf Coast of the Kenai

Peninsula and LCI currently being considered for further funding.

PUBLIC PROCESS:

The proposed Port Dick Pink and Chum Salmon Spawning Channel was a topic discussed at the Exxon Valdez Oil Spill Trustee Council meetings on January 31, 1994 and the Wild Salmon Stock Supplementation Workshop held in Anchorage January 12 & 13, 1995 with the general public invited. An EVOS public meeting was also held in Homer on April 12, 1995 in which the Port Dick Salmon Spawning Channel was discussed in detail and received favorable public response (see attachments.). The Cook Inlet Regional Planning Team will review this project in the near future. Continued public involvement will include, but not be limited to meetings with the Cook Inlet Seiners Association (CISA) and the Cook Inlet Aquaculture Association (CIAA) and the Cook Inlet Regional Planning Team. All documents created by and for the proposed spawning channel will be available to the general public.

PERSONNEL QUALIFICATIONS

Project leader: Nick C. Dudiak; Lower Cook Inlet Fisheries Resource Development Biologist.

Mr. Dudiak has been a fisheries biologist with the Alaska Department of Fish and Game for the last 18 years. He has been responsible for the commercial and sport fisheries rehabilitation and enhancement work in the Lower Cook Inlet area during those 17 years. In this capacity, he has been responsible for multi-disciplinary work involving the rehabilitation of depleted salmon stocks as well as enhancement activities that have created new and developing commercial and sport fisheries.

Mark Dickson, Fish and Wildlife Technician IV.

Mr. Dickson has been employed as a fish culturist and fish and game technician with the Alaska Department of Fish and Game for the past 18 seasons. He has considerable experience in fish cultural practices in the field and in the hatchery managing projects that restores and enhances sport and commercial fisheries in the Lower Cook Inlet area.

BUDGET

The detailed project budget for the Port Dick Spawning Channel project is presented in the following form 2A & 2B. As previously described, this project was not initially approved for continued funding in FY95. However, the possibility of project reinstatement for the remainder of FY/95 is currently under review. We have committed to the continued monitoring of this important project by temporarily using general fund monies which will eventually require reallocation.

Literature Cited (Appendix A)

- ADF&G. 1994. Lower Cook Inlet Area Annual Finfish Management Report. Commercial Fisheries Management & Development. 144pp.
- ADF&G. 1993. Survey and Evaluation of Instream Habitat and Stock Restoration Techniques for Wild Pink and Chum Salmon.
- Phillips, Robert W. 1966. A Trap For Capture of Emerging Salmonid Fry. Oregon State Game Comm., Corvallis, Oregon. p. 107.

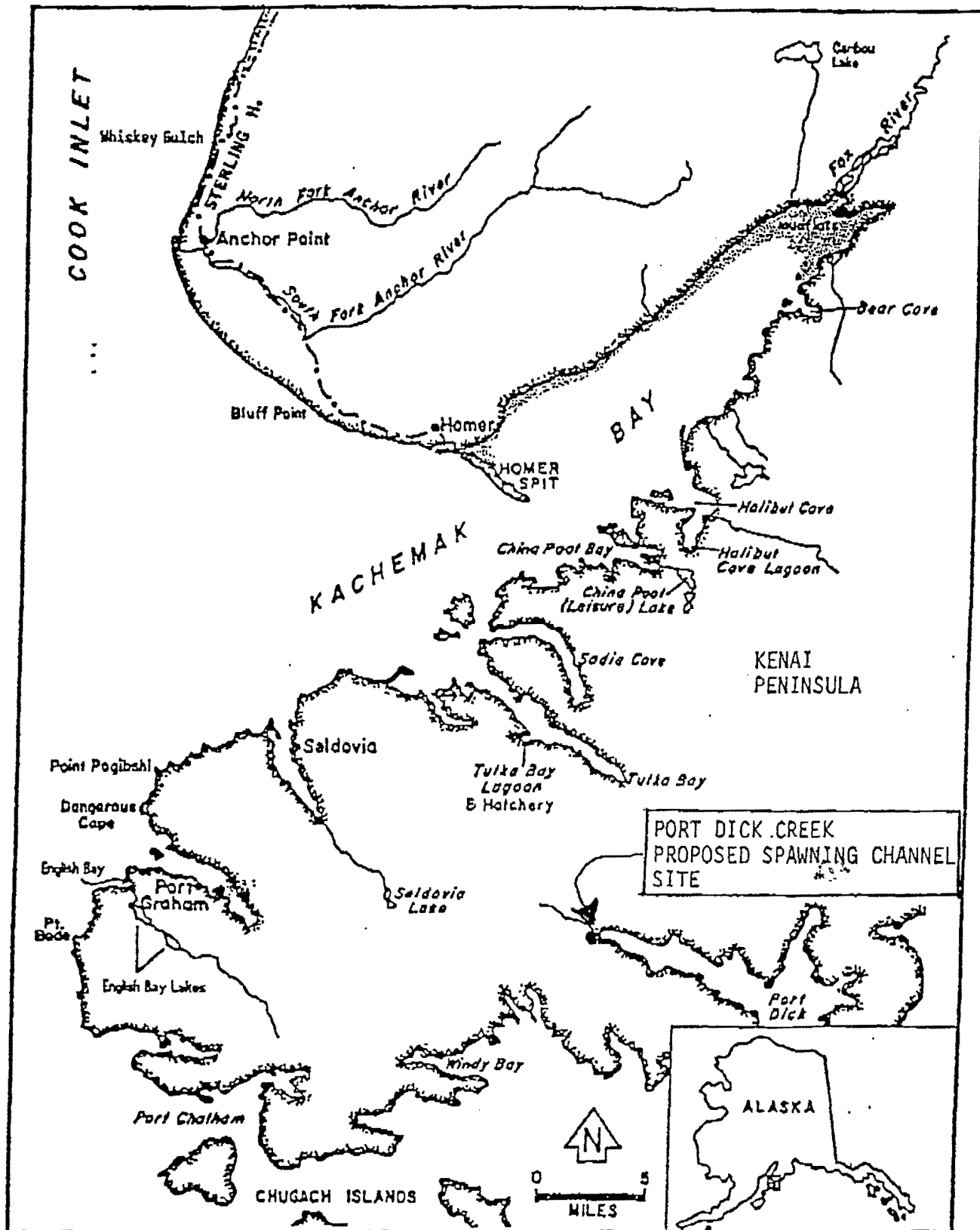


Figure 1. Location map of the Port Dick Creek Proposed Spawning Channel Site, Kenai Peninsula.

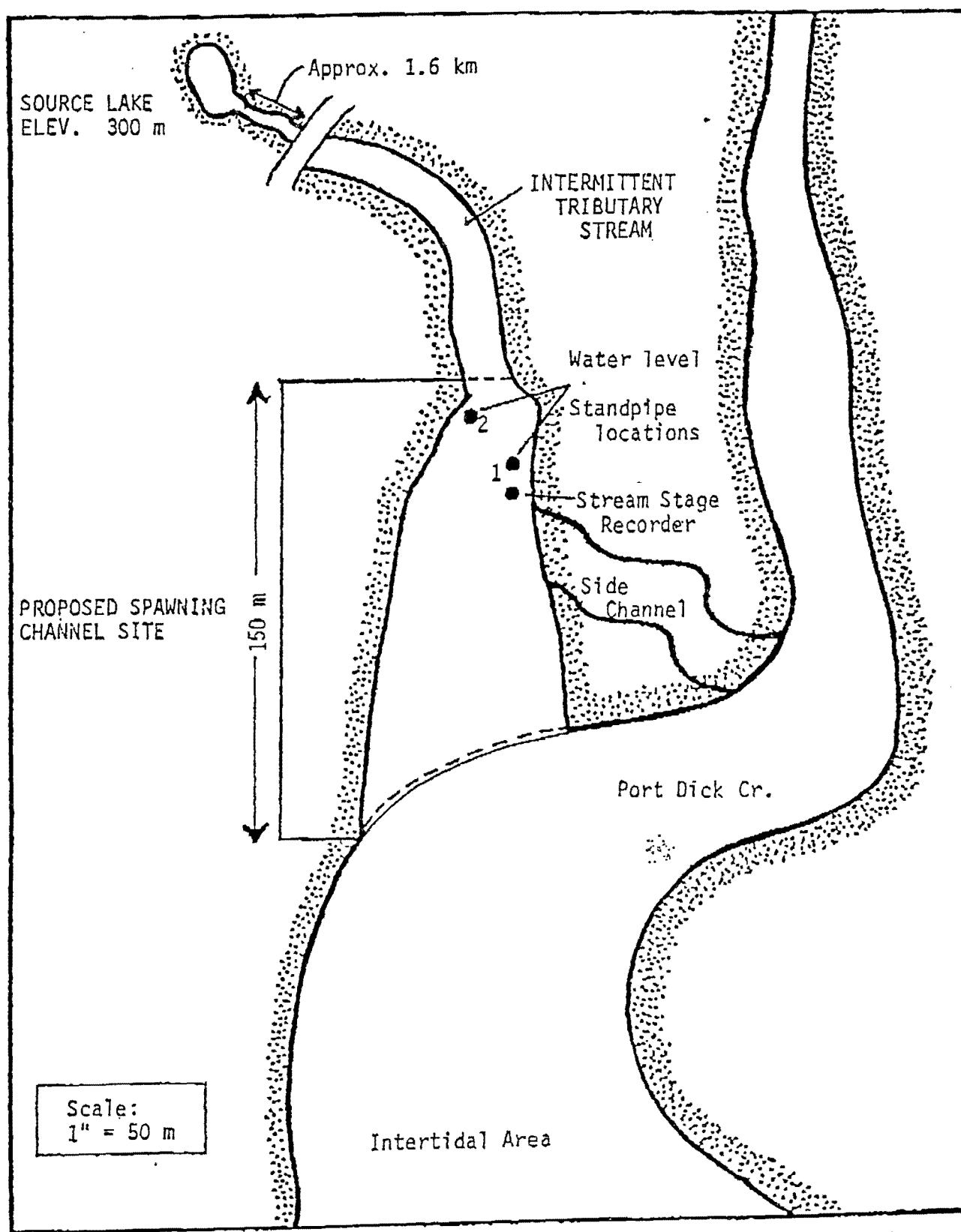


Figure 2. Port Dick Creek, adjacent proposed spawning channel site, and water level standpipe locations.

PORT DICK CREEK CHUM SALMON ESCAPEMENTS With Commercial Harvests

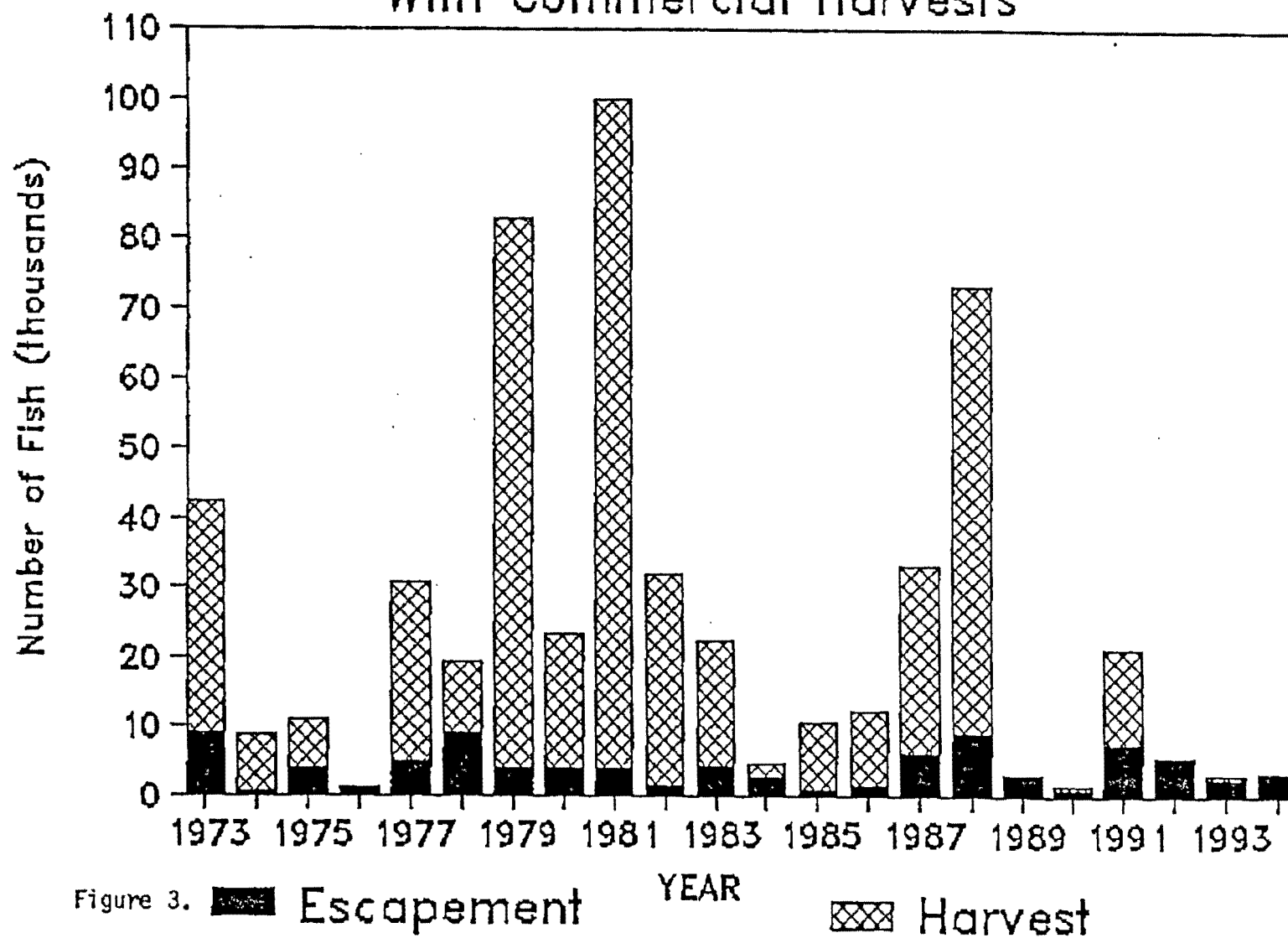
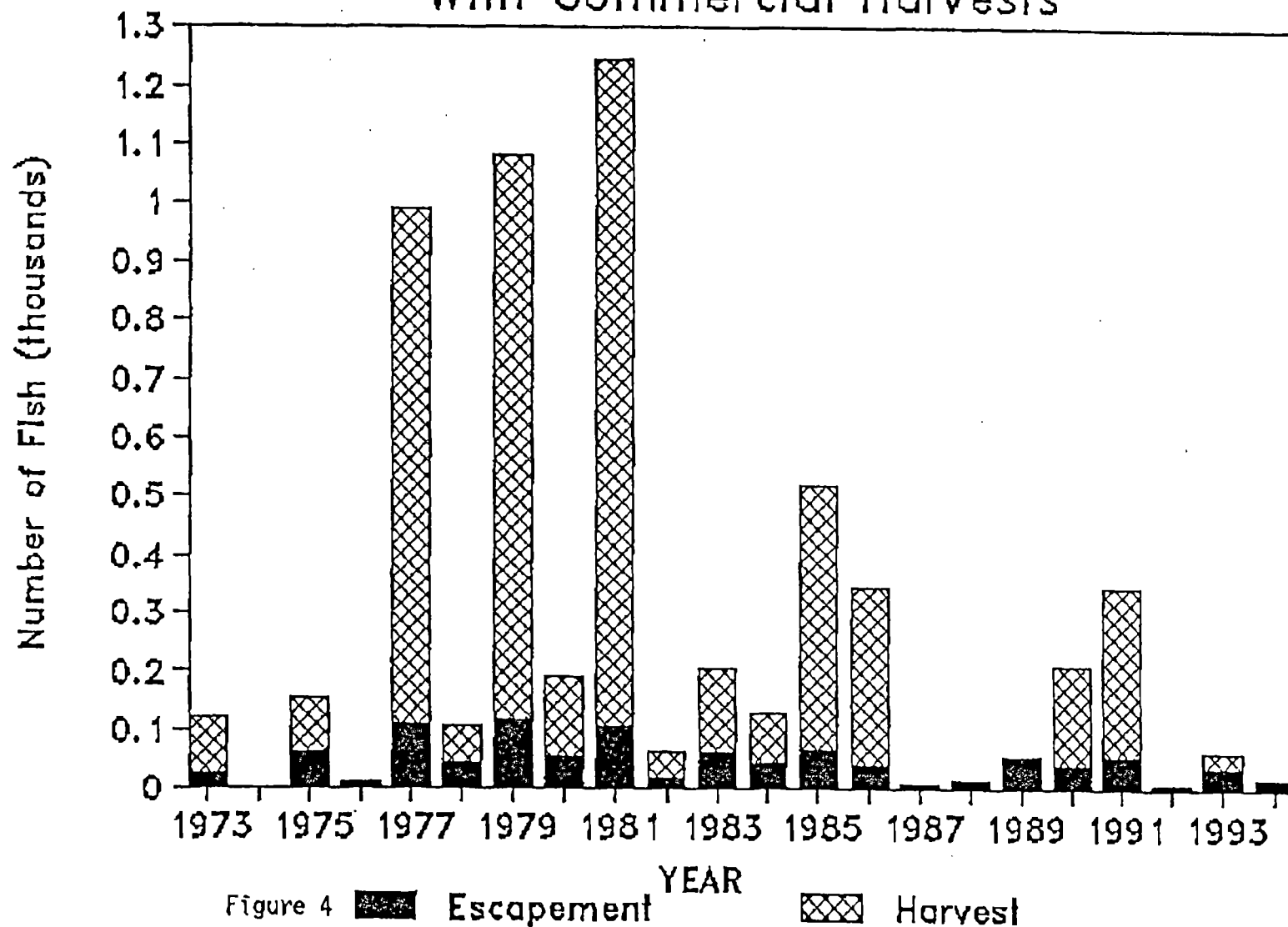


Figure 3. Escapement Harvest

Port Dick Creek Pink Salmon Escapements With Commercial Harvests



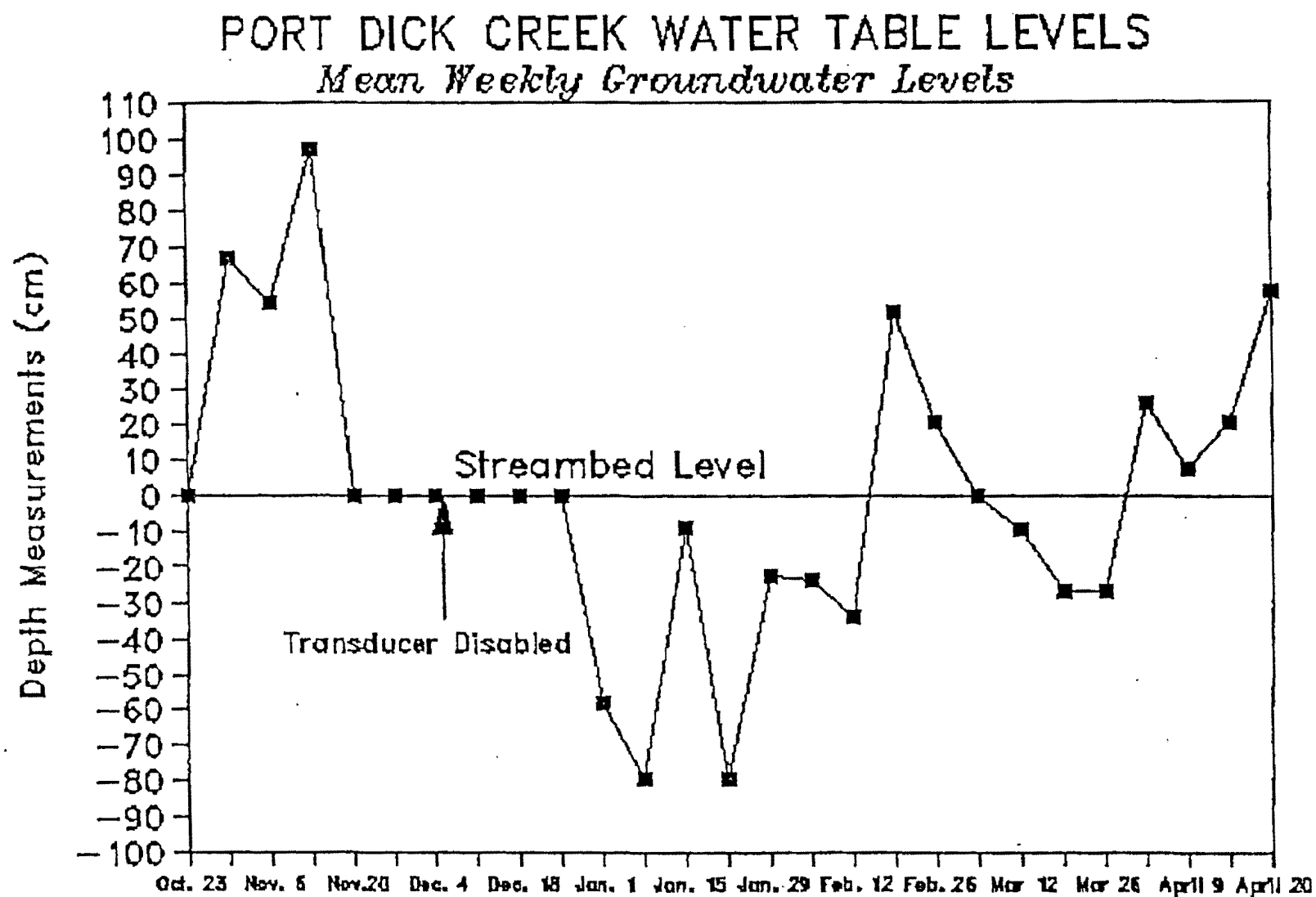


Figure 5. Stream stage recorder measurements, October, 92 to April, 93

Port Dick Water Table Fluctuation

STANDPIPE #2.

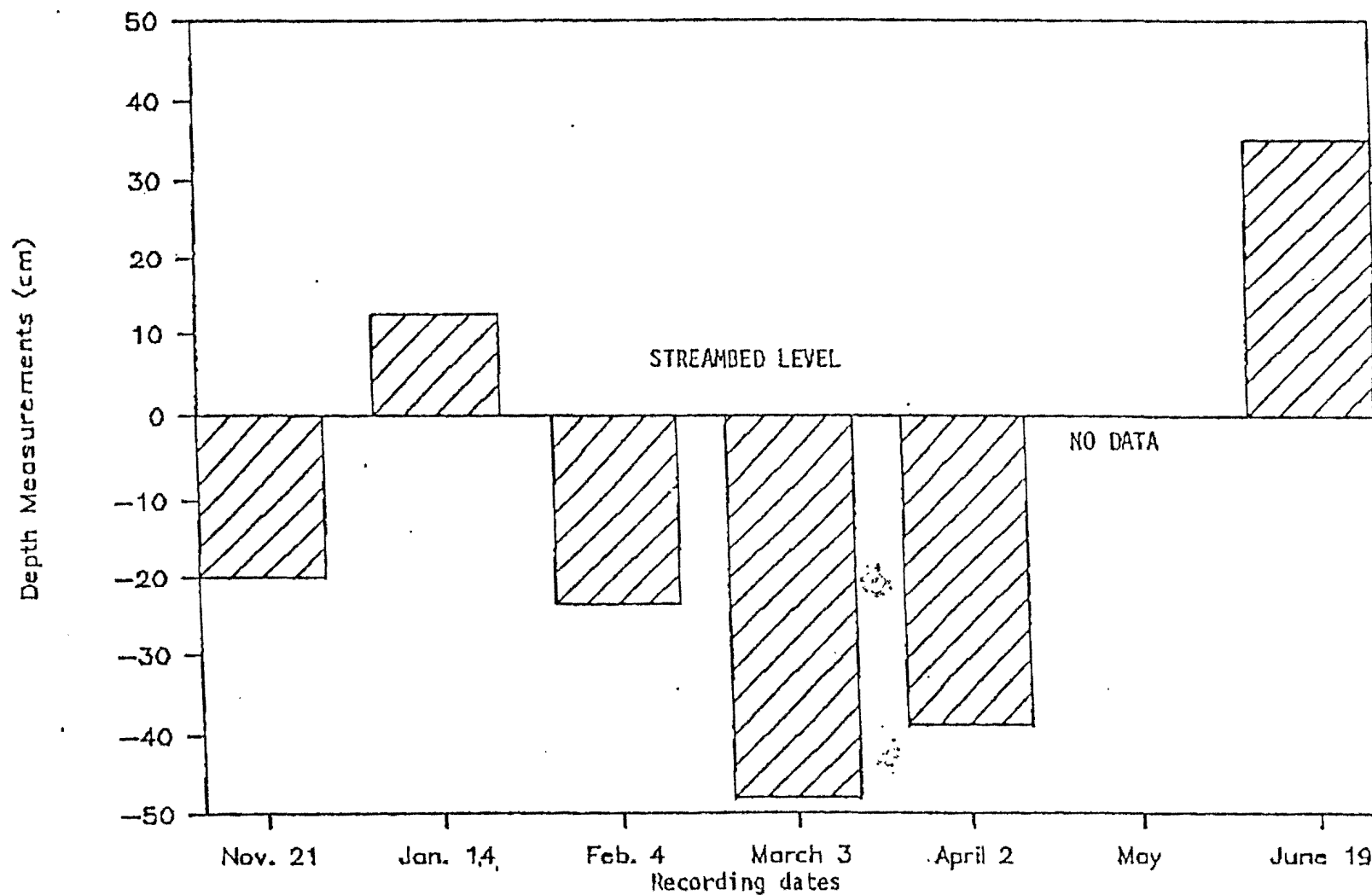


Figure 6. Standpipe #2 Water Table measurements, Port Dick Creek, November 1991 - June 19, 1992.

Port Dick Water Table Fluctuation

STANDPIPE #1

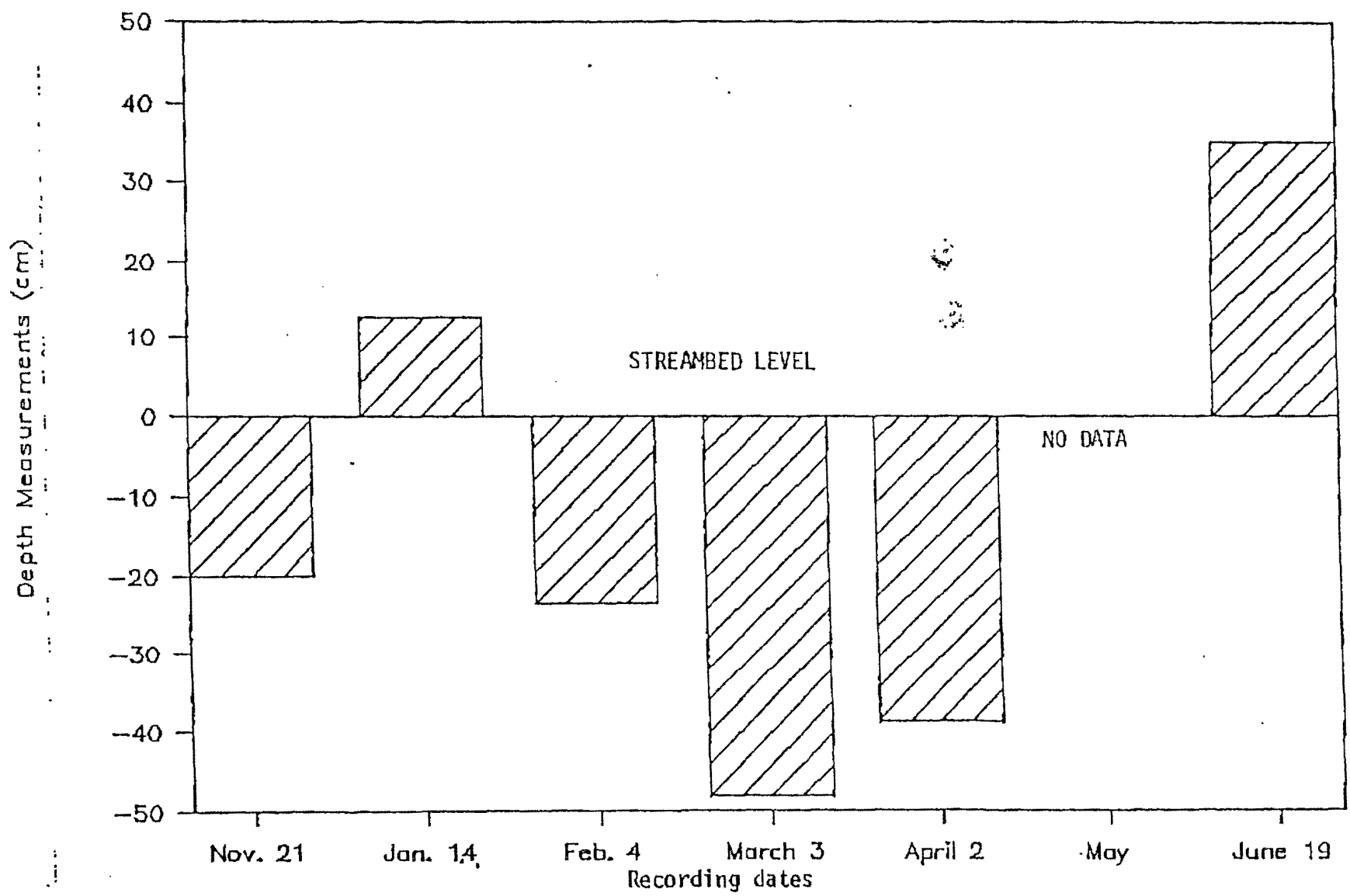
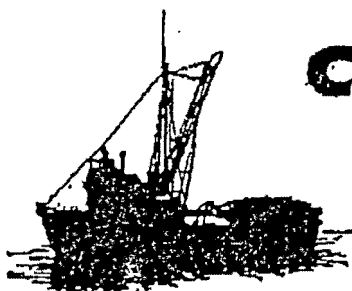


Figure 7. Standpipe #1 Water Table measurements, Port Dick Creek, November 1991 - June 19, 1992.



Cook Inlet Seiners Association

P.O. Box 4311
Homer, Alaska 99603
235-2656

April 12, 1995

Dr. Joe Sullivan
Resource Program Manager
Habitat and Restoration Division
Alaska Department of Fish and Game
333 Raspberry Rd.

~~Anchorage, Alaska 99518-1599~~

Re: Proposed Spawning Channel--Project Port Dick Creek, LCI Project I.D. Number--95139

Dear Dr. Sullivan:

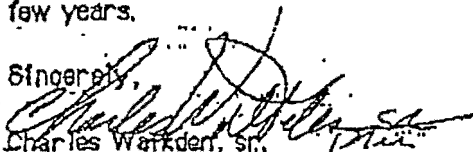
As you know, based on your presentation at our 1992 Annual Membership Meeting and on-going encouragement, Cook Inlet Seiners Association has been actively engaged in the Exxon Valdez Trustee process. CISA has had representatives at most meetings, written many letters, and given testimony as well as provided a number of project proposals for Lower Cook Inlet. Basically our situation has not altered since your visit; even though we have taken an assertive role in presenting our need for restoration in this area, to date, we, astonishingly, still have had no fish related restoration projects funded in LCI.

CISA enthusiastically supports Nick Dudiak's Proposed Spawning Channel--Project Port Dick Creek, Lower Cook Inlet: Project I.D. Number--95139. Not only is this a valuable and worthwhile project, it makes good business sense to finish what has been started so that funds already expended will not be wasted.

CISA firmly believes much needs to be done in LCI to restore our salmon runs to pre-spill health. As you probably know, since the calamitous impact of the spill in 1989, LCI has suffered run failures across almost all species of salmon and throughout most of the geographic area. Prior to this time, the LCI supported healthy salmon fisheries that economically benefitted the entire region as well as the state. Project 95139 will be an initial yet significant step in restoring the all devastated pink and chum runs in the Port Dick area of the outer coast.

Thank you for the opportunity to participate in the process and for your support over the last few years.

Sincerely,


Charles Warkden, Sr.

President, Cook Inlet Seiners Association

RECEIVED

APR 18 1995

STATE OF ALASKA
FISH & GAME
HABITAT & RESTORATION

April 15, 1995

Joe Sullivan
Resource Program Manager
Habitat and Restoration Division
Alaska Department of Fish and Game
333 Raspberry Rd.
Anchorage, Alaska 99518-1599

Re: Proposed Spawning Channel--Project Port Dick Creek, Lower Cook Inlet: Project I.D.
Number--95139

Dear Mr. Sullivan:

I am writing to convey my ideas and concerns about the lack of restoration activities in the outer coast of the Kenai Peninsula. I was unable to attend the Trustees meeting that was held in Homer a couple of days ago.

The Lower Cook Inlet was one of the most heavily oil spill damaged area in Alaska. It is clear to me that no one can dispute that the region was seriously damaged by the spill. (Just take a look at one of the Trustees' own publications--the map on the cover of the Exxon Valdez Oil Spill Restoration 1993 Draft Work Plan.)

Since the 1989 spill, the Lower Cook Inlet has suffered run failure after run failure across most species of salmon in the geographic area. Prior to '89, we had healthy salmon fisheries that economically benefitted the fishermen and related communities as well as the entire region and state.

The frustration level is high in LCI because we have seen no restoration projects in our area even though it is the mission and responsibility of the Trustees to address such situations. Our salmon runs have been affected and yet nothing has been done. I believe that Project # 95139 is a well throughout and workable project that will address some of the spill related issues in the outer coast. As a result, I strongly support funding for this project.

I also request that your office work closely with the Cook Inlet Seiners Association's office to develop other projects. In order for our wild runs in the outer coast to achieve pre-spill levels, they need restorative support.

I know that everyone believes that their project is vital. I would just ask you look at the map that I referred to before. It graphic depicts the oil spill area and makes it obvious that we were hit hard.

Thank you for your time and assistance.

Sincerely,



RECEIVED

APR 18 1995

STATE OF ALASKA
FISH & GAME
HABITAT & RESTORATION

1 April 13, 1995

Dr. Joe Sullivan
Resource Program Manager
Habitat and Restoration Division
Alaska Department of Fish and Game
333 Raspberry Rd.
Anchorage, Alaska 99518-1599

Re: Proposed Spawning Channel--Project Port Dick Creek, Lower Cook Inlet: Project I.D.
Number--95139

Dear Dr. Sullivan:

As a long time fishermen and concerned citizen, I am writing in support of Project 95139--
Port Dick Spawning Channel. This project is deserving of funding by the Trustee and has the
support of area fishermen.

Since 1989, most salmon runs have failed in Lower Cook Inlet. Restoration of affected salmon
stocks must be accomplished as soon as possible to preserve these unique natural runs and the
fishermen that harvest them. Although damage to Lower Cook Inlet by EYOS is an established
fact, little has been done to research or restore damaged fish stocks. It is imperative that
restoration of pink, chum, and sockeye stocks is begun immediately. It is with firm belief in
and commitment to our environment, that I support restoration in LCI.

In summary, not only do I firmly support Project 95139, I believe that the time to deal with
all LCI spill related salmon run failures is well overdue. As a result, I strongly support other
restoration projects in the region. Although I do have some ideas, I do not know exactly what all
these projects should be. I do intimately know the need for such projects because of how my
fishing has been impacted. I welcome the opportunity to discuss any ideas you or your staff may
have. This is a serious issue that requires immediate action.

Thank you.

Sincerely,

William A. Wise

RECEIVED

APR 18 1995

STATE OF ALASKA
FISH & GAME
HABITAT & RESTORATION

EXXON VALDEZ TRUSTEE COUNCIL
 1994 Federal Fiscal Year Project Budget
 October 1, 1993 - September 30, 1994

Project Description: An intermittent tributary of Port Dick Creek was selected for instr. habitat and restoration by constructing a pink and chum salmon spawning channel. The spawning channel is intended to accelerate the recovery of the depressed wild salmon stocks and to restore services lost to the commercial fishery.

Budget Category:	1994 Project No. Authorized FFY 94	'94 Report/ '95 Interim* FFY 95	Remaining Cost** FFY 95	Total FFY 95	FFY 96	Comment
Personnel	\$0.0	\$0.0	\$24.0	\$24.0		Costs reported are for the interim period April 1 through September 30, 1995
Travel	\$0.0	\$0.0	\$0.5	\$0.5		
Contractual	\$0.0	\$0.0	\$6.8	\$6.8		
Commodities	\$0.0	\$0.0	\$1.6	\$1.6		
Equipment	\$0.0	\$0.0	\$0.0	\$0.0		
Capital Outlay	\$0.0	\$0.0	\$0.0	\$0.0		
Subtotal	\$0.0	\$0.0	\$32.9	\$32.9	\$0.0	
General Administration	\$0.0	\$0.0	\$4.1	\$4.1	\$0.0	
Project Total	\$0.0	\$0.0	\$37.0	\$37.0	\$0.0	
Full-time Equivalents (FTE)		0.0	2.0	2.0		
Dollar amounts are shown in thousands of dollars.						
Budget Year Proposed Personnel:		Reprt/Intrm Months	Reprt/Intrm Cost	Remaining Months	Remaining Cost	
Position Description						
Rept Intrm	1 Fishery Technician IV @ \$4000.00/month for 6 months	0.0	\$24.0	24.0		
Personnel Total		0.0	\$24.0	24.0	\$0.0	
					NEPA Cost:	\$8.0
					*Oct 1, 1994 - Dec 31, 1994	
					**Jan 1, 1995 - Sep 30, 1995	

06/01/94

1995

Page 1 of 3

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Project Number: 95139
 Project Title: Proposed Port Dick Spawning Channel Project
 Agency: Alaska Department of Fish and Game

FORM 2A
 PROJECT
 DETAIL

EXXON VALDEZ TRUSTEE COUNCIL
 1994 Federal Fiscal Year Project Budget
 October 1, 1993 - September 30, 1994

Travel:		Reprt/Intrm	Remaining
Rept	2 round trips, Homer to Anchorage with engineer for site inspection @ \$250.00 per trip	\$0.5	
Intrm			
Travel Total		\$0.5	\$0.0
Contractual:			
Rept			
Intrm	2 round trips, Port Dick and return via float plane @ \$750.00 per trip.	\$1.5	
	7 round trips, Port Dick and return, for data retrieval, environmental assessment and monitoring.	\$5.3	
Contractual Total		\$6.8	\$0.0

07/14/93

1995

Page 2 of 3

Printed: 5/5/95 8:10 AM

Project Number: 95139
 Project Title: Proposed Port Dick Spawning Channel Project
 Agency: Alaska Department of Fish and Game

FORM 2A
 PROJECT
 DETAIL

EXXON VALDEZ TRUSTEE COUNCIL
 1994 Federal Fiscal Year Project Budget
 October 1, 1993 - September 30, 1994

Commodities:		Reprt/Intrm	Remaining
Rept			
Intrm	Food, supplies and camping equipment for two people for eight days @ \$200.00 per day.	\$1.6	
Commodities Total		\$1.6	\$0.0
Equipment:			
Rept			
Intrm	No equipment is needed for this report period	\$0.0	
Equipment Total		\$0.0	\$0.0

07/14/93

1995

Page 3 of 3

Printed: 5/5/95 8:10 AM

Project Number: 95139
 Project Title: Proposed Port Dick Spawning Channel Project
 Agency: Alaska Department of Fish and Game

FORM 2B
 PROJECT
 DETAIL

A P P L I E D
marine
S C I E N C E S

May 18, 1995

Ms. Molly McCammon
Executive Director
Exxon Valdez Oil Spill Trustee Council
645 G Street Ste. 402
Anchorage, AK 99501

Dear Molly,

I have completed the review of the detailed project description "Salmon Instream habitat and stock restoration--Port Dick Spawning Channel" (95139A). As you realize this projects was delayed for Trustee consideration until after the fish supplementation workshop. As a result of the workshop some general guidelines for criteria in supplementation actions were developed (my memo of February 7, 1995) that related to abundance and productivity of the environment, state of the stock, genetic risks, mixed-stock fisheries, economic considerations and evaluation and monitoring. In the February 7 memo I also raised two issues specifically with regard to the Port Dick Creek supplementation proposal--mixed-stock fisheries interactions and questions about whether the carrying capacity of the current stream bed was the limiting factor in the expansion of the population.

The revised proposal addresses most of these concerns satisfactorily. The reviewer indicates that the supplementation action does not create a problem with the mixed-stock fishery. Local fish will be used so that genetic impacts will be minimized. The assumptions about spawning habitat being limited is based the observations made by ADF&G personnel that the currently available spawning habitat is very unstable--subject to widely varying water levels and freeze out of the creek bed in winter. A monitoring and evaluation program will be established to evaluate the success of the eyed egg transplants and the level of natural seeding of the constructed spawning channel.

The only thing that concerns me about this proposal is that the harvest rates are apparently very high for this system (see Figs. 4 and 5 in the DPD). If the Trustee Council were to make an investment in Port Dick Creek in order to reestablish this natural resource, it would be desirable to have the investment result in a sustained runs of both chum and pink salmon. In my judgement continued high apparent harvest rates could well undermine the investment in the spawning channel. I would advise you to seek such



assurances in this regard from the appropriate management entity before the construction of the spawning channel occurs. Otherwise, I recommend this project be funded as proposed.

Sincerely,



Robert B. Spies
Chief Scientist

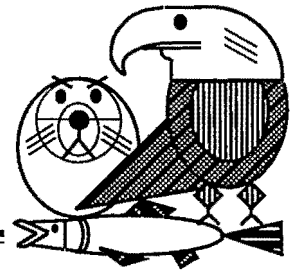
cc: W. Hauser
N. Dudiak
S. Schubert
S. Senner
J. Sullivan

Exxon Valdez Oil Spill Trustee Council

Restoration Office

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

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



MEMORANDUM

TO: Bruce Wright/NOAA

FROM: Molly McCammon
Executive Director

DATE: May 18, 1995

RE: Authorization -- Project 95076/Effects of Oiled Incubation Substrate on Survival and Straying of Wild Pink Salmon

The purpose of this memorandum is to formally approve work to proceed on Project 95076, Effects of Oiled Incubation Substrate on Straying and Survival of Wild Pink Salmon, as described in your revised Detailed Project Description (May 2, 1995). There is agreement among the Chief Scientist, peer reviewer, the Trustee Council staff, and NOAA staff that the project as now planned is of high technical merit and that it will provide needed information on the effect of oil on pink salmon and the biology of pink salmon in Alaska. On that basis, and in view of the fact that the Trustee Council had previously approved Fiscal Year 1995 funds, you now have approval to proceed.

Recognizing, however, that the cost of the project has now increased by approximately \$500,000 through FY 1999 and that there remain substantive questions raised by the Chief Scientist (attached letter of May 15, 1995), I must make clear that this project will be subjected to annual review in the context of the restoration program priorities. If funding is continued, there will be particular need for review in the autumn of 1997, after the return of the first generation of adults from oil-exposed eggs. If at that time there is no substantial evidence for an effect of oil on straying, cancellation of the balance of the project will be considered.

Attachment

cc: Bob Spies
Traci Cramer

Trustee Agencies

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

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

A P P L I E D
marine
S C I E N C E S

95076

May 15, 1996

Ms. Molly McCammon
Executive Director
Exxon Valdez Oil Spill Trustee Council
645 G Street Ste. 402
Anchorage, AK 99501

Re: Recommendation on project 95076

Dear Molly,

I have completed the review of Project 95076. The review of the initial project was very unfavorable, but I contacted the NOAA personnel (letter of 4/11/95) at Auke Bay and requested a rewrite of the Detailed Project Description. The initial review indicated that there were substantial changes needed in the study. The redesigned study resulted in substantially increased costs of approximately \$500K over the life of the project to do this work properly. We received the revised description on May 8, 1995 and the second review was completed on May 12, 1995. The second review is enclosed. As you can see from the review and from our conversation with the reviewer, this project is now considered to be of very high technical merit and capable of providing needed information on the effect of oil on pink salmon and the biology of pink salmon in Alaska.

I have considered the reviewer's comments. I too think that this is a technically meritorious study by a good group of scientists. However, because of the increased costs of the program, I have rethought the implications to the overall Restoration Program of approval of this program. We are currently projected to spend more than 11 million dollars on pink salmon and have spent many millions of dollars on pink salmon biology in the past. In this respect, I have several reservations about funding this proposal in FY1995.

First, with regard to a more complete damage assessment, which the reviewer used as a rationale in his second review, I offer the following observations.

1. **Geographic transference of findings.** There is an issue of applicability of straying rates established for the Baranoff Island, Kuiu Island and Chatham Strait area to Prince William Sound. Pink salmon are thought to stray significantly in some geographic settings and not in others. So, doing this study in southesast Alaska, which appears to be the practical place to do the



experimental exposures to oil at the current time, raises the issue of transference of between geographic areas. The study will not settle the issue.

2. Results from genetic damage program (e.g., 95191) should be available first. If the results of the current laboratory experiments show that oil does not cause heritable genetic damage, then this study is not as important as if there were genetically inheritable damage. It would be more efficient to wait for the results from the laboratory studies, as this study on straying may not be very important for damage assessment if there are not genetically inherited alterations caused by oil.

3. Information from past studies has shown no effect of oil on straying. Past Trustee Council work on straying, though having some weaknesses, showed that straying rates from oiled and non-oiled streams to be the same, about 26% for pink salmon in PWS. Earlier studies in the northwest showed no effect of oil exposure on straying.

With regard to the value of this study to management of pink salmon in Prince William Sound, I also offer the following observations.

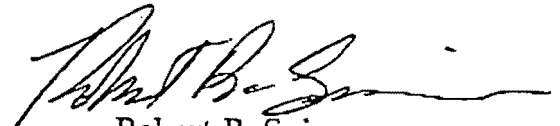
1. Overlap with other studies--The most significant management questions addressed by this study relate to stock structure of the PWS pink salmon and whether there are separate stocks. Straying is important in this context, but gene transfer must be taken into account, which 97076 does not include. There are probably other studies that could more efficiently answer questions about gene transfer. The genetic stock ID that is now being carried out on PWS pink salmon and the genetic marker experiments of Smoker and Gharret (95093) are both designed to provide information on this issue in a more efficient way.

2. If the straying rate is shown to be affected by oil exposure, then many more studies are needed to transfer results to Prince William Sound. Studies relating to yearly effects, geographic projections and other approaches will be needed to apply the results of this project to management actions in the spill area.

In view of these points I suggest we delay consideration of this project until FY 1996, so that we can better examine the mix of projects needed for pink salmon and where our funding priorities should be relative to other restoration projects. I realize that the Trustee Council voted the funds for the project and the Auke Bay Laboratory has already started some work in

expectation of receiving approval of this project. In the case that you would decide to go forward with this project, I would recommend that this project be reviewed closely in the autumn of 1997 after the first generation of adults from oil-exposed eggs return. If there is no detectable effect on their straying rate then the project should probably be terminated. Under this scenario I would recommend that FY 1998 work would not go forward unless substantial evidence for an effect of oil on straying was found.

Sincerely,



Robert B. Spies
Chief Scientist

cc: S. Senner
S. Schubert
S. Rice
A. Wertheimer
S. Pennoyer

Applied Marine Sciences
2155 Las Positas
Livermore, CA 94550
510-373-7142
Via Facsimile: 510-373-7834

RE: R2585: Revision of May 2, 1995 (April 29, 1995) Restoration Project 95076;
Effects of oiled incubation substrate on survival and straying of wild pink salmon. (My
original review is numbered R2575)

Dear Bob:

The subject proposal is in good order and I recommend that it be funded as written. The proposers did a very thorough and professional job of addressing the concerns I raised in my earlier review. I have no remaining doubts that the deliverables can be obtained, as represented by the proposal. The costs proposed appear to me to be quite reasonable, given the matching contributions of labor, vessel time, equipment and aquaculture facilities committed by the lead trustee agency.

Recognizing that the cost to completion of the project over the five fiscal years involved is substantial, I offer some historical perspective and biological context which may be helpful to the EVOS trustees as they consider funding for this proposal. I believe there are substantial historical and biological reasons that could justify making the requisite financial commitment to this project. These reasons concern validating the salmon damages already measured relative to the "reopener clause" which permits receiving additional damages from Exxon, and a heightened awareness among scientists and policy makers of the potential for oiling to induce long term damages in the ecosystem.

From the historical perspective, I believe the demonstration of statistically significant, chronic effects on a bony fish (teleostean) species as a result of circumstances related to an oil spill is remarkable and unique. These oil spill effects (pink salmon embryo mortality) were established based on observations taken *in situ*, in the pink salmon's natal streams, oiled and unoiled, in the path of the oil spill. The effect observed *in situ* has since been reproduced in a controlled hatchery environment. Unfortunately, the biological and physical mechanisms which produce the effect remain elusive, since the effect is apparently produced by levels of oil contamination which are beyond the capabilities of analytic chemistry,

identified as such. I would expect the efforts to discredit the NRDA results to continue, and to accelerate, until the time provided for in the "reopener clause" permitting additional compensation for damages to be obtained from Exxon has passed. If the trustees do not continue the search for validation of the NRDA work, the only voices addressing NRDA in the scientific community in years to come will be employed by Exxon.

In addition to the "big picture" issues addressed above, there are a number of questions targeted by the proposal whose answers could be extremely important contributions to the knowledge of salmon biology, and to the management of exploited salmon populations as well. I believe the subject proposal provides enough potential benefits at enough different levels of science and policy, that it should receive most careful consideration as a high priority for EVOS restoration funding.

*** MULTI TRANSACTION REPORT ***

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B.SPIES

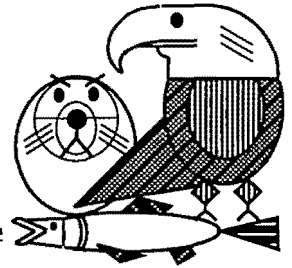
ERROR

Exxon Valdez Oil Spill Trustee Council

Restoration Office

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

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



May 18, 1995

Commandant (G-MEP-3)
U.S. Coast Guard
Attn: RCAC Coordinator
2100 2nd Street SW
Washington, D.C. 20593-0001

Dear Sir:

Thank you for soliciting my comments regarding the application from the Prince William Sound Regional Citizens' Advisory Council (RCAC) seeking recertification as the voluntary advisory group for Prince William Sound under OPA 90.

The *Exxon Valdez* Oil Spill Trustee Council was established in September 1991 to administer the joint trust funds resulting from the settlement of the State of Alaska's and United States Government's claims against Exxon Corporation following the 1989 oil spill.

Although the missions and functions of the Trustee Council and RCAC are different, our region of operations and overall constituency are the same: Prince William Sound, lower Cook Inlet and the Kodiak-Afognak Island archipelago. We both have public processes that focus on two-way communication and information sharing. We both have boards that represent various segments of the public. In fact, several people sit on both boards.

I recently completed a series of public meetings throughout the spill area and have found that there is a great deal of knowledge about and support for RCAC's work. RCAC appears to be doing a good job of working with local communities and investing them in the importance of the organization's watchdog functions. RCAC provides a bridge between citizens, industry and government agencies that hasn't existed before, and as a result, is promoting more cooperation and better decision-making on the part of industry and government regulators.

In addition, the Trustee Council and RCAC are developing a cooperative relationship on issues of common interest, especially in the realm of scientific research and monitoring in the spill-impacted area. Although the Trustee Council's efforts are focusing on restoration of injured resources and RCAC's focus is on establishing baseline data in the event of a future spill, it is imperative that such research be done

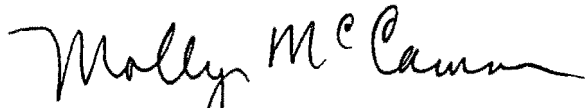
Trustee Agencies

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

cooperatively when possible in order to prevent duplication and provide maximum value for the dollars expended.

My impression is that the Prince William Sound RCAC has been a very effective organization.

Sincerely,

A handwritten signature in black ink that reads "Molly McCammon". The signature is fluid and cursive, with the first name "Molly" and last name "McCammon" clearly legible.

Molly McCammon
Executive Director

mm/raw

*** ACTIVITY REPORT ***

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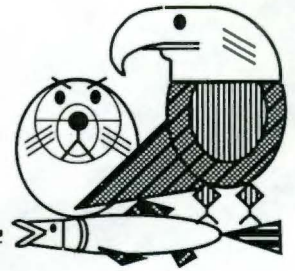
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Exxon Valdez Oil Spill Trustee Council

Restoration Office

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

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



RCAC

FAX COVER SHEET

To: *Patty Ginsberg* Number: *277-4523*

From: *Molly McCommon* Date: *5-18-95*

Comments: _____ Total Pages: *3*

Document Sent By: *Keri*

2/15/95

Trustee Agencies

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

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

U.S. Department
of Transportation

United States
Coast Guard



Commandant
U. S. Coast Guard

2100 Second St. S.W.
Washington, DC 20593-0001
Staff Symbol: G-MEP-3
Phone: (202) 267-0500

16451

May 1, 1995

TO WHOM IT MAY CONCERN:

YOUR COMMENTS ARE BEING SOLICITED REGARDING THE APPLICATION FROM
THE PRINCE WILLIAM SOUND REGIONAL CITIZENS' ADVISORY COUNCIL
SEEKING RECERTIFICATION AS THE VOLUNTARY ADVISORY GROUP FOR
PRINCE WILLIAM SOUND, ALASKA, UNDER THE OIL TERMINAL AND OIL
TANKER ENVIRONMENTAL OVERSIGHT AND MONITORING ACT OF 1990.
THE COMMENT PERIOD IS FOR 45 DAYS FROM THE DATE OF THIS NOTICE.
ALL COMMENTS MUST BE RECEIVED BY THE COAST GUARD AT THE FOLLOWING
ADDRESS BY 15 JUNE 1995.

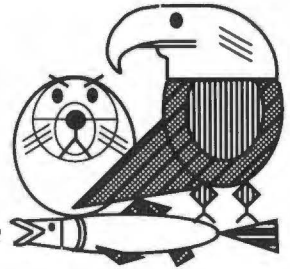
COMMA'NDANT (G-MEP-3)
U. S. COAST GUARD
ATTN: RCAC COORDINATOR
2100 2ND STREET S.W.
WASHINGTON, DC 20593-0001

Exxon Valdez Oil Spill Trustee Council

Restoration Office

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

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



MEMORANDUM

To: Bruce Wright
Program Manager, NOAA

From: Molly McCammon
Executive Director

Date: May 18, 1995

Subj: Estuarine Research Federation Conference

I support your participation at the Estuarine Research Federation Conference in Corpus Christi, Texas, next fall. I believe it is important that we share the Trustee Council's perspective with national audiences, and this conference is an appropriate format. I also believe it is important that all EVOS researchers benefit from these forums, and I would suggest you develop some way to bring information back from the conference to share with the overall effort.

cc: Byron Morris

FAK COMPLETE

mm/raw

Trustee Agencies

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

*** ACTIVITY REPORT ***

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UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
National Marine Fisheries Service
Office of Oil Spill Damage
Assessment and Restoration
P.O. Box 210029
Auke Bay, Alaska 99821

RECEIVED
MAY 12 1995

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

May 9, 1995

MEMORANDUM FOR: Molly McCammon
Trustee Council Executive Director

FROM: Bruce Wright *Bruce Wright*
Program Manager

SUBJECT: Conference Presentation

Dr. Teresa McTigue asked me to present a paper on the Trustee Council restoration efforts at the Estuarine Research Federation (EFR) conference in November. I believe the Trustee Council scientists should be participating in influencing the national perspective of restoration science. Participation in conferences and publishing are important mechanisms for achieving this goal.

Will you support my participation in this particular conference? This may be an opportunity to discuss conference participation by Trustee Council scientists and your idea of sponsoring a national restoration conference, something Alaska Sea Grant may be interested in coordinating.

I need to know if I will be participating in the EFR conference soon. The abstract is due June 30, 1995.

Attachment

cc:

Molly -
Rebecca - can you draft a short memo to Bruce to share this effort.
We should be supportive of efforts to share our perspective with national audience, and this looks appropriate. If we view PWS as a giant estuary, a talk to examine research might be useful. I think you should support Bruce's request. Stan





UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
National Marine Fisheries Service
Office of Oil Spill Damage
Assessment and Restoration
P.O. Box 210029
Auke Bay, Alaska 99821

RECEIVED
MAY 12 1995

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

May 9, 1995

MEMORANDUM FOR: Molly McCammon
Trustee Council Executive Director

FROM: Bruce Wright *Bruce Wright*
Program Manager

SUBJECT: Conference Presentation

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I need to know if I will be participating in the EFR conference soon. The abstract is due June 30, 1995.

Attachment

cc: Stan Senner (w/attachment)
Bob Spies (w/attachment)

Stan - your comment?



SOUTHEAST FISHERIES CENTER
LAFAYETTE OFFICE
P.O. BOX 42451
LAFAYETTE, LA 70504

April 24, 1995

MEMORANDUM FOR: Dr. Bruce Wright
FROM: Dr. Teresa McTigue
SUBJECT: Estuarine Research Federation session

Attached is a description of the Estuarine Research Federation meeting in Corpus Christi scheduled for November. In addition, there are forms for registering for both the meeting and a hotel room. I appreciate your agreeing to present a talk regarding the restoration efforts following the Exxon Valdez spill. If you have any questions, please contact me at the numbers below.

Terry

Office: 318-482-5915
Fax: 318-482-6630
email: Terry_McTigue@ssp.nmfs.gov

Attachment

Byron,
I've been asked to give a presentation
on the restoration efforts at a November conference.
Is this ok with you.
Bruce -- Fine but clear it with
Molly too

Come on Down To ERF'S 13th Biennial International Conference
Estuaries: Bridges from Watersheds to Coastal Seas
November 12-16, 1995 • Marriott Bayfront • Corpus Christi, Texas

Deep in the heart of Texas, that's where we'll be for ERF'95, and now is the time to submit abstracts and get the best deals for registration. Registration fees are the same as in 1993. Abstracts are due before June 30, 1995, and early registration fees are due before October 1, 1995. Send a check for the registration fee and avoid late registration fees. The ERF biennial conference usually attracts 700 scientists, managers, and policy makers interested in estuaries. The society is looking forward to having a meeting right on an estuary, so "come on down."

The 1995 conference will be held at the Marriott Bayfront Hotel in Corpus Christi, Texas where every room has a breathtaking view of Corpus Christi Bay. The purpose of this conference is to exchange information on all aspects of research, management and public policy regarding estuaries. The theme is "Estuaries: bridges from watersheds to coastal seas." The theme reflects recent emphasis on the central role that estuaries have in coupling the movement of materials between the land and the coastal zone. Because of this role, estuaries are the focal point for management of natural and xenobiotic materials. Basic research into estuarine ecosystem processes is a priority with local, state, and the federal governments as they grapple with declining and degrading natural resources. This conference will provide the opportunity for researchers, managers, policy makers and educators to come together to exchange information on these important issues.

As the theme of the conference implies, estuaries are truly the conduits from land to sea. We are only now beginning to realize the importance of the coupling between watersheds and coastal zones. Estuaries provide the key linkage between these two environments. A series of integrated symposia are being organized to compare management approaches and research on processes in estuaries, coastal and Great Lakes ecosystems.

ERF'95 Events

Registration for the Conference will begin Sunday, November 12, followed by four days of technical sessions. The technical program will include daily plenary speakers to focus each day in an exciting way. Each day there will be a continental breakfast and four or five concurrent topic sessions. The afternoon break and poster sessions will be combined to ensure that posters are a featured part of the program. For this reason, we encourage poster contributions.

To insure a collegial meeting several social events with South Texas themes are planned. The conference will begin with the traditional President's Welcome Reception. This reception will feature Mexican appetizers and a Mariachi Band to put us in a festive southwestern mood. You will be on your own on Monday evening to sample one of Corpus Christi's many fine restaurants, most of which feature local seafood. On Tuesday night the traditional Affiliates Reception will be held at the Texas State Aquarium. This reception will feature an aquarium tour and local seafood appetizers. Finally, on Wednesday night we will hold the always popular dinner/dance. A Texas country/western theme will be featured at The Bar B Q Man, a local restaurant with an outdoor stage, volley ball court, and horseshoe pit. Dinner will consist of barbecued Turkey (a low-fat favorite), Sausage, and Certified Angus Brisket (the south Texas favorite). If you prefer a vegetarian plate, no problem, just check the vegetarian box on the registration form. The band will play light rock and country music for easy dancing pleasure. You can't come to South Texas and not learn how to line dance, so dance instructors will be present to make sure everyone (you don't need a partner) can join in the fun. The dinner/dance is the same price as in 1993, \$35 for transportation, food, drinks, entertainment, and instructions. What a deal!

The Women's Aquatic Network (WAN) will again sponsor a lunch on Tuesday. The featured

speaker will be announced in the next newsletter. WAN invites and encourages all conference participants to attend this event. It is not limited only to women.

Pre- and post-conference field trips are being organized to visit local area attractions, e.g., Aransas National Wildlife Refuge (home of the Whooping Cranes), The University of Texas Marine Science Institute, the King Ranch (largest in the world, and about the size of Rhode Island), deep-sea fishing, and the golf tournament. For those adventurous types, you can visit San Antonio (the Alamo, Spanish Missions, and the River Walk) by car. Those who prefer a quiet afternoon can walk to area museums and along the Corpus Christi Bay front. Other field trips to the bays, seagrass beds and marshes will also be offered. So plan to come on Saturday, save money on a supersaver airfare and visit local attractions on Sunday. Further information on these activities will be announced in the next newsletter.

Due to popular demand, and the volunteer efforts of GERS, the biennial ERF Olympics will be hosted once more. There will be a golf tournament on Sunday, a racquetball tournament during the week, and other ERFie type events. Stay tuned in the next newsletter for more information.

ERF'95 VENUE

The meeting will be held at the Corpus Christi Marriott Bayfront Hotel. The hotel is located on the shore of Corpus Christi Bay, which has recently been named a National Estuary by the U.S. EPA. The Marriott Bayfront will provide very comfortable accommodations at affordable prices, \$89 per night (+ 13% tax). There is no additional charge for extra persons up to a maximum of four people. Please fill out the hotel reservation form and mail it in before October 20, 1995. The conference center is the perfect size for our conference, so we will neither be lost nor overcrowded. The vendor displays and breaks will be held in a room with a magnificent view of the bay to remind us all why we are together. The Marriott Bayfront is located in downtown Corpus Christi, which is surrounded by many excellent restaurants for your night time and luncheon entertainment.

BUDGET CRUNCHED?

Graduate students can apply for a student travel grant. These are very limited in number, so apply early. There will also be special minority student grants to apply for. To apply for either of these awards send a letter, countersigned by your advisor, to the Executive Director, Joy Bartholomew, 490 Chippingwood Drive, #2, Port Republic, MD 20676.

A limited block of rooms is also available at the Bayfront Inn. This is a budget motel with rather spartan amenities. It is about four blocks from the Marriott Bayfront. Only 50 rooms are available at a flat rate of \$52 per night. Students and financially strapped individuals only. Please! Ask for ERF rates by calling (800)456-2293, or mail to the Bayfront Inn, 601 North Shoreline Boulevard, Corpus Christi, TX 78401.

GETTING THERE

Corpus Christi is easily accessible by several major airlines (American, Continental, Southwest, and Delta). Connections for 1-stop service are available if you can get a direct flight to Dallas or Houston. The Marriott Bayfront offers free shuttle service to and from the airport, just call from the airport. All major rental car companies offer service at the Corpus Christi International Airport (CRP). The downtown hotel is just 10 minutes from the airport. If you want to drive, Corpus Christi is about 150 miles south of San Antonio, and 150 miles southwest of Houston.

ERF'95 PROGRAM

The Program Committee is co-chaired by Dr. Ken Dunton of the University of Texas Marine Science Institute and Dr. Christopher Onuf of the National Biological Service. Planning for the 1995 conference began in 1992, and many people volunteered to organize or chair sessions during a sign up at the successful ERF'93 Conference in Hilton Head, South Carolina. So far, we have a broad range of topics from the fields of basic research, applied research, management, education, and policy. All topics are multidisciplinary. See the accompanying Abstract Submission Form for a complete list of topics.

ERF'95 will feature an expanded and highlighted poster session as requested by many respondents to the ERF'93 questionnaires. The goals of the highlighted poster session are to cut down on the number of concurrent sessions, increase time for socializing, and increase the visibility of presentations. A poster session will be held every afternoon concurrently with the afternoon juice and coffee break. The session will be held in a large room that will also contain the trade show and continuous exhibitions. The room is well lighted with an open view of Corpus Christi Bay. Each poster presenter will be asked to stand by their poster for only 20 minutes during the two-hour session. This will ensure that each poster receives a featured time, and the presenter is free to socialize or visit other posters during the rest of the session. A photograph of each poster presenter will be attached to the poster, so if you miss the time slot, you can find the presenter later. We are entering the communication age, and there are many new technological tools to present information graphically. This presents an important challenge for scientists to learn how to communicate complex ideas in a simple, easily understood format. To encourage this type of poster, there will be a "Best Student Poster Award," and a special "Communication Award" for the poster that best communicates its message. Sign up for these poster sessions, they will be special.

Oral presentations will be limited to 20 minutes, 15 for the presentation and 5 for questions or discussion. A good rule of thumb is to prepare one slide per minute of presentation. Come prepared to deliver a crisp, efficient, and effective presentation. A speaker preparation room will be available. Each session room will contain a 35 mm projector, and an overhead projector. If you need other AV equipment please let us know in advance via the Abstract Submission Form.

Multiple abstract submissions are allowed, but each person should request only one oral presentation. This was an overwhelming recommendation from ERF'93 participants. Plan to give that second presentation as a poster, or let a co-author make the presentation.

AWARDS

Recognition of outstanding contributions will be made in several categories. For ERF student members, there will be the Best Student Paper Award and the Best Student Poster Award. All presenters are eligible for the communication award called the Best Poster Award. There will also be a special award for the National Estuarine Research Reserves Best Student Poster Award.

ERF'95 T-SHIRTS

You can also order your conference t-shirt now at a discount. The t-shirt will feature the conference logo and southwestern theme, and is sure to be a collectors item. Order now for \$10 or wait and pay \$12.

ERF'95 COMMUNICATION

Do you surf the internet? All ERF'95 information is available by internet FTP services. This is a temporary anonymous FTP server so it doesn't have an internet name, you have to use the IP

number. Use the following commands followed by a hard return from your internet prompt line:

ftp 192.138.168.29

utmsi

anonymous

cd erf95

dir

get filename

bye

You are now logged into the guest account directory. You can use all FTP commands. To view a list of commands type ? or help. ERF'95 news is in files located in this directory. To see the file names type ls or dir. You must download files to view them. Each file is in WordPerfect 5.1 format (*.wp5) or ASCII text (*.txt). To download a file and view it, use the get command. View the file in your favorite word processor software.

If you have SLIP or TRUMPET WINSOCK, you are in luck, since you can use WS_FTP to connect with the server. The Host Name is 192.138.168.29, the Host Type is NCSA/CUTSP, the User ID is *utmsi*, and the password is *anonymous*.

All updated information, forms, etc. will be available for downloading. The program and abstract booklets should be available by August. All other information about logistics and meeting details will also be available.

Please communicate your ideas and comments to the ERF'95 organizing committee by mail, ERF'95, University of Texas Marine Science Institute, P.O. Box 1267, Port Aransas, Texas 78373; e-mail, erf95@utmsi.zo.utexas.edu; fax, (512)749-6777; or telephone, (512)749-6779.

13th International Estuarine Research Federation - November 12-16, 1995

CONFERENCE REGISTRATION FORM - PLEASE PRINT

MARRIOTT BAYFRONT, CORPUS CHRISTI, TEXAS

Last Name _____ First Name _____
 Institution _____
 Mailing Address _____
 City _____ State _____ Zip _____ Country _____
 Phone _____ Fax _____ Email _____

Hotel: Make reservations by October 20, 1995 directly with the Corpus Christi Marriott Bayfront, 900 North Shoreline Boulevard, Corpus Christi, Texas 78401, (800) 874-4585. Ask for ERF'95 rates.

Registration Fee Includes: Admission to Sunday President's reception, Tuesday Aquarium reception, breaks, scientific oral and poster sessions, and copies of the Program and Abstract booklets. Social Registration includes admission to social receptions, but excludes booklets and admission to scientific sessions. Cancellations must be requested before October 23, 1995, and a \$50.00 fee is assessed.

Texas Ranch Barbecue (Wednesday Evening): Enjoy Texas barbecue, live band, country western and light rock dancing. Limited to 400 people. Check here if you prefer a vegetarian plate ☐.

REGISTRATION FEES

	<u>Before Oct. 1</u>	<u>After Oct. 1</u>	
Member registration	\$190	\$220	\$ _____
Non-Member registration	\$255	\$295	\$ _____
Student registration	\$90	\$100	\$ _____
One-Day registration	\$90	\$100	\$ _____
Social registration	\$50 per person: Number of persons _____ x \$50		\$ _____
Ranch Barbecue	\$35 per person: Number of persons _____ x \$35		\$ _____
Women's Aquatic Network Lunch	\$15 per person: Number of persons _____ x \$15		\$ _____
ERF'95 T-Shirt	\$10 per shirt: Number of shirts _____ x \$10		\$ _____
Abstract Publication Fee	\$20 per abstract: Number of abstracts _____ x \$20		\$ _____

ERF MEMBERSHIP - 1995

Join ERF for 1995 and pay the reduced member conference registration rate. Membership benefits include:

- | | |
|---|--|
| a. ESTUARIES journal in 1996 | b. Reduced rate for other ERF publications |
| c. Reduced registration fee for ERF biennial conference | d. May vote and hold office |

Sustaining	\$195 or more	(a,b,c,d)	\$ _____
Full	\$70	(a,b,c,d)	\$ _____
Associate	\$45	(b,c)	\$ _____
Student	\$45	(full time student only, a,b,c,d)	\$ _____
Family	\$30 (spouse of Full or Sustaining member only, submitted together, b,c,d)		\$ _____

CASH TOTAL: Sum of all lines above \$ _____

Make check payable to ERF'95, Mary Garrett & Assoc. Fees must be U.S. funds drawn on a U.S. Bank.

CREDIT CARD FEE: Cash total _____ x 5% \$ _____

CREDIT CARD TOTAL: Sum of Cash Total and Credit Card Fee \$ _____

☐ VISA or ☐ MasterCard only, Credit Card # _____ Expiration Date _____

Signature _____

Mail this form and payment to: **ERF'95, Mary Garrett & Associates**
 400 Mann St., Suite 909
 Corpus Christi, TX 78401
 Tel (512)-888-5400, Fax 512-888-7401

13th International Estuarine Research Federation - November 12-16, 1995

CONFERENCE HOTEL REGISTRATION FORM - PLEASE PRINT

CORPUS CHRISTI MARRIOTT BAYFRONT

900 North Shoreline Boulevard
CORPUS CHRISTI, TEXAS 78401
(800) 874-4585

DEADLINE: October 20, 1995

Individuals make reservations directly with the Corpus Christi Marriott Bayfront. Ask for ERF'95 rates. Rate is \$89 per night plus 13 % tax for single, double, triple or quadruple occupancy. Tax exempt organizations must present a tax exemption certificate. The reservation must be guaranteed by a check payable to the Corpus Christi Marriott Bayfront or credit card by October 20, 1995. Late reservations subject to availability. Cancellations and early departures require 10 days advance notice.

Group Name Estuarine Research Federation
Major Arrival Date: Sat., Nov. 11, 1995 Major Departure Date: Fri., Nov. 17, 1995

Last Name _____ First Name _____
Institution _____
Mailing Address _____
City _____ State _____ Zip _____ Country _____
Phone _____ Fax _____

Arrival Date: _____ Departure Date: _____
Adults in Party (over 18 years old) _____ # Children _____ # Rooms Required _____

Name of Credit Card _____ Card # _____ Exp. Date _____
Name as on Card _____ Signature _____

Please enclose credit card number or deposit check. Reservations guaranteed by a credit card will be accepted by fax (512)883-8084.

HOTEL INFORMATION

Check in time is 3:00 PM, check out time is 12:00 PM. Guests arriving before 3:00 PM will be accommodated as rooms become available. The Bell Captain can check baggage for early arriving or late departing guests. Convenient hourly shuttle service to and from the Corpus Christi International Airport, free of charge, is available by calling the bell staff from the airport upon arrival, and sign up at the hotel prior to departure. The hotel has an indoor/outdoor pool, fully equipped health club, whirlpool, saunas, racquetball courts, and children's pool. Dining and entertainment facilities include the *Republic of Texas* for dinner, the *Glass Pavilion* for breakfast, lunch and dinner, and the *High Tide Comedy Club*. In room amenities include individual climate control, alarm clock/radios, and color TV with cable channels. All rooms offer a view of the bay.

SEND THIS FORM WITH CHECK OR CARD AUTHORIZATION TO:

Corpus Christi Marriott Bayfront
900 North Shoreline Boulevard
Corpus Christi, Texas 78401

13th International Estuarine Research Federation - November 12-16, 1995

CONFERENCE ABSTRACT SUBMISSION INSTRUCTIONS

MARRIOTT BAYFRONT, CORPUS CHRISTI, TEXAS

ABSTRACT DEADLINE: JUNE 30, 1995

A. ABSTRACT SUBMISSION INSTRUCTIONS:

1. **Call for Abstracts:** Abstracts are now being accepted from members of the Estuarine Research Federation (ERF), and constituent societies (AERS, GEERS, PERS, NEERS, and SEERS) as well as individuals with an interest in estuarine research and management. Multiple oral presentations by the same person are strongly discouraged. Poster presentations are encouraged.
2. **Abstract Submission Form:** Each Abstract must be accompanied by a Submission Form located on the reverse side of this page. Please give the full title and all author names, since this form will be used to prepare the program. A hard copy of the abstract must be attached to the form.
3. **Abstract Submission Fee:** A fee of \$20 to cover reproduction and publication costs is assessed for each abstract. Please fill in the correct amount on the Registration Form. Abstracts will not be accepted without registration fees.
4. **Author Notification:** Abstract and registration fee receipts will be included in the registration packet at the conference. E-mail submissions will be acknowledged by E-mail. Optionally, you may include a stamped, self-addressed postcard or envelope to be notified of abstract receipt.
5. **Abstract Destination and Checklist:** Send all materials to: ERF'95, Mary Garrett & Assoc. 400 Mamm St., Suite 909, Corpus Christi, TX 78401 Tel (512)-888-5400, Fax 512-888-7401. Include:
 - ☐ Your abstract transmittal form.
 - ☐ The original hard copy of the abstract.
 - ☐ An electronic copy on PC disk as described below, or E-mail the abstract.
 - ☐ Conference registration form.
 - ☐ All Conference fees.
 - ☐ Abstracts must be received by June 30, 1995. No exceptions!

B. ABSTRACT PREPARATION INSTRUCTIONS:

1. Type your abstract in the following order: author(s), institution(s), city and state, title (all capitals), and text (one paragraph limited to 200 words). Underline the presenting author's name.
2. Transmit a hard copy with your Abstract Submission form.
3. Transmit an ASCII copy electronically via E-mail to erf95@utmsi.zo.utexas.edu, or via PC-compatible disk in any version of WordPerfect (preferred), AmiPro 1.2-3.0, ASCII, Display Write 4.0-5.0, IBM DCA, MS Word 4.0-5.5, MS Word for Windows 1.0-2.0c, Multimate 3.3-4.0, Office Writer 6.x, Professional Writer 1.0, 2.2, Windows Write, Wordstar 2000 1.0-7.0, XYWrite III Plus 3.55-4.0. If you use E-mail or ASCII precede and end each underlined or italic word with the underline symbol, _.

C. EXAMPLE ABSTRACT TO SHOW STYLE:

Montagna, P., Dunton, K., University of Texas, Marine Science Institute, Port Aransas, TX and Onuf, C., National Biological Service, Corpus Christi, TX. INSTRUCTIONS FOR PREPARING AN ABSTRACT.

All abstracts submitted to ERF'95 must be typed like this example. An abstract should be informative, and not contain phrases like: "will be discussed." Summarize concisely the main sections of the presentation. State the purpose for the research, study design, experimental methods, main findings, conclusions, and if possible, the significance of the work. Notice that Dunton is the presenting author. If this were transmitted via ASCII text he would be listed as: Dunton, using the underline sign to indicate the beginning and ending of italics.

13th International Estuarine Research Federation - November 12-16, 1995

CONFERENCE ABSTRACT SUBMISSION FORM - PLEASE PRINT

MARRIOTT BAYFRONT, CORPUS CHRISTI, TEXAS

Title of Paper: _____

Authors: _____

Full Address of Corresponding Author: _____

Please select the most appropriate session from the following for your presentation. Identify as I (invited), 1st (first choice), 2nd (second choice), or 3rd (third choice).

- ☐ (1) Biogeochemistry: Temperate-subtropical comparisons
- ☐ (2) Dissolved organic C, N, and P in estuaries
- ☐ (3) Sediment contaminant processes
- ☐ (4) Historical contamination of sediments
- ☐ (5) Ecological risk assessment
- ☐ (6) Aquaculture: Impacts on estuaries
- ☐ (7) Wetlands as wastelands: Were our forefathers correct?
- ☐ (8) Shellfish: Importance for water quality
- ☐ (9) Nuisance blooms
- ☐ (10) Reversing the impacts of eutrophication
- ☒ (11) Restoration: Science and management
- ☐ (12) Seagrasses: Habitat and ecology
- ☐ (13) Seagrasses: Water quality requirements
- ☐ (14) Penaeid shrimp ecology and management
- ☐ (15) Transport processes and recruitment
- ☐ (16) Management issues and living resources
- ☐ (17) Freshwater inflow
- ☐ (18) Estuarine-coastal coupling
- ☐ (19) Biological effects of climate change
- ☐ (20) Sea level rise and wetland systems
- ☐ (21) Remote sensing and GIS
- ☐ (22) Physical processes
- ☐ (23) Sedimentation and geomorphology
- ☐ (24) Coastal lagoons
- ☐ (25) Pan-American estuarine studies and issues
- ☐ (26) Land Margin Ecosystem Research Programs
- ☐ (27) Environmental Monitoring and Analysis Programs
- ☐ (28) National Estuary Programs
- ☐ (29) National Estuarine Research Reserves
- ☐ (30) Research and management
- ☐ (31) Parochialism and coastal marine research: Can we get our act together?
- ☐ (32) Science and politics
- ☐ (33) Science education
- ☐ (34) Communication with the public
- ☐ (35) Social and cultural influences on the coastal environment
- ☐ (36) Opening the multicultural pipeline in estuarine science
- ☐ (37) Regional studies _____
- ☐ (38) Other: _____

Type of presentation: ☐ Oral ☐ Poster ☐ Either

Eligible for Best Student Paper Award: ☐ Yes

If invited, by whom? _____

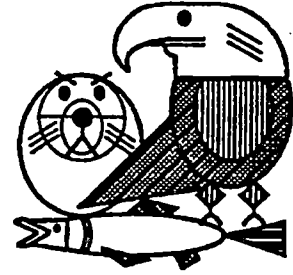
Special AV equipment needed: _____

Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 "G" Street, Anchorage, AK 99501

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



MEMORANDUM

TO: Bob Loeffler
FROM: *Traci Cramer*
Traci Cramer
Administrative Officer

DATE: May 17, 1995

RE: 96115 Comments

At your request, this memorandum is a summation of our discussion of project 96115 'Sound Waste Management Plan'.

Indirect

The budget indicates that the Prince William Sound Economic Development Council did not request any indirect for the project. However, as you pointed out, support costs are included in the personnel costs under the Executive Director. Unless I hear differently from you, I will make the assumption that half of the personnel should be reflected as indirect.

DEC Personnel

It was my understanding that specific salary for program management would not be requested in the individual budgets for the Department of Environmental Conservation. Based on our discussion, I see no problem with the proposal as submitted.

Travel

I don't fully understand the necessity of the Anchorage to Juneau travel for the Department of Environmental Conservation, or the necessity of holding six meetings for the Prince William Sound Economic Development Council. However, I do recognize that these are simply estimates, and if the expense is not required the funds will be lapsed. As such, I see not problem with the proposal as submitted.

Trustee Agencies

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

Exxon Valdez Oil Spill Trustee Council

Restoration Office


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

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



MEMORANDUM

TO: Agency Liasons

FROM: Molly McCammon, Executive Director 

DATE: May 17, 1995

SUBJ: Draft Response to Letter from Phillip Hayward
re: Small Parcel Program

Please find attached a draft response to the letter received from Mr. Phillip Hayward regarding the Small Parcel process. As discussed at the Restoration Work Force meeting last Wednesday, this letter has been prepared as a means of reducing duplication of effort by various individual Trustee Council staff.

A copy of the original Hayward letter to the Trustee Council is also attached.

Please review this letter and provide any comments to Eric Myers (278-8012) by the end of the day on Monday, May 22 so that it can be finalized.

attachments:

- draft response
- Hayward letter to F. Rue

cc: Small Parcel negotiators

Trustee Agencies

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

DRAFT

May 17, 1995

Mr. Philip Hayward
P.O. Box 3650
Valdez, Alaska 99686

Dear Mr. Hayward:

Thank you for your recent letter regarding the Trustee Council's Small Parcel Program. I want to reaffirm that the Trustee Council remains interested in the possibility of purchasing the PWS 52 parcel.

I also want to specifically address the concerns you identify regarding the small parcel acquisition process. Although the nomination, evaluation and negotiation process may seem overly long and involved from your perspective as a single individual, I assure you that the staff involved with this program are making a major effort to move the program along as quickly as possible. As representatives of government agencies, however, procurement requirements for the purchase of land using public funds requires a methodical and deliberate process that is accountable to the public. These processes take considerable time even under the best of circumstances. The required steps — including the evaluation/ranking of hundreds of individual parcels, preliminary title searches, haz-mat investigations, appraisals, etc. — must be undertaken for numerous parcels other than just the one that you have nominated. In some cases, services to perform these tasks must be obtained through contracts that, in turn, are subject to procurement regulations and requirements.

In your letter you suggest that a title report and appraisal could be commissioned by yourself to provide the information needed to make an offer by June 1, 1995, when the Council is again scheduled to meet. Although it may be the case that you could obtain a title report and/or appraisal more quickly than the Trustee Council is able to, the government must conduct its own appraisal in conformance with the *Uniform Appraisal Standards for Federal Land Acquisitions* and *Uniform Standards of Professional Appraisal Practice*. These standards are required for land acquisitions that use federal funds. Again, a title search, hazardous materials survey, and review appraisal must also be completed, along with a physical inspection of the property and each of these steps takes time. Additionally, the Trustee Council members have indicated they would like to look at an overall plan for the small parcel program prior to proceeding with offers on any individual small parcel.

As you know, the Trustee Council can only work with willing private landowners. Your concern that the time required for the small parcel process may affect your development plans is an important and valid consideration. The Trustee Council is extremely sensitive to this concern and a sincere effort is being made to avoid placing any undue burden on private landowners that participate. While the Trustee Council has specifically indicated its continuing interest in your property for restoration purposes, you are clearly free at any time to proceed with alternative plans for the property.

At the June 1, 1995 meeting in Cordova, I will present the Trustee Council with a status report on the small parcel program. Again, I assure you that the Trustee Council agency staff is working to conduct the small parcel process in a responsible, efficient and timely manner. I hope this letter helps provide a better understanding of the small parcel process.

If you have any further questions, please let me know, or contact Eric Myers of my staff at 278-8012.

Sincerely,

Molly McCammon
Executive Director

cc: Trustee Council

DRAFT

May 4, 1995

Frank Rue
EVOS Trustee Council

P.O. Box 3650
Valdez, AK 99688
(907) 835-5352

Dear Mr. Rue:

I own a parcel of land which is on the Valdez Duck Flats and under "preliminary negotiations" for purchase through the small parcel habitat protection and acquisition program (Parcel PWS 52). I have become disenchanted with the program's working timeframe and the personnel in charge, and hope you can spare a few moments for me to state my case.

The opportunity to acquire this parcel is the culmination of years of work by many agencies and individuals. Long recognized as a unique and biologically diverse intertidal habitat, the Duck Flats have received regular attention as far as habitat protection. Through the Valdez Coastal Management Program in the late 1980's and early 1990's, the recommendation to purchase privately held parcels was made by lead agencies (like yours) through the AMSA process, although no action was taken.

Believing in the Nature Conservancy approach, I began purchasing Duck Flats parcels five years ago. Since that time I have come to realize the development potential here, although presently I still favor the option of acquisition for protection. I was proud to hear on Feb. 19 that the parcel had made the selection process cut; I was relieved to know that development was not my only option to maximize the potential of the land and my investment in it.

Now I find myself in the sad position of a willing seller to an uncommitted buyer whose agents aren't able to enter into any type of contract and who aren't even particularly interested in whether the sale takes place. The pace appears more related to a bureaucrat's job security than to the efficient conclusion to a business deal. The gentleman who signed a March 14 letter stating that a recommendation would be made to the Council by June 15 to help authorize formal offers, now informs me after my repeated inquiries that he never intended to be ready to proceed with formal offers until late August. He went on to tell me that I should perhaps look for other buyers or development plans, and that another selection process after late August could void Council interest in my parcel.

Is this how you wish to have negotiations conducted? Does it really take more than six months to get a title report and appraisal? This is absurd for a piece of residential property like my property. Had I known a month ago what the true timeline was, I easily could have obtained the title report and appraisal myself in order to be sure of presenting my case to the Council at its June meeting. Now I hear that the meeting has been set for June 1, which allows little time.

My main concern is that if the Council decides to back and is no longer interested in the purchase, and if you wait until late August or September to make that decision, then I will have lost a whole summer's building season and a year's worth of income from that potential development, since the work would have to put off until next summer.

I implore you to take action in June, which would allow authorization of formal offers for those parcels which have no legal or environmental problems and which will have certified appraisals. Don't penalize me for the inefficiencies of governmental procedures, and don't require me to wait for every last parcel before any progress can be made toward a contract. You make the rules. Please give me the benefit of a commitment. My parcel will not break the bank, and I am willing to work on terms for payment over five years. Your action now will show a commitment to restoration and protection here in the shadow of the oil terminal.

Sincerely,

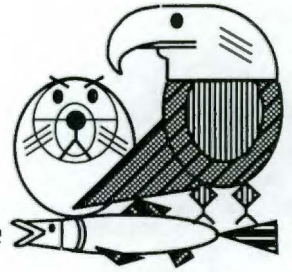

Philip Hayward

Exxon Valdez Oil Spill Trustee Council

Restoration Office

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

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



FAX COVER SHEET

To: Small Parcel
Negotiators Number: _____

From: Molly McCannon Date: 5-18-95

Comments: DISTRIBUTION Total Pages: (5)

W. Gibbons

C. Fries

J. Harmening

A. Swidurski / C. Tillery

M. Kuwada

J. Ellison

Lattery / Robinson

FAX COMPLETE

Document Sent By: KHeli

2/15/95

Trustee Agencies

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

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

*** MULTI TRANSACTION REPORT ***

TX/RX NO.

8206

INCOMPLETE TX/RX

TRANSACTION OK

[10] 19075867555

D.GIBBONS

[15] 5624871

C.FRIES

[33] 19075867843

J.HARMENING

[36] 2787022

ALEX-CRAIG

[39] 3491723

MARK KUWADA

[42] 7863640

G.ELISON

[44] 7622406

LATTERY/ROBINSON

ERROR

*** ACTIVITY REPORT ***

TRANSMISSION OK

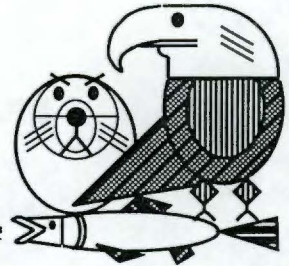
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RESULT	OK

Exxon Valdez Oil Spill Trustee Council

Restoration Office

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

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



FAX COVER SHEET

To: Agency Liaisons

From: M. McCammon Date: 5-18-95

Comments: Total Pages: 5

FAX COMPLETE

AGENCY LIAISON MEMBERS INCLUDE:

Berg, Catherine
Gibbons, Dave
Gilbert, Veronica

Morris, Byron
Spies, Bob
ELLEN FRITTS

JOE SULLIVAN

Document Sent By: K. O'Neil

2/15/95

Trustee Agencies

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

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

*** MULTI TRANSACTION REPORT ***

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8205

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/C. BERG

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✓F. RUE

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✓B. SPIES

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JUNEAU OFFICE

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D. GIBBONS

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C. FRIES

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✓MORRIS-WRIGHT

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✓J. SULLIVAN

*** MULTI TRANSACTION REPORT ***

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B. SPIES

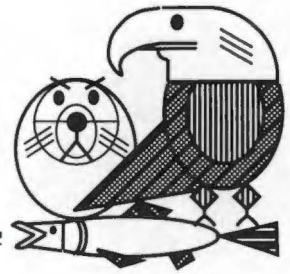
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Exxon Valdez Oil Spill Trustee Council

Restoration Office

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



FAX MEMORANDUM

TO: Distribution

FROM: Sandra Schubert *Sandra*
Project Coordinator

RE: FY 96 Project Proposals: Revised DPDs and New Budgets

DATE: May 17, 1995

Available for pick-up from the Restoration Office:

Revised DPDs for the following four projects. In each case, the version of the DPD distributed earlier was incomplete.

- 96106 Subtidal monitoring/eelgrass (version distributed earlier was incorrectly titled Herring Bay Monitoring)
- 96186 Coded wire tag
- 96190 Linkage map for pink salmon genome
- 96202 Port Lions community hall

Detailed budgets, not provided earlier, for the following two projects.

- 96012B Killer whale predation
- 96213 Harbor seal commission

DISTRIBUTION

Martha Vlasoff
Carol Fries
Joe Sullivan
Ernie Piper
Catherine Berg
Alex Swiderski

Lisa Thomas
Dave Gibbons - Will mail 5/17/95
Ray Thompson
Byron Morris - Will mail 5/17/95
Gina Belt

Trustee Agencies

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

*** ACTIVITY REPORT ***

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*** ACTIVITY REPORT ***

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J.SULLIVAN

ERROR

*** MULTI TRANSACTION REPORT ***

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R. THOMPSON

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C. BERG

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L. THOMAS

[24] 5624026

E. PIPER

[36] 2787022

ALEX-CRAIG

[38] 2715827

G. BELT

ERROR

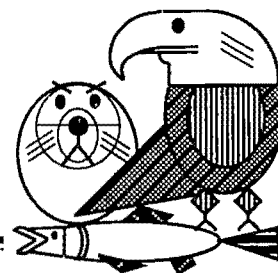
Rebecca

Exxon Valdez Oil Spill Trustee Council

Restoration Office

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

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



MEMORANDUM

TO: Peer Reviewers
Restoration Workforce
Attorneys
Other Interested Parties

FROM: Sandra Schubert *Sandra*
Project Coordinator

RE: FY 96 Project Proposals: Revised DPDs and New Budgets

DATE: May 16, 1995

Please find enclosed revised DPDs for the following four projects. In each case, the version of the DPD included in the notebook circulated on May 5, 1995 was incomplete.

96186 Coded Wire Tag Recoveries from Pink Salmon in PWS
96106 Subtidal Monitoring: Eelgrass Communities
(The earlier version of this project was incorrectly titled Herring Bay Monitoring.)
96190 Construction of a Linkage Map for the Pink Salmon Genome
96202 Port Lions Community Hall Construction

Also enclosed are detailed budgets for the following two projects. Detailed budgets were not provided earlier.

96012B Impact of Killer Whale Predation on the Recovery of Injured Resources
96213 Alaska Native Harbor Seal Commission

Trustee Agencies

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