

13.08.01 January 1996

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January 1996

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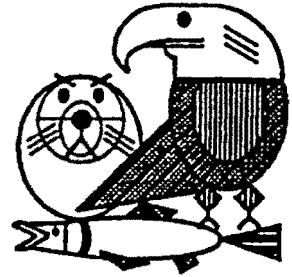
EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL
ADMINISTRATIVE RECORD

Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 "G" Street, Anchorage, AK 99501

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



MEMORANDUM

TO: Nancy Slagle
Director
Division of Budget Review
Office of Management and Budget

FROM: *Traci Cramer*
Traci Cramer
Administrative Officer

DATE: January 31, 1996

RE: Extension Language

In accordance with Chapter 1, FSSLA 1992, RPL 11-6-9990 was approved by the Legislative Budget and Audit Committee September 28, 1995. As you know, the Trustee Council operates on a federal fiscal year basis. The use of the federal fiscal year enables researchers to deploy projects during the spring and summer field season. However, the Legislative Budget and Audit Committee authorization was restricted to state fiscal year 1996. In order to complete the 1996 Work Plan, authorization to receive and expend *Exxon Valdez* oil spill settlement funds must be carried forward into state fiscal year 1997.

As such, it is requested that the following language be incorporated into the appropriate vehicle.

The appropriation made in compliance with the program review procedures of AS 37.07.080(h) to implement Trustee Council restoration projects for federal fiscal year 1996, set out in revised program 11-6-9990, lapse into the funds from which they were appropriated June 30, 1997.

After approval is received on RPL 11-6-9992, which is currently pending before the Legislative Budget and Audit Committee, an amendment to the proposed language (reflected above) will be requested to add the second RPL.

As you are aware, the administration and the Trustee Council is committed to including authority to receive and expend *Exxon Valdez* oil spill settlement funds in the Fiscal Year 1997 Budget. However, until the technical aspects of the actual budget amendment for

Trustee Agencies

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

Fiscal Year 1997 have been resolved, it is request that this language be included in the proposed supplemental bill.

Thank you for your assistance. If you have any questions, give me a call at 586-7238.

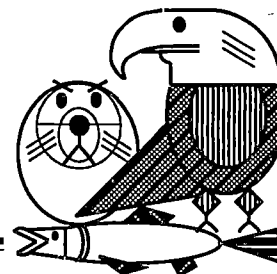
cc: Molly McCammon

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 Members

From: Exxon Valdez Restoration Office Staff

Date: January 31, 1996

Subj: Bob Loeffler's Potluck

Just a reminder that **after** the 11 a.m., Restoration Work Force meeting Monday, February 5, there will be a bon voyage potluck for Bob Loeffler. Please call Keri Hile at 278-8012 and tell her what type of dish you will bring, that way we won't end up with fourteen desserts. (Actually that sounds pretty good. ☺) Seriously, we would like to send Bob off to his new job with the Department of Natural Resources having shown him our appreciation for all the hard work he has put into the EVOS process. We are accepting donations for a gift to present to him during the potluck. If you would like to contribute, you could tell Keri how much you would like to donate when you call with information on your food dish. We are looking forward to hearing from each of you.

Trustee Agencies

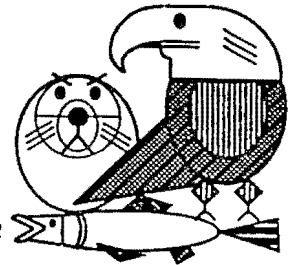
State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation
United States: National Oceanic and Atmospheric Administration, Departments of Agriculture and Interior

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



January 30, 1996

Jim Sinnett
Chugach Heritage Foundation
4201 Tudor Centre Drive, Suite 220
Anchorage, Alaska 99508

Dear Jim:

Thank you for briefing us on the progress of Project 96154 on January 24, 1996. You and your team have accomplished a great deal in the last three months. As we reach the mid-point of this planning effort, we would like to reiterate the concerns we discussed with you at the meeting on January 24.

In its settlement agreement with the Governments, Exxon agreed to pay damages for injuries to public natural resources, including archaeological resources, resulting from the oil spill. In the court-approved Consent Decree governing the use of funds received from Exxon, the Governments agreed to use the funds for the restoration of injured public natural resources and the services they provide. For the funds to be used to restore injured archaeological resources, the resources must be public resources belonging to, managed, or controlled by the State or Federal Government. **Therefore, this project must focus on the restoration of public resources--- those located on State or Federal lands--- and not privately owned archaeological resources.** Moreover, we understand that recoveries from the TAPL Fund have been awarded to some private landowners in the spill area for injuries to archaeological resources located on their lands. Before the Trustee Council could evaluate the appropriateness of using any of the settlement funds for restoration measures that would encompass non-public artifacts as part of its restoration of public resources, we need to know whether funds have already been recovered by private parties for injuries to these resources and whether those funds are being used to restore archaeological resources; and, if so, the uses to which those funds have been committed. See Contract at page 20, Methods Section 5.02.

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

Page 2
Sinnott/Chugach Heritage
January 30, 1996

As detailed in the Restoration Plan at pages 38-9 (copy attached), twenty-four public archaeological sites are known to have been adversely affected by cleanup activities or looting and vandalism linked to the oil spill. The restoration strategy for injured archaeological resources detailed in the Restoration Plan is to: 1) repair spill-related injuries to archaeological sites and artifacts through the stabilization of eroding sites and removing and restoring artifacts; 2) protect sites and artifacts from further injury, and store them in appropriate facilities; and 3) monitor recovery. **The focus of this project is the restoration of public archaeological resources as specified in the Restoration Plan and not the construction of facilities.** Although the Contract Statement of Work provides that an assessment of the need for archaeological storage facilities will be conducted, this must be done in the context of completing an inventory of spill-related artifacts, evaluating alternatives for repositories and display facilities, and making site-specific recommendations. See Contract at page 17.

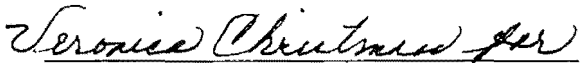
The Contract Statement of Work states that Phase I of the planning process focuses on an inventory of spill-related artifacts. See Contract at page 17. **It is crucial that the planning process include an inventory of artifacts that were recovered from Prince William Sound and Lower Cook Inlet during the response, damage assessment, and restoration phases of the oil spill.** See Contract at page 18, Methods Section 1.01. In addition to an overall estimate of the size of the collection, we need to know whether the artifacts were recovered from private lands or State and Federal public lands, and the distribution of the artifacts by community. For example, please describe whether the artifacts were collected from the Chenega area, Port Graham area, or the Outer Kenai Coast.


Finally, at the January 24 meeting, we voiced concerns that the focus of your planning efforts for this project may be excessively broad. The Trustee Council expects that the project will address all aspects of restoration of public archaeological resources, not simply repositories. However, the settlement funds committed to this project may not be used to develop an overall cultural resources management plan or general community facilities plans. Nor should this planning project focus on possible future uses of archaeological facilities to assist the scientific research efforts of the restoration process. It is highly improbable that the restoration program will require additional facilities for researchers.

We want to assure you that we are committed to the success of this project. Serious attention to the points raised in this letter will help make the project a success. We look forward to receiving the draft plan on February 10.

Page 3
Sinnott/Chugach Heritage Foundation
January 30, 1996

Sincerely,


Dave Gibbons, US Forest Service
as Contracting Officer's Representative


Molly McCammon, Executive Director
EVOS Trustee Council

MM/kh
Enclosure

cc (w/attachment): John Christiansen, Chairman, Chugach Alaska Corporation
Dave Maiero, Chugach Development Corporation
Lora Johnson, Chugach Heritage Foundation
Gina Belt, U.S. Department of Justice
Barry Roth, U.S. Department of the Interior
Maria Lisowski, U.S. Department of Agriculture
Alex Swiderski, Alaska Department of Law
Dave Gibbons, U.S. Forest Service
Linda Yarborough, U.S. Forest Service
Veronica Christman, Alaska Department of Natural Resources

~~means as increasing the availability, reliability, or quality of the resource on which the service depends. For some resources, this may take the form of increasing availability in the long run through improved resource management or providing replacement resources. Strategies for recreation and tourism and subsistence also include removing or reducing residual oil if treatment is cost effective and less harmful than leaving the oil in place.~~

Objectives and Strategies by Resource and Service

This section describes the nature and extent of injury and recovery, the recovery objective, and the restoration strategy for each injured resource and service. The information in this section is expected to change over time as the restoration program adapts to new information. For example, population decline or sublethal effects may be documented for new resources, some resources may begin to recover, and objectives and strategies may change in response to new conditions. Hypotheses for why resources are not recovering are particularly susceptible to change as prevailing hypotheses are tested and new ones are formed.

New scientific data will be incorporated into restoration decisions without the need to change the plan. However, changes will be reported in the Trustee Council's annual status report.

ARCHAEOLOGICAL RESOURCES

Injury and Recovery

Twenty-four archaeological sites are known to have been adversely affected by cleanup activities, or looting and vandalism linked to the oil spill. Injuries include theft of surface artifacts, masking of subtle clues used to identify and classify sites, violation of ancient burial sites, and destruction of evidence in layered sediments. In addition, vegetation has been disturbed, which has exposed sites to accelerated erosion. The effect of oil on soil chemistry and organic remains may reduce or eliminate the utility of radiocarbon dating in some sites.

Assessments of 14 sites in 1993 suggest that most of the archaeological vandalism that can be linked to the *Exxon Valdez* oil spill occurred in 1989 before adequate constraints were put into place over the activities of oil spill cleanup personnel. Most vandalism took the form of "prospecting" for high yield sites. In 1993, only two of the 14 sites visited showed signs of continued vandalism and the link between this recent vandalism and the *Exxon Valdez* oil spill remains highly problematical. Oil samples have not yet been analyzed, but oil was visible in the intertidal zones of two of the 14 sites.

Recovery Objective

Archaeological resources are nonrenewable: they cannot recover in the same sense as biological resources. Archaeological resources will be considered recovered when spill-related injury ends, looting and vandalism are at or below prespill levels, and the artifacts and scientific data which remain in vandalized sites are preserved. Artifacts and data are

typically preserved through excavation or other forms of documentation, or through site stabilization, depending on the nature of the injury and the characteristics of the site.

Restoration Strategy

Repair spill-related injury to archaeological sites and artifacts. Injuries may be repaired to some extent through stabilizing eroding sites, or removing and restoring artifacts.

Protect sites and artifacts from further injury and store them in appropriate facilities. Archaeological sites and artifacts could be protected from further injury through the reduction of looting and vandalism, or the removal of artifacts from sites and storage in appropriate facilities. Opportunity for people to view or learn about the cultural heritage of people in the spill area would also provide protection by increasing awareness and appreciation of cultural heritage and would replace services lost as a result of irretrievable damage to some artifacts.

Monitor recovery. Monitor a small number of sites vulnerable to serious, commercial looting.

BALD EAGLES

Injury and Recovery

Two hundred to 300 bald eagles may have been killed in the spill. However, population estimates made in 1989, 1990, and 1991 indicate that there may have been an increase in the Prince William Sound bald eagle population since the previous survey conducted in 1984. Productivity decreased in 1989, but appeared to have recovered by 1990. Because population and productivity appear to have returned to prespill levels, bald eagles may have already recovered from the effects of the spill.

Recovery Objective

Bald eagles will have recovered when their population and productivity return to prespill levels.

Restoration Strategy

Rely on natural recovery. Natural processes aided by protective measures will be the main agents of restoration.

Monitor recovery. Monitor the population and productivity of bald eagles in Prince William Sound until full recovery is confirmed and perhaps at intervals thereafter. The eagle population in Prince William Sound is expected to increase to its prespill level in 1994. There are not enough prespill data on eagle populations in other parts of the spill area to warrant surveys outside Prince William Sound.

Protect bald eagles and their habitat. With regard to bald eagles, the objective of habitat protection is to ensure maintenance of adequate nesting habitat and reduce disturbance in feeding and roosting areas.

*** MULTI TRANSACTION REPORT ***

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INCOMPLETE TX/RX

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D.GIBBONS

[36] 2787022

ALEX-CRAIG

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G.BELT

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M.LISOWSKI

[45] 12022083877

B.ROTH

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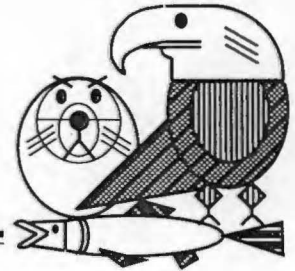
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PAGES	6	
RESULT	OK	

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: Jim Sinnott + Number: _____
See Below
From: Nolly McCammon Date: Jan 31, 1996
Dave Gibbons
Comments: _____ Total Pages: 6

<u>John Christensen</u>	<u>Gina Bell</u>
<u>Wendy Mierow</u>	<u>Maria Lisowski</u>
<u>Lera Johnson</u>	<u>Barry Roth</u>
<u>Linda Yarbrough</u>	<u>Alex Swiderski</u>
	<u>Dave Gibbons</u>

FAXED

Document Sent By: _____

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



OIL SPILL COORDINATION OFFICE

Alaska Region

TO: Veronica Christmas FAX: _____

UNIT: _____ Verification No. _____

FROM: Dave Gibbons FAX: _____

REMARKS: Veronica - the letter clarifying the intent of project 96154 Archeological project looks fine. Can you please sign it for me since the original is in Anchorage and I do not want to hold this correspondence up since we are scheduled to get a draft plan from them on February 10th. Thank you
clane

Total number of pages (including cover): 1Date Sent: 1/31 Time: _____

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



January 30, 1996

Senator Rick Halford
Alaska State Legislature
State Capital, Room 508
Juneau, Alaska 99801-1182

Dear Senator Halford:

I am pleased to report that I have met with the Office of Management and Budget to discuss the concerns of the legislature regarding the method used to appropriate *Exxon Valdez* oil spill (EVOS) settlement trust funds and a proposed budget amendment for Fiscal Year 1997. Annalee McConnell, Director, Office of Management and Budget, is supportive of an amendment to the proposed administration budget.

In concept, we propose adding an amendment to the front section of the Fiscal Year 1997 Budget. In developing the anticipated Fiscal Year 1997 amendment, the agencies will use as a basis those projects that have been approved by the Trustee Council for Federal Fiscal Year 1996, together with incremental funding to support new projects, not yet identified, but that can be expected to result from our proposal solicitation process. Proposals for Federal Fiscal Year 1997 are due April 15, with the Council scheduled to act on them on August 31, 1996. To support the appropriation, the affected agencies would prepare and submit budget documentation. The documentation would set out for each object or purpose of expenditure the estimated amounts that during the next fiscal year are to be funded by the Trustee Council and expended by state agencies. This documentation would be provided at a level of detail sufficient for the legislature to determine the affected agency and division.

Beginning in the proposed Fiscal Year 1998 budget, authority to receive and expend EVOS settlement trust funds would be included in the proposal submitted to the legislature by the governor. In addition, Ms. McConnell has indicated she will be including information regarding the EVOS settlement trust funds in the Executive Budget Summary next year.

As we discussed, the need to use the Legislative Budget and Audit Committee to revise the authority to receive and expend *Exxon Valdez* oil spill settlement trust funds will continue. The magnitude of such revisions will depend on the degree of specificity contained in the appropriation bill, which has a direct impact on the ability of

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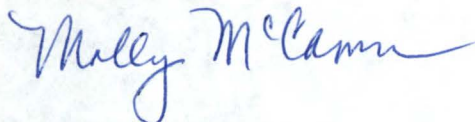
State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation
United States: National Oceanic and Atmospheric Administration, Departments of Agriculture and Interior

researchers and resource management agencies to respond to changes in restoration needs and the resulting decisions of the Trustee Council. In addition, we would still be using the LB&A Committee for any capital expenditures, including land acquisitions.

One issue yet to be resolved involves the appropriate technical method of reflecting an appropriation of this nature in the shortform and any resulting duplication of expenditures. I understand that this "double counting" issue is currently being reviewed by the administration and the legislature. Depending on the outcome of that review, it would be the intent of the administration that the technical method of accounting for the EVOS amendment would be consistent with other appropriations of the nature.

I look forward to meeting with you tomorrow to discuss the proposed approach and how it addresses the concerns expressed by the legislature. If this approach is acceptable, I would then request your assistance in obtaining approval to receive and expend the authority contained in RPL 11-6-9992 at the Legislative Budget and Audit Committee meeting scheduled for February 7.

Sincerely,



Molly McCammon
Executive Director

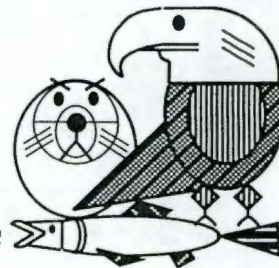
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Exxon Valdez Oil Spill Trustee Council

Restoration Office

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

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



FAX COVER SHEET

Traci

To: *Senator Rick Halford* Number: *1-907-465-4928*

From: *Molly McCammon* Date: *January 30, 1996*

Comments: Total Pages: *3*

Pls forward to Senator Halford.

Thank You

This is the final ltr to
Halford.

R

Document Sent By: *Rebecca*

2/15/95

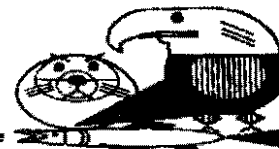
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United States: National Oceanic and Atmospheric Administration, Departments of Agriculture and Interior

Exxon Valdez Oil Spill Trustee Council

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



FAX COVER SHEET

To: Senator Rick Halford Number: 1-907-465-4928

From: Molly McCammon Date: January 30, 1996

Comments: Total Pages: 3

Pls forward to Senator Halford.

Thank You

Document Sent By: Rebecca

2/10/96

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

TRANSMISSION REPORT

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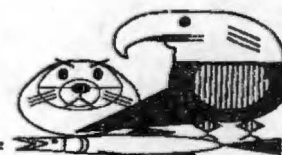
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Exxon Valdez Oil Spill Trustee Council

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



FAX COVER SHEET

Traci
To: Senator Rick Halford Number: 7-907-465-4928
From: Molly McCommon Date: January 30, 1996
Comments: Total Pages: 3
PIS forward to Senator Halford.
Thank You
This is the final ltr to
Halford.
R

Document Sent By: Rebecca

8/18/98

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TRANSMISSION REPORT

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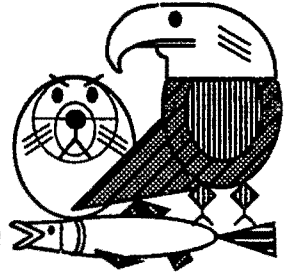
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Phone: (907) 278-8012 Fax: (907) 276-7178



MEMORANDUM

TO: Trustee Council Members

FROM: Molly McCammond
Executive Director

DATE: January 30, 1996

RE: Update on various activities

As you know, the January 30 meeting has been canceled, and it is still uncertain when the Chenega and Tatitlek acquisitions will be ready for Council action. The best estimate I have now is mid-March. In the meantime, I'd like to update you on a number of issues.

1. 1996 Annual Restoration Workshop. The 3-day annual meeting held in Anchorage January 16-18 was very successful, with more than 300 people attending. The conference's theme of Incorporating Traditional Ecological Knowledge into Western Science was well received. A number of people commented that it opened their eyes and made them look at their research in a new light. It was also obvious from the presentations from various principal investigators that the Council is funding some of the most exciting research going on in the country. We are now spending considerable time discussing how best to ensure that the information gets out to the general public and the greater scientific community. The presence of Trustees Deborah Williams, Craig Tillery and Frank Rue was greatly appreciated by participants.

2. Audit. Under our contract with Elgee, Rehfeld & Funk, a draft of the audit was to be presented to the Council by January 31. Because of the two federal furloughs, the draft will be delayed by two weeks. The new date for receiving the draft is February 9. We will have about two weeks to review and comment on the draft, prior to finalization and public release of the document. All of the agency staff should be commended for their assistance and cooperation with the audit team.

Trustee Agencies

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

3. December financial report. Attached is the Trustee Council's financial report as of December 31, 1995. This report will not reflect Shuyak or any of the small parcels as obligations until we have signed purchase agreements in hand.

4. SeaLife Center event. Under separate cover you should have received an invitation to a February 8 event for the Alaska SeaLife Center at the Anchorage Museum. Please let me know if you have not yet received yours.

5. LB&A Committee. As you know, state agencies receiving Trustee Council funds must first obtain legislative authority to receive and expend those funds. In the past, this has occurred after Trustee Council action through the Legislative Budget & Audit Committee. The House and Senate Finance Committees are now asking that authorization for anticipated EVOS funds be included in the governor's annual operating budget. We are working with the administrative directors for each of the three state agencies, as well as the Governor's Office of Management and Budget, to develop a proposal for the legislature. A key goal of this proposal is to ensure that it will not affect the Council's proposal solicitation, review and decision-making cycle. Assuming we reach agreement, the projects approved by the Council on December 10 will be taken up by LB&A on February 7, and the new approach would be used for FY97 funding.

6. Restoration Reserve. I also wanted to inform you that the good news in December about the reserve investments was short-lived. The Texas Commerce Bank has completed its work to establish the long-term investment strategy for the reserve, but the CRIS has still failed to make the actual investments as allowed by Judge Holland's amended order for deposit and transfer of settlement proceeds, dated July 31, 1995. As of today, the CRIS is reporting that the securities have not been purchased because they are awaiting an amended order from the presiding judge in Houston relating to establishment of the reserve. This is the first time anyone has mentioned this as a step in the process. Unfortunately, the Clerk of the Court in Houston, Mr. Michael Milby, has been traveling and has not returned our phone calls.

7. Tatitlek appraisal. The timber contract appraiser, Ray Granval, is now estimating completion of his portion of the Tatitlek appraisal in mid-February. In addition, he says it will also cost more than the \$830,000 already authorized by the Council. I have requested through Dave Gibbons at USFS that Mr. Granval present to the Council in writing an explanation of this delay, a firm date for completion, and detailed documentation of all his costs. If Granval's portion of the appraisal is received in mid-February, we still need time to have the review appraisers review and approve it, to add the land portion of the appraisal to the complete product, to allow Tatitlek time to review and comment, and then to finalize negotiations. Realistically, I do not anticipate all of this reaching a final deal until mid to late March.

8. Chenega. Chenega has hired Walt Ebell as part of their legal and negotiating team. Negotiations are postponed for at least two weeks, until Walt can be brought up to speed on their status.

9. Eyak. A meeting with the Eyak Corporation board has been set up for February 10 in Cordova. Scheduled to attend thus far are myself, Phil Janik, Jim Wolfe, and Craig Tillery. If any others are interested in attending, please let me know.

10. FY97 Invitation. A draft of the FY97 Invitation for Restoration Projects is currently out for agency review. I have asked the agency liaisons to work with you to make sure you're comfortable with the content of this document. Our schedule calls for the invitation to go to the printer February 9, then released to the public February 15. The due date for proposals is April 15.

11. 1996 Annual Report. We are also in the process of putting together a new annual report. The agencies will have the draft copy for review next week. Our goal is to have final copies available by mid-March. Please let me know if you would like copies sent to anyone you think may not already be on our mailing list.

12. Update of Restoration Plan. We are also in the process of updating Chapter 5 of the *Restoration Plan*: Goals, Objectives & Strategies, based on a review held during the annual workshop. The draft chapter includes revised recovery objectives based on new data, the proposed transfer of several of the injured resources from the **Not Recovered** list to the **Recovering** list and from the **Recovering** to **Recovered** list, and a recommendation on the status of cormorants, kittiwakes and scoters. The Forest Service is overseeing NEPA compliance for this process. Following another round of agency review, this draft will be ready to go out for public review and comment in mid-February, and then to you for consideration sometime this summer. I have asked the agency liaisons to make sure that you are comfortable with the final draft going out for public review.

If you have questions about any of these items or anything else, please don't hesitate to call me at any time.

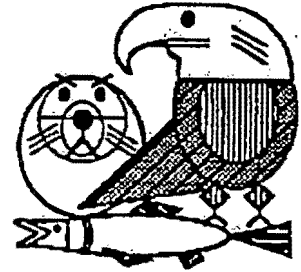
cc: Agency liaisons
Legal counsel

Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 "G" Street, Anchorage, AK 99501

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

**MEMORANDUM**

TO: Trustee Council

THROUGH: Molly McCammon
Executive Director

FROM: *Traci Cramer*
Traci Cramer
Administrative Officer

DATE: January 25, 1996**RE:** Financial Report as of December 31, 1995

Attached is the Statement of Revenue, Disbursements and Fees, and accompanying notes for the *Exxon Valdez* Joint Trust Fund for the period ending December 31, 1995.

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

Joint Trust Fund Account Balance	\$107,073,875	
Less: Current Year Commitments (Note 5)	\$29,647,122	
Less: Restoration Reserve Balance (Note 6)	\$36,000,000	
Plus: Adjustments (Note 7)	<u>\$608,914</u>	
Uncommitted Fund Balance		\$42,035,667
Plus: Future Exxon Payments (Note 1)	\$420,000,000	
Less: Remaining Reimbursements (Note 3)	23,300,000	
Less: Remaining Commitments (Note 8)	<u>\$36,091,667</u>	
Total Estimated Funds Available		\$402,644,000

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

attachments

cc: Restoration Work Force
Bob Baldauf

**NOTES TO THE STATEMENT OF REVENUE, DISBURSEMENTS AND FEES
FOR THE EXXON VALDEZ JOINT TRUST FUND
As of December 31, 1995**

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

Received to Date	\$480,000,000
Future Payments	\$420,000,000

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 \$540,436.
3. Reimbursement of Past Costs - Under the terms of the agreement, the United States and the State are reimbursed for expenses associated with the spill. The remaining reimbursements represents that amount due the State of Alaska.
4. Fees - CRIS charges a fee of 10% for cash management services. Total paid since the last report is \$54,044.
5. Current Year Commitments - Includes \$5,191,122 for the 1996 Work Plan approved 12/11/95, \$12,456,000 for the Alaska SeaLife Center and the following land payments.

<u>Seller</u>	<u>Amount</u>	<u>Due</u>
Koniag, Incorporated	\$4,500,000	September 1996
Akhiok-Kaguyak	\$7,500,000	September 1996

6. Restoration Reserve - The total in the Restoration Reserve is \$36,000,000.
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. Unreported interest and lapse is summarized below.

	<u>Interest</u>	<u>Lapse</u>
United States	\$48,676	
State of Alaska	\$560,238	

8. Remaining Commitments - Includes the following land payments.

<u>Seller</u>	<u>Amount</u>	<u>Due</u>
Seal Bay	\$3,091,667	November 1996
Akhiok-Kaguyak	\$7,500,000	September 1997
Koniag, Incorporated	\$9,000,000	September 1997 and 1998
Koniag, Incorporated	\$16,500,000	September 2002

C:\WPWIN\60\WPDOCS\FR1295.WPD

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 December 31, 1995

	<u>1993</u>	<u>1994</u>	<u>1995</u>	<u>To Date</u> <u>1995</u>	<u>Cumulative</u> <u>Total</u>
REVENUE:					
Contributions: (Note 1)					
Contributions from Exxon Corporation	250,000,000	70,000,000	70,000,000	0	480,000,000
Less: Credit to Exxon Corporation for clean-up costs incurred	(39,913,688)				(39,913,688)
Total Contributions	<u>210,086,312</u>	<u>70,000,000</u>	<u>70,000,000</u>	<u>0</u>	<u>440,086,312</u>
Interest Income: (Note 2)					
Exxon Corporation escrow account					831,233
Joint Trust Fund Account	1,378,000	3,736,000	5,706,666	1,445,576	12,862,242
Total Interest	<u>1,378,000</u>	<u>3,736,000</u>	<u>5,706,666</u>	<u>1,445,576</u>	<u>13,693,475</u>
Total Revenue	<u>211,464,312</u>	<u>73,736,000</u>	<u>75,706,666</u>	<u>1,445,576</u>	<u>453,779,787</u>
DISBURSEMENTS:					
Reimbursement of Past Costs: (Note 3)					
State of Alaska	29,000,000	25,000,000			83,267,842
United States	36,117,165	6,271,600	2,697,000	0	69,812,045
Total Reimbursements	<u>65,117,165</u>	<u>31,271,600</u>	<u>2,697,000</u>	<u>0</u>	<u>153,079,887</u>
Disbursements from Joint Trust Account:					
State of Alaska	18,529,113	44,546,266	29,469,669	15,794,667	114,898,915
United States	9,105,881	6,008,387	48,019,928	8,000,000	77,454,696
Total Disbursements	<u>27,634,994</u>	<u>50,554,653</u>	<u>77,489,597</u>	<u>23,794,667</u>	<u>192,353,611</u>
FEES:					
U.S. Court Fees (Note 4)	154,000	364,000	586,857	144,558	1,272,414
Total Disbursements and Fees	<u>92,906,159</u>	<u>82,190,253</u>	<u>80,773,454</u>	<u>23,939,224</u>	<u>346,705,912</u>
Increase (decrease) in Joint Trust	<u>118,558,153</u>	<u>(8,454,253)</u>	<u>(5,066,788)</u>	<u>(22,493,648)</u>	<u>107,073,875</u>
Joint Trust Account Balance, beginning balance	24,530,411	143,088,564	134,634,311	129,567,523	
Joint Trust Account Balance, end of period	143,088,564	134,634,311	129,567,523	107,073,875	
Current Year Commitments: (Note 5)					(29,647,122)
Restoration Reserve: (Note 6)					(36,000,000)
Adjustments: (Note 7)					608,914
Uncommitted Fund Balance					<u>42,035,667</u>
Remaining Reimbursements (Note 3)					(23,300,000)
Remaining Commitments: (Note 8)					(36,091,667)
Total Estimated Funds Available					<u>402,644,000</u>

*** MULTI TRANSACTION REPORT ***

TX/RX NO.

4150

INCOMPLETE TX/RX

TRANSACTION OK

[09] 19075867589

JUNEAU OFFICE

[25] 19075867840

P. JANIK

[27] 12022084684

G. FRAMPTON

[28] 19075867249

S. PENNOYER

[29] 19074652332

FRANK RUE

[31] 19074655070

G. BURDEN

[36] 2787022

ALEX-CRAIG

[37] 2714102

D. WILLIAMS

ERROR

[26] 19074652075

B. BOTELHO

*** ACTIVITY REPORT ***

TRANSMISSION OK

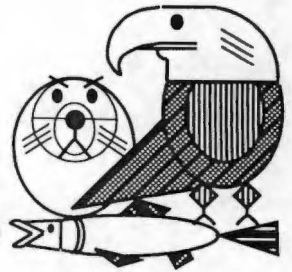
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CONNECTION ID	B.BOTELHO
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USAGE TIME	04'42
PAGES	7
RESULT	OK

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: Trustee Council

From: Molly McCammon Date: January 30, 1996

Comments: Total Pages: 7

Pls forward to the TC

Member in your ofc. 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
Bosworth, Rob

Document Sent By: Rebecca

8/15/95

Trustee Agencies

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

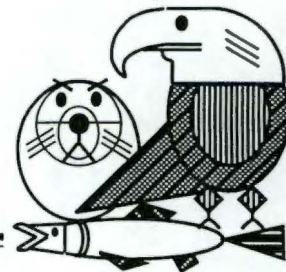
United States: National Oceanic and Atmospheric Administration, Departments of Agriculture and Interior

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: Molly McCammon Date: January 30, 1996

Comments: Total Pages: 7

Pls forward to the RWF member
in your Ofc. Thanks

AGENCY LIAISON MEMBERS INCLUDE:

Berg, Catherine

Gibbons, Dave

Christman, Veronica

Morris, Byron

Spies, Bob

Sullivan, Joe

Fries, Carol

Document Sent By: Rebecca

8/15/95

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

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: See distribution list Number: _____

From: Molly McCammon Date: Jan 30. 96

Comments: _____ Total Pages: 7

Pls forward to the individual listed
below who is in your org.

Alex Swiderski / Craig Tillery

Gina Belt

Barry Roth

Maria Lisowski

Document Sent By: _____

2/15/95

Trustee Agencies

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

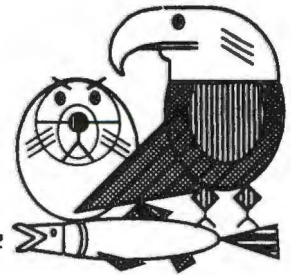
United States: National Oceanic and Atmospheric Administration, Departments of Agriculture and Interior

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: Bob Spies
Andy Gunther
Applied Marine Sciences

FROM: Molly McCammon
Executive Director

DATE: January 30, 1996

RE: Scientific Support Tasks for January 1, 1996 - March 31, 1996

I concur with the attached list of scientific support tasks.

Pursuant to our contract, I would also like to note that I have once again been very pleased with the services provided by the Chief Scientist and Assistant in the past quarter. In particular I would like to call attention to the successful annual workshop and also the SEA review, both just recently concluded.

cc: Stan Senner
Carol Fries

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

Adaptive Management:

1. Plan sessions for review of SEA & NVP, and plan core reviewers meeting.
2. Prepare talk on science plan integration for annual meeting.
3. Participate in annual meeting and SEA, core reviewers, and NVP sessions.
4. Assist and review development of the FY97 Invitation.
5. Prepare recommendations for SEA and NVP.
6. Assist Science Coordinator with revision to Chapter 5 of Restoration Plan
7. Prepare recommendation regarding revision to injured species list.
8. Develop plan for integration of ecosystem research projects
9. Begin long-range planning for 10th anniversary of spill.

Work Plans and Projects:

1. Finish review of delayed 1996 Detailed Project Descriptions.
2. Continue review of 1993-95 annual and final reports.

Special Projects:

1. SAAMS Board of Directors.
2. Information Management.

Miscellaneous:

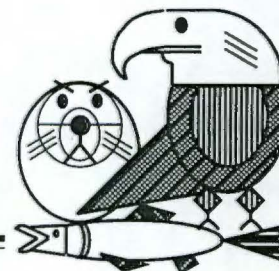
1. Assisting the Scientific Coordinator
 2. Unanticipated communications and projects
-

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: Bob Spies & Andy Gunther Number: _____

From: Molly McCammon Date: 1-30-96

Comments: _____ Total Pages: 3

Pls copy & forward.

Thanks

Document Sent By: Rebecca

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

*** ACTIVITY REPORT ***

TRANSMISSION OK

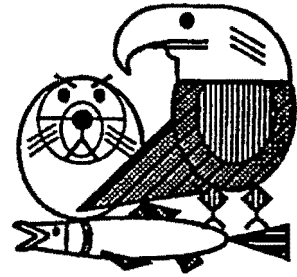
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CONNECTION ID	B.SPIES
START TIME	01/30 15:28
USAGE TIME	01'50
PAGES	3
RESULT	OK

Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 "G" Street, Anchorage, AK 99501

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



MEMORANDUM

TO: Annalee McConnell
Director
Office of Management and Budget

FROM: *Laci Craver for*
Molly McCammon
Executive Director

DATE: January 29, 1996

RE: EVOS Budget Amendment

AS 37.14.405(b) allows agencies to obtain authority to receive and expend *Exxon Valdez* oil spill settlement trust funds conditioned upon the program review provisions of the Legislative Budget and Audit Committee. Based on these statutes, revised programs have been submitted and approved by the Legislative Budget and Audit Committee since 1992. However, at the January 8 Legislative Budget and Audit meeting, Senator Halford moved to table RPL 11-6-9992. Since that time I have met with Senator Halford to discuss the concerns of the legislature, which appear to be based on the process we use and the timing of the requests.

While Alaska statutes permit the agencies to obtain authority through the Legislative Budget and Audit Committee, they also require the agencies to prepare and submit a budget under the Executive Budget Act. In addition, the language contained in the various appropriation bills allows the Legislative Budget and Audit Committee to approve requests that exceed the amounts appropriated by the legislature. Concerns have been raised over the fact that an initial appropriation of *Exxon Valdez* oil spill settlement trust funds is not contained in the bills.

The *Exxon Valdez* Oil Spill Trustee Council (EVOS) annually approves a work plan based on the federal fiscal year. The policy has been to submit requests to the Legislative Budget and Audit Committee to receive and expend funds once the Trustee Council has taken action. Due to the unique nature of the program, Trustee Council action typically occurs during the months of August and December. As a result, the full legislature does not have the opportunity to review EVOS projects until after the operating budgets of

the affected agencies have been signed into law.

One way to address these concerns is to present EVOS funding as a budget amendment to the Governor's proposed budget. Before discussing the format of a proposed budget amendment, it is important that the unique nature of the Trustee Council be explained. This unique nature involves the manner in which the funds are managed, the types of projects that are funded, and the processes used to projects.

The Trustee Council was formed to manage the joint use of all natural resource damage recoveries as specified in the Memorandum of Agreement and Consent Decree (MOA) between the United States of America and the State of Alaska. The MOA contains four essential elements. First, the funds shall be used by the Governments in such a manner as is agreed upon by the Governments. Second, all decisions shall be made by unanimous agreement of the Trustees. Third, the use of the funds were specified in the MOA. Fourth, public participation was recognized in the MOA as an integral part of the agreement. Pursuant to the MOA, the Council consists of three state Trustees and three federal Trustees.

The Trustee Council uses the funds from the settlement for activities to restore injured resources and services. The Council *does not* manage fish and wildlife resources or manage land. Fish and game management decisions are made by fish and game boards, or by appropriate federal or state agencies. However, the Trustee Council may fund research to provide information to those agencies or other groups.

In November 1994, the Trustee Council adopted the '*Exxon Valdez* Oil Spill Restoration Plan'. The Restoration Plan provides long-term guidance for restoring the resources and services injured by the oil spill. It also contains policies for making restoration decisions and describes how restoration activities will be implemented.

One important policy relates to normal agency activities. The policy reads, "Government agencies will be funded only for restoration projects that they would not have conducted had the spill not occurred". Agencies are required to explain and justify why the Trustee Council should fund the project. This policy addresses the concern that restoration funds should not support activities that government agencies would do anyway.

Finally, restoration is a cyclical activity. The restoration priorities and needs embody a long-term, ecosystem view that is continually updated as new information is acquired. Thus, the most current information is used to determine the needs of injured resources and services and the priorities for restoration. On the basis of those priorities, the Trustee Council annually invites proposals and ideas for restoration from government agencies, universities, private industry and the public. Submissions undergo scientific, policy, and legal review. Following that review, a draft of the year's restoration program is distributed for public review. The Trustee Council uses information received from the public, scientists, and the Trustee's Public Advisory Group, and agency staff to decide

which restoration projects to fund that year. In the past, those projects approved by the Trustees and proposed for implementation by state agencies were submitted to the Legislative Budget and Audit Committee.

While it is recognized that a budget is a plan, and that agencies will endeavor to submit a reasonable proposal, it should also be recognized that the need to use the Legislative Budget and Audit Committee to refine the authority to receive and expend *Exxon Valdez* oil spill settlement trust funds will continue, even if general authorization is given in the annual operating budget. The magnitude of the refinement will depend on the flexibility contained in the appropriation bill.

I would propose language similar to that reflected below, be submitted as an amendment to the front section of the operating budget.

(a) The sum of \$ is appropriated from *Exxon Valdez* oil spill settlement trust funds for projects approved by the *Exxon Valdez* Oil Spill Trustee Council consistent with the Memorandum of Agreement and Consent Decree entered into by the United States of America and the State of Alaska allocated to the following departments:

Environmental Conservation
Fish and Game
Natural Resources

(b) The unexpended and unobligated balance of the appropriation made in (a) of this section lapses into the funds from which they were appropriated June 30, 1998.

This language addresses the desire of the legislature to include the authority to receive and expend *Exxon Valdez* oil spill settlement trust funds in the operating budget and provides flexibility to respond to changes in the restoration needs and the resulting decisions of the Trustee Council. It also recognizes that the Work Plans are based on the Federal Fiscal Year and is consistent with prior legislative action.

The amount requested will consist of those projects anticipated to be funded in the upcoming Federal Fiscal Year, plus authorization for new projects. To support the appropriation, the affected agencies would prepare and submit budget documentation. The documentation would set out, for each object or purpose of expenditure, the estimated amounts that are, during the next fiscal year, to be funded by the Trustee Council and expended by state agencies. This documentation would be provided at a level of detail sufficient for the legislature to determine the affected agency and Division.

Beginning in the proposed FY98 budget, authority to receive and expend *Exxon Valdez* oil spill settlement trust funds would be included in the proposal submitted to the legislature by the governor.

As outlined in this memorandum, the proposed front section language, combined with the supporting documentation addresses the concerns of the legislature. The funds would be appropriated in the operating budget and documentation would be provided at a level of detail sufficient for the legislature to determine the affect on the agencies prior to approval of the operating budgets.

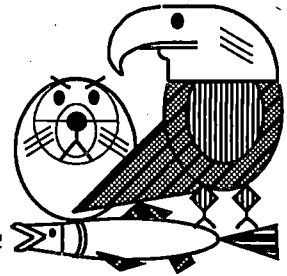
If this approach is acceptable to the administration, it would be my intention to meet with Senator Halford to discuss the proposed approach and how it addresses the concerns expressed by the legislature.

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

RE: Authorization -- Project 96076\Effects of Oiled Incubation Substrate on Straying and Survival of Wild Pink Salmon

DATE: January 29, 1996

The purpose of this memorandum is to approve expenditure of the funds authorized by the Trustee Council in December 1995 for Project 96076\Effects of Oiled Incubation Substrate on Straying and Survival of Wild Pink Salmon. Funds must be spent in accordance with the Detailed Project Description and the follow-up letter from Alex Wertheimer and yourself dated January 3, 1996.

cc: Bob Spies
Traci Cramer

Trustee Agencies

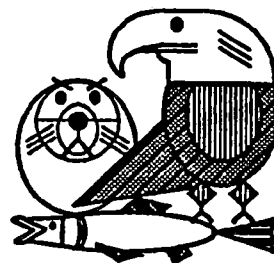
State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation
United States: National Oceanic and Atmospheric Administration, Departments of Agriculture and Interior

Exxon Valdez Oil Spill Trustee Council

Restoration Office

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

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



MEMORANDUM

TO: Workforce

FROM: Bob Loeffler

SUBJECT: Review of Draft FY 97 Invitation

DATE: January 29, 1996

Enclosed is the Draft F 97 Invitation. Please relay any comments you have to myself, Veronica, or Sandra by noon on Friday, February 2nd. If necessary, we will discuss the comments at the workforce meeting scheduled for Monday, February 5th.

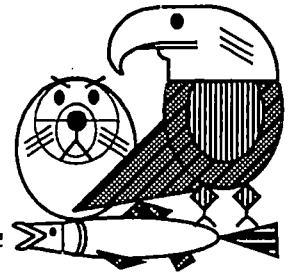
PS. The budget forms were inadvertently omitted from Appendix B (the budget instructions). They are identical to last year, so we doubt you will have any trouble imagining them.

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



January 26, 1996

Elgee, Rehfeld and Funk
9309 Glacier Highway, Suite B 200
Juneau, Alaska 99801

In connection with your audit of their financial statements of *Exxon Valdez* Oil Spill Trustee Council (Council) Trust Funds as of and for the year ended September 30, 1995, for the purpose of expressing an opinion as to whether the financial statements present fairly, in all material respects, the cash balances of the Joint Trust Account and Natural Resource Damage Assessment & Restoration (NRDA&R) and the financial position of the Settlement Trust as of and for the year ended September 30, 1995, and the results of their operations for the year then ended on the basis of accounting described in Note 2 for the Joint Trust Account and NRDA&R, in the conformity with generally accepted accounting principles for the Settlement Trust, we confirm, to the best of our knowledge and belief, the following representations made to you during your audit.

1. We are responsible for the fair presentation in the financial statements of financial position and results of operations of the Trust Funds conformity with generally accepted accounting principles.
2. We have made available to you all -
 - a. Financial records and related data.
 - b. Resolutions made at meetings of the Council or summaries of actions of recent meetings for which minutes have not yet been prepared.
3. There have been no -
 - a. Irregularities involving management or employees who have significant roles in the internal control structure.
 - b. Irregularities involving other employees that could have a material effect on the financial statements.
 - c. Communications from regulatory agencies concerning noncompliance with, or deficiencies in, financial reporting practices that could have a material effect on the financial statements.
4. We have no plans or intentions that may materially affect the carrying value or classification of assets, liabilities, or fund balances.

Trustee Agencies

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

5. The following have been properly recorded or disclosed in the financial statements:

a. Related party transactions and related accounts receivable or payable, including revenues, expenditures, and commitments.

6. There are no -

a. Violations or possible violations of laws or regulations (including those pertaining to adopting and amending budgets) whose effects should be considered for disclosure in the financial statements.

b. Other material liabilities, gain or loss contingencies that are required to be accrued or disclosed by Statement of Financial Accounting Standards No. 5.

c. Reservations or designations of fund equity that were not properly authorized and approved.

7. There are no unasserted claims or assessments that our lawyers has advised us are probable of assertion and must be disclosed in accordance with Statement of Financial Accounting Standards No. 5.

8. There are no material transactions that have not been properly recorded in the accounting records underlying the financial statements.

9. We are responsible for the Council's compliance with laws and regulations applicable to it; and we have identified, and disclosed to you, all laws and regulations that have a direct and material effect on the determination of financial statement amounts. We have complied with all aspects of laws, regulations, and contractual agreements that would have a material effect on the financial statements in the event of noncompliance.

10. We have identified all accounting estimates that could be material to the financial statements, including the key factors and significant assumptions underlying those estimates, and we believe the estimates are reasonable in the circumstances.

11. No events have occurred subsequent to the balance sheet date that would require adjustments to, or disclosure in, the financial statements.

Signed: Molly McCammon Signed: Sean O'Connell

Title: Executive Director

Title: Director of Administration

Date: January 26, 1996

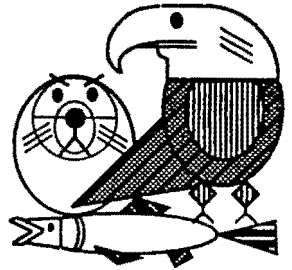
Date: January 26, 1996

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



January 26, 1996

Torie Baker
P.O. Box 1159
Cordova, AK 99574

Dear Torie,

Enclosed is a copy of our draft Communications Plan. I would really appreciate any comments you may have on it. I would especially like feedback on which communication tools we should put the most energy into, given limited resources. For example, do people like the newsletter? Is it worth the effort that goes into it? What about radio, videos, etc.?

I talked to Jim Wolfe at the Forest Service about the Bering River. He was very open to talking to Chugach, although he cautioned that he thought the trustees and attorneys would be leary about going outside the "spill area" without a direct link to injuries within the spill area. However, I'm going ahead with setting up at least an initial meeting with Chugach on this. Give me a call when you get back, and maybe I'll have something to report.

Hope you had a good trip.

Sincerely,

Molly McCammon
Executive Director

Trustee Agencies

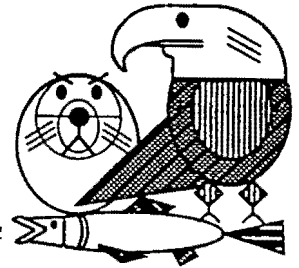
State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation
United States: National Oceanic and Atmospheric Administration, Departments of Agriculture and Interior

Exxon Valdez Oil Spill Trustee Council

Restoration Office

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

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



MEMORANDUM

TO: Trustee Council

FROM: Molly McCammon, Executive Director

DATE: 12/8/95

SUBJ: Public Information and Communications Analysis

In response to requests from the Public Advisory Group as well as discussion by the Trustee Council, the staff has been working to critically evaluate our public information and communication efforts. This includes on-going work with the PAG's Ad Hoc Information Subgroup.

Attached you will find two working documents:

1. a Draft EVOS TC Communications Analysis (dated 7/19/95); and
2. an Analysis of Trustee Communications with the General Public (dated 12/6/95).

These materials were prepared for the PAG Information Subgroup to assist in their review of current efforts.

As we continue to critically evaluate our effort to effectively communicate information concerning the Trustee Council restoration program, I look forward to your thoughts and suggestions.

attachments

Trustee Agencies

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

Draft EVOS TC Communications Analysis 7/19/95

• The Goal:*An informed public*

- with the information needed to come to conclusions about the status of resources injured by the spill, and
- with the knowledge and understanding necessary to aid the restoration of injured resources and services by providing the Trustee Council with feedback on restoration activities.

• Objectives:

The primary audiences for EVOS information are resource managers, scientists and the general public, including educators and the media. The overall objective is to inform the primary audiences about the restoration program in a timely manner in comprehensible, useful forms so that they are able to understand and form opinions regarding the merit of activities and proposals.

General public

Trustee Council staff will:

- Provide advance notice of public meetings, availability of documents, comment periods, and other aspects of the restoration program so that members of the public are able to participate and provide feedback to the Trustee Council.
- Provide opportunities for public comment at public meetings of the Trustee Council and the Public Advisory Group.
- Prepare and distribute widely documents and informational materials such as the Annual Status Report, newsletters, and draft documents for public review.
- Encourage members of the public to participate in relevant workshops, conferences and technical sessions.
- Invite the general public to submit restoration ideas and projects as part of development of the annual work plan.
- Work cooperatively with journalists to assure that accurate information is made available for dissemination via print and electronic media.

- Respond promptly to queries and requests for information from the public, educators and journalists.

Resource Managers

Trustee Council staff will:

- Work cooperatively with the Restoration Work Force to keep resource managers informed of restoration activities.
- Encourage relevant resource managers and scientists to participate in conferences, workshops and technical sessions to facilitate information exchange, integration of project activities and cooperation among researchers.
- Distribute and/or provide notice of availability of technical reports and other documents relevant and useful to resource managers.
- Invite resource manager review of draft work plans and other documents out for public comment.
- Invite resource managers to submit restoration ideas and projects as part of development of the annual work plan.
- Respond promptly to queries and requests for information from the resource managers.

Scientists

Trustee Council staff will:

- Encourage participation of interested scientists in conferences, workshops and technical sessions to facilitate information exchange, integration of project activities and cooperation among researchers.
- Distribute and/or provide notice of availability of technical reports and other documents relevant and useful to scientists.
- Invite scientific review of draft work plans and other documents out for public comment.
- Invite scientists to submit restoration ideas and projects as part of development of the annual work plan.
- Respond promptly to queries and requests for information from scientists.

Current Communication Activities

The subject matter to be communicated currently includes information about:

- The *Exxon Valdez* oil spill and its effects in general;
- the progress of recovery of injured resources and services in the spill-affected areas;
- restoration, research and monitoring, and habitat protection actions completed or initiated under the mandate of the civil settlement to restore injured resources and services;
- information gained about injured resources and services in the spill affected area as a result of restoration activities;
- opportunities to provide comments on components of the restoration program; and
- Trustee Council actions.

Opportunities for information exchange with the audience members are currently centered in three main areas:

- Trustee Council Restoration Office, which includes the Public Information Office,
- Oil Spill Public Information Center, and
- Database of Project Information/Geographic Information System (in development).

Primary Audience
Secondary Audience



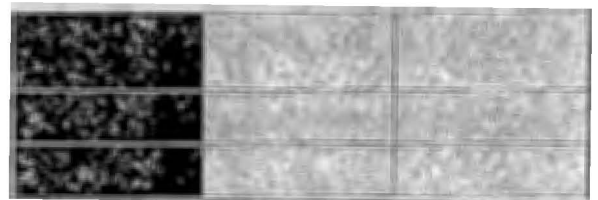
<i>Current EVOS TC Communication Products or Actions</i>	<i>General Public</i>	<i>Scientists</i>	<i>Resource Managers</i>
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- **Public Meetings**

Trustee Council meetings (including public testimony)

PAG meetings (including public testimony)

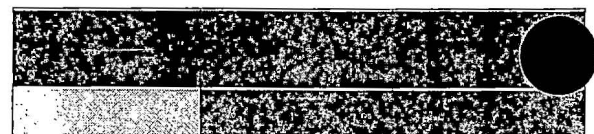
Community meetings



- **Conferences, Workshops and Technical Sessions**

Exxon Valdez Oil Spill Symposium (February 1993)

Annual Restoration Workshop



Peer Review Workshops & Review Memos

Sockeye

Herring

Genetics

SEA Program

APEX

Hydroacoustics

Geographic Information System¹

Other workshops

• **Reports and Publications**

Restoration Plan

Project Reports

Final/Annual Project Reports

Detailed Project Descriptions

Detailed Budgets

Quarterly Project Status Report

Database of Project Information (In development)¹

Work Plan Documents

Invitation/Restoration FY96 and Beyond
("raspberry book")

Draft Work Plan

Final Work Plan

Habitat Program Reports

Large Parcel Habitat Report Vol. I and II

Small Parcel Habitat Report Vol. III

Other Reports and Publications

Science for the Restoration Process (April 1994)

Five Years Later: What Have We Learned?
(March 1994)

Marine Mammals and the ExxonValdez (1994)

Scientific Journal Publications

Exxon Valdez Oil Spill Symposium Abstract Book (February 1993)

*Exxon Valdez Oil Spill Symposium
Proceedings* (Publication expected in 1995)

Financial Reports

Annual Status Reports

- **Public Information and Community Involvement**

Public Information Office

Restoration Update newsletter (bi-monthly)

Press contacts

Press Releases and Public Service
Announcements

Preparation of Annual Status Report

Response to general inquiries

Oil Spill Public Information Center(OSPIC)

Specialized EVOS library collection

Repository/distribution of final project reports

Maintains Trustee Council administrative record

Interlibrary loan requests

Response to general inquiries

Annual Oil Spill Region Community Meetings

Community Involvement/Traditional Knowledge Project²

Miscellaneous Correspondence

¹ Part of the FY 95 Information Management System Project (95089)

² FY 95 Project 95052

DRAFT

Analysis of Trustee Council Communications with the General Public

December 6, 1995

Background

In June 1995, the Public Advisory Group formed an Ad Hoc Information Subgroup to review the Trustee Council's public information and communication program and make recommendations for information management and distribution. After discussion of communication options, goals and objectives, the group agreed there needs to be a clearer definition of goals for getting information to and from the general public, and for subsets of the general public.

The group identified seven important subsets within the broad category *general public*. These were:

- oil spill community residents
- user groups
- non-spill area Alaskans/others
- students (K-12 as well as college students)
- educators
- media
- tourists and visitors
- library patrons
- other libraries.

This analysis examines each subset in terms of communication products currently produced to determine how that element of the general public is being served.

Oil Spill Community Residents

Communities in the oil spill region represent a primary target audience for much of the information and communication efforts undertaken by the Trustee Council. These efforts include community meetings, the series of documents which make up the annual work plan cycle, the Restoration Update newsletter and community bulletins, annual status report, and access to the OSPIC collection. In addition, a new series of short radio programs on restoration projects and science produced by the Prince William Sound

Science Center recently debuted on public radio stations in Prince William Sound and the Kenai Peninsula area.

Trustee Council staff maintain a mailing list with almost 2,500 entries. Approximately 2/3 of the mailing list addresses are within Alaska, 1/3 are outside, and some 20 entries are international, mostly in Canada. Individuals or agencies who ask to be put on the mailing list receive the *Restoration Update* newsletter, annual status report, and the annual draft work plan. Upon request, persons on the mailing list may also receive technical documents.

Through a contractual arrangement with the Chugach Regional Resources Commission, a Community Facilitator was recently hired to enhance and maintain communications with the spill area communities as part of the Community Involvement/Traditional Knowledge (project 96052.) The Community Facilitator provides information on restoration activities twice monthly to each village and community, and will be working closely with the Public Information Office to develop Community Bulletins on restoration activities of particular interest to specific communities. Local facilitators to act as liaisons have been hired in three communities. A total of nine part-time facilitators from area communities are expected to be on board when the project is at full staffing.

Spill community members may also readily avail themselves of Trustee Council meetings via teleconference, or by contacting members of the Public Advisory Group from their community or region. Information is also available by accessing the database on project information (when complete), the Trustee Council's world wide web site on the Internet, a number of documents via OSPIC or interlibrary loan such as the habitat reports, Symposium Proceedings, financial reports and scientific journal publications. Community members may also learn of research findings and activities of the Trustee Council and restoration process through news stories in local and state-wide media.

In addition, community members with questions on restoration issues receive answers by calling or writing the Public Information Office, OSPIC, or Trustee Council staff.

Resource User Groups

People who use the injured resources and the services they provide, whether or not they live directly in the oil spill area, are another primary target audience. This group might include subsistence fishers and hunters, commercial fishers, and individuals and businesses which take advantage of the recreational opportunities in the spill region.

Communication products which serve the spill area communities also target user groups, since many resource users are also spill area residents. These products include the community meeting series, annual status report, annual work plan documents, newsletter and community bulletins. User group members who live outside the spill area may also receive information about restoration activities through targeted news publications, such as the *Alaska Fisherman's Journal*, which has carried news stories regarding status and restoration of Prince William Sound fisheries.

Non-Spill Area Alaskans/Others

While Alaskans who live outside the spill area and citizens outside Alaska are not as directly targeted as residents of the spill area, there are still a number of communication options available to this audience. These include attending Trustee Council meetings or PAG meetings, if the Alaskan lives in Anchorage, or participating via teleconference from any Legislative Information Office site. Information about Trustee Council meetings is made available to the State of Alaska Legislative Information Office staff throughout the state, and Trustee Council staff would honor a request to participate in a teleconference meeting from anywhere in the state. During every series of community meetings, a public meeting is held in Anchorage, as well, and advertised in the Anchorage media.

Trustee Council staff are developing a contract to provide a radio program statewide through the Alaska Public Radio Network similar to the Prince William Sound-specific program already underway. The program will inform Alaskans about a variety of issues related to restoration of the spill.

The newly inaugurated World Wide Web page originated and maintained by OSPIC staff is currently receiving approximately 30 requests for additional information weekly. The Web page includes information on the status of resources, current restoration activities, the Trustee Council, general information on the oil spill, and includes a limited number of photographs related to the spill. The web page is also linked to a number of other sites, and additional linkages are being created as they are identified. The OSPIC collection can also be accessed outside Anchorage via the statewide online library catalog or through the Western Library Network library catalog.

Students (K-12 and college)/Educators

The main avenue for satisfying information needs of students and educators is through the Oil Spill Public Information Center. The OSPIC handles requests for information on a wide variety of topics related to the spill, responding to requests from the U.S. and abroad for printed materials, books, reports, photographs and videotapes.

Media

Print and electronic news media primarily access information about Trustee Council actions and restoration activities through either the Public Information Office or through OSPIC. The Information Specialist keeps reporters informed through personal phone calls, public service announcements and by including media representatives who express interest in the mailing list.

OSPIC also serves as a major resource for background information, especially for reporters who may be new to the issues related to restoration and the oil spill. A media survey conducted of reporters in major Anchorage and Alaska outlets in 1994 indicated reporters' needs were being met and that they were satisfied with their access to information.

Tourists & Visitors/Library Patrons/Other Libraries

For purposes of analysis, these three audiences are grouped together because most of their information needs are presently being met by the Oil Spill Public Information Center. Tourists and visitors to Alaska are directed to OSPIC when making inquiries about the oil spill at the visitors bureau, at state or federal agencies or at another Alaska library, or because they see the identifying signs outside the building. Library patrons may seek out OSPIC through references in the statewide online library catalogs, the world wide web page, referrals from other libraries or referrals from other individuals who are familiar with OSPIC resources. Other libraries primarily access OSPIC through interlibrary loan requests.

A black and white line drawing of three animals. On the left is a walrus with a large, round head, small eyes, and a wide, open mouth showing its tongue. In the center is a penguin with a large, white head, a small black eye, and a large, dark, patterned body. On the right is a fish with a long, pointed snout and a small eye.

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

Alaska State Legislature

Committee Chair
Community & Regional Affairs

Committee Vice-Chair
Labor & Commerce

Committee Membership
Legislative Council



District Address:
145 Main St. Loop; Suite 226
Kenai, AK 99611
(907) 283-2690: fax 283-9267

Session Address:
State Capitol, Room 427
Juneau, AK 99801-1182
(907) 465-2828: fax 465-4779

Senator John Torgerson

January 9, 1996

RECEIVED
JAN 22 1996

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

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

Dear Ms. McCammon,

In behalf of a constituent of mine from Homer, I would like to request from you any information concerning the Council's efforts in rebuilding the facilities at Port Dick.

It is my understanding that this matter was addressed at a couple of your meetings, but I am unaware of the outcome.

Any information you could provide me with would be appreciated.

Sincerely,


John Torgerson
Senate Seat D

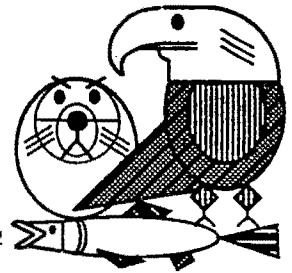
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Exxon Valdez Oil Spill Trustee Council

Restoration Office

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

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



January 26, 1996

Patty Zimmerman
Ocean Power Technologies
911 1st Street
Douglas, Alaska 99824

Dear Ms. Zimmerman,

The purpose of this letter is to respond to your recent phone inquiry. I tried to return the call but received no answer.

From the phone message I received, I understand you wanted further information on the types of projects previously sponsored by the Trustee Council. For your reference, I have enclosed a copy of the *Fiscal Year 1996 Work Plan* (December 1995). This document describes the Trustee Council activities and identifies projects that have been authorized by the Council for FY 96 (October 1, 1995 - September 30, 1996).

You will note on page 20 that the Trustee Council has funded an on-going *planning* project (Project 96115/Sound Waste Management Plan) involving the coastal communities of Prince William Sound. Administered through the Prince William Sound Economic Development Council, this project has supported planning by local communities in Prince William Sound to explore waste management issues and opportunities. This project is nearing completion and a final report is expected in February. While it is my understanding that the project will not address issues pertaining to power generation, if you would like further information, you may wish to contact Paul Roetman, Executive Director of the Prince William Sound Economic Development Council (269-4640).

With regard to the Trustee Council's project funding process, the annual funding cycle for the Trustee Council's upcoming fiscal year (i.e., federal fiscal year 1997) is just now getting underway. The FY 97 Invitation for Project Proposals will be published February 15th, with two months provided to develop proposals. Explicit instructions regarding development of project proposals and budgets will be included in the Invitation. Following review of proposals, it is expected that Trustee Council action will be taken on the FY 97 work plan at the end of the summer in late August. I will be sure to have your name and address included on the mailing list to receive a copy of the Invitation.

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

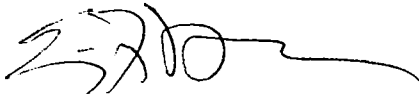
Finally, as we have discussed, it is not clear to me whether the project you are working with would qualify for use of the court approved civil settlement funds. I hope the enclosed material will give you a better understanding of the type of projects that the Trustee Council has sponsored in the past. I also wanted to make you aware of some other agencies you may wish to contact in regard to the ocean power technology you are working with:

Alaska Department of Community & Regional Affairs
Division of Energy (269-4640)

Alaska Science & Technology Foundation (272-4333)

I hope you find this information helpful.

Sincerely,

A handwritten signature in black ink, appearing to read "E. Myers", with a long horizontal flourish extending to the right.

Eric F. Myers
Director of Operations

enclosure

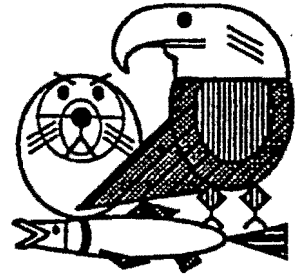
cc: Cherri Womac

Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 "G" Street, Anchorage, AK 99501

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



MEMORANDUM

TO: Trustee Council

THROUGH: Molly McCammon
Executive Director

FROM: *Traci Cramer*
Traci Cramer
Administrative Officer

DATE: January 25, 1996

RE: Financial Report as of December 31, 1995

Attached is the Statement of Revenue, Disbursements and Fees, and accompanying notes for the *Exxon Valdez* Joint Trust Fund for the period ending December 31, 1995.

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

Joint Trust Fund Account Balance	\$107,073,875	
Less: Current Year Commitments (Note 5)	\$29,647,122	
Less: Restoration Reserve Balance (Note 6)	\$36,000,000	
Plus: Adjustments (Note 7)	<u>\$608,914</u>	
Uncommitted Fund Balance		\$42,035,667
Plus: Future Exxon Payments (Note 1)	\$420,000,000	
Less: Remaining Reimbursements (Note 3)	23,300,000	
Less: Remaining Commitments (Note 8)	<u>\$36,091,667</u>	
Total Estimated Funds Available		\$402,644,000

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

attachments

cc: Restoration Work Force
Bob Baldauf

NOTES TO THE STATEMENT OF REVENUE, DISBURSEMENTS AND FEES
FOR THE EXXON VALDEZ JOINT TRUST FUND

As of December 31, 1995

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

Received to Date	\$480,000,000
Future Payments	\$420,000,000

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 \$540,436.
3. Reimbursement of Past Costs - Under the terms of the agreement, the United States and the State are reimbursed for expenses associated with the spill. The remaining reimbursements represents that amount due the State of Alaska.
4. Fees - CRIS charges a fee of 10% for cash management services. Total paid since the last report is \$54,044.
5. Current Year Commitments - Includes \$5,191,122 for the 1996 Work Plan approved 12/11/95, \$12,456,000 for the Alaska SeaLife Center and the following land payments.

<u>Seller</u>	<u>Amount</u>	<u>Due</u>
Koniag, Incorporated	\$4,500,000	September 1996
Akhiok-Kaguyak	\$7,500,000	September 1996

6. Restoration Reserve - The total in the Restoration Reserve is \$36,000,000.
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. Unreported interest and lapse is summarized below.

	<u>Interest</u>	<u>Lapse</u>
United States	\$48,676	
State of Alaska	\$560,238	

8. Remaining Commitments - Includes the following land payments.

<u>Seller</u>	<u>Amount</u>	<u>Due</u>
Seal Bay	\$3,091,667	November 1996
Akhiok-Kaguyak	\$7,500,000	September 1997
Koniag, Incorporated	\$9,000,000	September 1997 and 1998
Koniag, Incorporated	\$16,500,000	September 2002

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Trustee Agencies

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

STATEMENT OF REVENUE, DISBURSEMENT, AND FEES
EXXON VALDEZ OIL SPILL JOINT TRUST FUND
As of December 31, 1995

	1993	1994	1995	To Date 1995	Cumulative Total
REVENUE:					
Contributions: (Note 1)					
Contributions from Exxon Corporation	250,000,000	70,000,000	70,000,000	0	480,000,000
Less: Credit to Exxon Corporation for clean-up costs incurred	(39,913,688)				(39,913,688)
Total Contributions	210,086,312	70,000,000	70,000,000	0	440,086,312
Interest Income: (Note 2)					
Exxon Corporation escrow account					831,233
Joint Trust Fund Account	1,378,000	3,736,000	5,706,666	1,445,576	12,862,242
Total Interest	1,378,000	3,736,000	5,706,666	1,445,576	13,693,475
Total Revenue	211,464,312	73,736,000	75,706,666	1,445,576	453,779,787
DISBURSEMENTS:					
Reimbursement of Past Costs: (Note 3)					
State of Alaska	29,000,000	25,000,000			83,267,842
United States	36,117,165	6,271,600	2,697,000	0	69,812,045
Total Reimbursements	65,117,165	31,271,600	2,697,000	0	153,079,887
Disbursements from Joint Trust Account:					
State of Alaska	18,529,113	44,546,266	29,469,669	15,794,667	114,898,915
United States	9,105,881	6,008,387	48,019,928	8,000,000	77,454,696
Total Disbursements	27,634,994	50,554,653	77,489,597	23,794,667	192,353,611
FEES:					
U.S. Court Fees (Note 4)	154,000	364,000	586,857	144,558	1,272,414
Total Disbursements and Fees	92,906,159	82,190,253	80,773,454	23,939,224	346,705,912
Increase (decrease) in Joint Trust	118,558,153	(8,454,253)	(5,066,788)	(22,493,648)	107,073,875
Joint Trust Account Balance, beginning balance	24,530,411	143,088,564	134,634,311	129,567,523	
Joint Trust Account Balance, end of period	143,088,564	134,634,311	129,567,523	107,073,875	
Current Year Commitments: (Note 5)					(29,647,122)
Restoration Reserve: (Note 6)					(36,000,000)
Adjustments: (Note 7)					608,914
Uncommitted Fund Balance					42,035,667
Remaining Reimbursements (Note 3)					(23,300,000)
Remaining Commitments: (Note 8)					(36,091,667)
Total Estimated Funds Available					402,644,000

Statement 1

*Statement of Exxon Settlement Funds
As of December 31, 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)	11,589,828
Interest Earned on United States and State of Alaska Accounts	2,270,649

Total Interest	<u>14,691,710</u>
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Disbursements:

Reimbursements to United States and State of Alaska	153,079,887
Exxon clean up cost deduction	39,913,688
Joint Trust Fund deposits	287,837,658

<i>Total Disbursements</i>	<u>480,831,233</u>
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Funds Available

Exxon future payments	420,000,000
Balance in Joint Trust Fund (See Statement 2)	107,073,875
Future acquisition payments	(48,091,667)
Alaska Sealife Center	(12,456,000)
Remaining Reimbursements	(23,300,000)
Other (See Note 2)	608,914
Total Estimated Funds Available	<u>443,835,122</u>

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

Note 2: Adjustment for unreported interest earned and lapse

Footnotes:

1 - The Joint Trust Fund Balance includes the Restoration Reserve Fund which has been allocated \$36 million to date.

2 - As of the date of this report, the \$5,191,122 court request associated with the 1996 Work Plan has not been withdrawn and is reflected in the Joint Trust Fund Balance.

Statement 2

Cash Flow Statement

**Exxon Valdez Oil Spill Settlement United States and State of Alaska Joint Trust Fund
As of December 31, 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	
Deposit September 1995	67,303,000	
Total Deposits	<u>287,837,658</u>	<u>287,837,658</u>

Interest Earned	12,862,242	
Total Interest	<u>12,862,242</u>	<u>12,862,242</u>

Total Receipts		<u><u>300,699,900</u></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	
Withdrawal September 1995	1,652,014	
Withdrawal May 1996	30,951,032	
Withdrawal October 1995	12,500,000	
Withdrawal November 1995	11,294,667	
Total Requests	<u>192,353,611</u>	<u>192,353,611</u>

District Court Fees	<u>1,272,414</u>	<u>1,272,414</u>
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Total Disbursements		<u><u>193,626,025</u></u>
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Balance in Joint Trust Fund		<u><u>107,073,875</u></u>
------------------------------------	--	---------------------------

Footnotes:

1 - The Joint Trust Fund Balance includes the Restoration Reserve Fund which has been allocated \$36 million to date.

**Schedule of Payments for Exxon Valdez Oil Spill Settlement Monies from Exxon
As of December 31, 1995**

	FFY 1991 December 31 1991	FFY 1992 December 1 1992	FFY 1992 September 1 1993	FFY 1994 September 1 1994	FFY 1995 September 1 1995	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		2,697,000	2,697,000
Total United States	24,726,280	24,500,000	11,617,165	6,271,600	2,697,000	69,812,045
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	0
Total State of Alaska	29,267,842	29,000,000	20,000,000	5,000,000	0	83,267,842
Total Reimbursements	53,994,122	53,500,000	31,617,165	11,271,600	2,697,000	153,079,887
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	67,303,000	126,031,400
Total Deposits to Joint Trust Fund	36,837,111	56,586,312	68,382,835	58,728,400	67,303,000	287,837,658
Exxon clean up cost deduction	0	39,913,688	0	0	0	39,913,688
Total Disbursements	90,831,233	150,000,000	100,000,000	70,000,000	70,000,000	480,831,233
Remaining Exxon payments to be made:						
September 1994	0					
September 1995	0					
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					
	420,000,000					

*Schedule of Disbursements for Exxon Valdez Oil Spill United States and State of Alaska Joint Trust Fund
As of December 31, 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>May 1995</i>	<i>September 1995</i>	<i>October 1995</i>	<i>November 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	1,480,251	21,087,316			48,019,928
FFY96														8,000,000	8,000,000
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	1,480,251	21,087,316	0	8,000,000	89,454,696
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		171,763	9,863,716			29,469,669
FFY96													12,500,000	3,294,667	15,794,667
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	171,763	9,863,716	12,500,000	3,294,667	99,104,248
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	1,652,014	30,951,032	12,500,000	11,294,667	168,568,944
District Court Fees															1,272,414
Total Disbursements															169,831,358

Total Disbursements represent the amount of funds which were either transferred to the State or Federal Governments and the Payment of District Court Fees.

Schedule of Work Plan Authorizations and Other Authorizations

	FFY 92	FFY 93	FFY 94	FFY 95	FFY 96	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			84,500			
July 1994			1,500,000			
August 1994				2,245,600		
November 1994				2,842,900		
December 1994				749,600		
March 1995				1,484,100		
August 1995					6,202,100	
December 1995					3,270,900	
Total United States	6,320,500	9,149,400	8,689,100	7,322,200	9,473,000	40,954,200
State of Alaska						
June 15, 1992	6,559,200	0	0			
January 25, 1993	0	3,574,000	0			
January 25, 1993	0	7,570,900	0			
November 30, 1993	0	1,500,000	4,454,300			
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		
August 1995					12,690,300	
December 1995					2,231,100	
Total State of Alaska	6,559,200	12,644,900	17,061,800	17,489,000	14,921,400	68,676,300
Total Work Plan authorizations	12,879,700	21,794,300	25,750,900	24,811,200	24,394,400	109,630,500
Other Authorizations						
United States:						
Orca Narrows (6/94, Eyak)			2,000,000	1,650,000		3,650,000
Kodiak National Wildlife Refuge (3/95, 9/95 AKI)				21,000,000		21,000,000
Kodiak National Wildlife Refuge (3/95, 9/95 Old Harbor)				11,250,000		11,250,000
Koniag					8,000,000	8,000,000
Total United States			2,000,000	33,900,000	8,000,000	43,900,000
State of Alaska:						
Kachemak Bay State Park (1/95)		7,500,000				7,500,000
Seal Bay (11/93, 11/94)			29,950,000	3,229,042	3,294,667	36,473,709
Alaska SeaLife Center					12,500,000	12,500,000
Total State of Alaska		7,500,000	29,950,000	3,229,042	15,794,667	56,473,709
Total Land Acquisitions	0	7,500,000	31,950,000	37,129,042	23,794,667	100,373,709
Restoration Reserve			12,000,000	12,000,000	12,000,000	36,000,000
Total	12,879,700	29,294,300	69,700,900	73,940,242	60,189,067	246,004,209

Footnotes:

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

This schedule does tie to the quarterly reports with the exception of 93' and 92'. In FY93 the Work Plan represented the transition to the Federal Fiscal Year from the Oil Year or a seven month period. This schedule presents authorization on the Federal Fiscal Year and as such FFY92 and FFY93 does not balance.

The Trustee Council conditionally approved \$181,900 for Fleming Spit on 6/1/95. However, the project was not approved by the Department of Justice and as such has not been included on this statement.

Exxon Valdez Oil Spill Joint Trust Fund Account

Interest Earned/District Court Registry Fees

As of December 31, 1995

	FFY 1992	FFY 1993	FFY 1994	FFY 1995	FFY 1996	Total
Earnings Deposits	17,683	31,124	33,476	55,809		138,092
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				3,661,063	1,301,019	4,962,082
Total	555,317	1,192,876	3,338,524	5,064,000	1,301,019	11,451,736
Total Earnings	573,000	1,224,000	3,372,000	5,119,809	1,301,019	11,589,828
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				406,785	144,558	551,342
Total	23,000	154,000	364,000	586,857	144,558	1,272,414
Gross Earnings	596,000	1,378,000	3,736,000	5,706,666	1,445,576	12,862,242

Schedule of Interest Earned on United States and State of Alaska Accounts				
As of December 31, 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	17,033	112,465
May 1995		92,595		92,595
June 1995		80,613		80,613
July 1995		76,424	50,042	126,466
August 1995		68,771	0	68,771
September 1995		59,945		59,945
October 1995		133,486	44,826	178,313
November 1995		154,119		154,119
December 1995		143,917		143,917
Total		1,965,483	305,167	2,270,649
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 December 31, 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>December 1994</i>	<i>March 1995</i>	<i>August 1995</i>	<i>Total</i>	<i>Unallocated Interest</i>
Disbursements:													
Court Requests													
United States													
FFY92	0											0	
FFY93		39,871	3,648									43,519	
FFY94				0	51,231	22,427						73,658	
FFY95							34,621		37,618	3,849	63,226	139,314	
Total United States	0	39,871	3,648	0	51,231	22,427	34,621	0	37,618	3,849	63,226	256,491	48,676
State of Alaska													
FFY92	0											0	
FFY93		80,775	35,012									115,787	
FFY94				0	64,944	239,090						304,034	
FFY95							52,823	117,838	44,291	320,837	449,634	985,423	
Total State of Alaska	0	80,775	35,012	0	64,944	239,090	52,823	117,838	44,291	320,837	449,634	1,405,244	560,239
Total Adjustment	0	120,646	38,660	0	116,175	261,517	87,444	117,838	81,909	324,688	512,860	1,661,735	608,914

Footnotes:

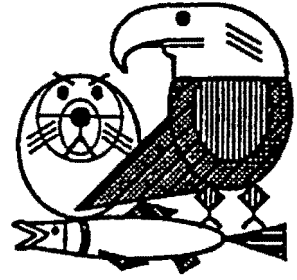
The unallocated interest is tied to the INT Acct. sheet.

Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 "G" Street, Anchorage, AK 99501

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



MEMORANDUM

TO: David Bruce
Traci Cramer
FROM: Traci Cramer
Administrative Officer

DATE: January 24, 1996

RE: Miscellaneous Claim

As you have documented, the Department of Environmental Conservation has an obligation to pay the Anchorage Daily News for two advertisements relating to notification of a public meeting. The notification was published in the paper on November 1 and November 4, 1992.

Based on the information in the attached documentation, I am confident that the expense is within the scope of the project approved by the *Exxon Valdez* Oil Spill Trustee Council for the Administrative Director's Office in FFY 1992.

Due to the time period involved, this obligation is clearly a miscellaneous claim and should be forwarded to the Office of Management and Budget, Division of Budget Review for inclusion in the appropriate vehicle.

If you have any questions, or I can be of assistance give me a call at 586-7238.

attachments

cc: Molly McCammon
Earnest Greek

Trustee Agencies

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

MEMORANDUM

State of Alaska
Department of Environmental Conservation

TO: Earnest Greek
Procurement Officer
Division of Administrative Services
Department of Fish & Game

DATE: January 16, 1996

FILE NO: greek4.mem

THRU:

TELEPHONE NO: 465 5322

SUBJECT: Stale Dated Invoice

FROM: David Bruce
Restoration Specialist
Exxon Valdez Project

Attached is information to an invoice that has not been paid and is considered stale dated.

The firm owed is the Anchorage Daily News and the invoice in question covers legal ads run on 11/1 & 4/92. The total amount owed was reduced by the application of a credit. The original cost of the two ads was \$429.36, the Daily News applied credits of \$152.80 against that amount leaving a balance owed of \$276.56. The attached certified copy of the invoice should be paid for at this balance owed amount--\$276.56

We attempted to bring this information before the legislature last year, however delays prevented us from getting it before the Legislature in time.

If you have any questions, please contact me.

Attachments: Letter from Anchorage Daily News dated Feb 22, 1994
Certified copy of invoice dated 11/30/92
Copy of SOA ad order EVOS 93 044
Proof of Publication
Anchorage Daily News Statement dated 12/31/95

Anchorage Daily News

Feb. 22, 1994

State of Alaska/DEC
Oil Spill Restoration
Attn.: Dave Bruce
645 G Street
Anchorage, AK 99501

Dear Mr. Bruce:

I have reviewed account number STOF0506 per our conversation. Below is a list of what makes up the balance on this account.

11/1/92	AO# EVOS930044	ad #23241302	\$253.20
This is the second run day for this AO#.			
11/4/92	AO#EVOS930044	ad #23241302	\$176.16
This is the third run day for this AO#.			
6/1/93	AO#EVOS93157	ad #21688302	\$183.36 <i>ad. 229.20</i>
This is the second run day for this AO#			
11/21/93	AO#EVOS94064	ad #29485401	\$264.60 <i>ad 264.60</i>

Total owed: \$877.32

4/5/93 payment Warrant #2346181 you paid a discount of \$61.12 on
AO#EVOS93157.

8/6/93 payment Warrant #23616440 you paid a discount of \$45.84 on
AO#EVOS93162

Total over payment: \$106.96

Total owed: \$877.32
Total over paid: -106.96
Balance on Statement: \$770.36

If you have any questions about this, please give me a call at 257-4232.

Thank you,

Kyle Noonan

Kyle Noonan
Lead Advertising Accounting Clerk

\$ 770.36
- 229.20 (ad)
- 264.60 (ad)
\$ 276.56 Due

CUSTOMER SERVICE
BILLING INQUIRIES (907) 257-4232

ADVERTISING INVOICE/STATEMENT

PAGE 1

Anchorage Daily News

P.O. BOX 241609 • ANCHORAGE, AK 99524-1609

PERIOD END ACCOUNT
11/30/92 STOF0506

BILL TO ACCOUNT

ACCOUNT NAME
STAK/OIL SPILL R
SALES REPRESENTATIVE
EVA M. KAUFMAN

IMPORTANT NOTE:

BALANCES UNPAID AT THE END OF EACH MONTH ARE SUBJECT TO A LATE CHARGE AT THE RATE OF 1 1/2% PER MONTH (18% PER ANNUM) OF THE UNPAID BALANCE, OR THE MAXIMUM LEGAL RATE, WHICHEVER IS LESS WITH A MINIMUM CHARGE OF \$3.00. ACCOUNTS WITH A 60 DAY UNPAID BALANCE ARE SUBJECT TO CREDIT DISCONTINUANCE WITHOUT NOTICE.

REFERENCE NUMBER PUBL/SECT/LOC/PAGE	DATE % OF PAGE	DESCRIPTION COLUMN BY INCHES STARTED	RATE TIMES RUN	SIZE	CHRGs / CREDITS AMOUNT DUE
23241302	11/01/92	BALANCE FORWARD			4,535.88
DN ME 002	4.8x	EVD0593044 /PUBLIC SCOPIN	42.20	6.00IN	253.20
23241303	11/04/92	EVD0593044 /PUBLIC SCOPIN	36.70	6.00IN	220.20
DN ME 010	4.8x	2.0X 3.00"			
23259701	11/22/92	DISCOUNT			44.04-
DN ME 006	4.8x	ADEV059306/EXXON MEETIG	42.20	6.00IN	253.20
23259702	11/29/92	2.0X 3.00"			
DN MA 012	4.8x	ADEV059306/EXXON MEETIG	42.20	6.00IN	253.20
23362101	11/29/92	2.0X 3.00"			
DN ME 006	4.8x	ADEV059307/EXXON VALDEZ	42.20	6.00IN	253.20
TOTAL DUE					5,724.84

PREVIOUS AMOUNT OWED: \$ 4,535.88
NEW CHARGES THIS PERIOD: \$ 1,188.96
CASH THIS PERIOD: \$ 0.00
DEBIT ADJUSTMENTS THIS PERIOD: \$ 0.00
CREDIT ADJUSTMENTS THIS PERIOD: \$ 0.00

ANCHORAGE DAILY NEWS
ALASKAN CORP - FOUNDED 1946
TAX ID #92-00-71348

TRUE COPY
OF THE
ORIGINAL

CURRENT AMOUNT	OVER 30 DAYS	OVER 60 DAYS	OVER 90 DAYS	TOTAL AMOUNT DUE
\$1,188.96	\$858.72	\$3,677.16	\$0.00	\$5,724.84

PLEASE KEEP THIS PORTION FOR YOUR RECORDS

RETURN THIS PORTION WITH PAYMENT IN THE ENCLOSED ENVELOPE. THANK YOU

Anchorage Daily News

ACCOUNT
NUMBER
STOF0506

AMOUNT
DUE
\$5,724.84

AMOUNT
PAID

PERIOD END
11/30/92

S
E
N

PLEASE INDICATE ANY ADDRESS CORRECTIONS
ST OF AK/DEC
OIL SPILL RESTORATION

I AM PAYING BY:

☐ CHECK ☐ MASTERCARD ☐ VISA

MAKE CHECKS PAYABLE TO: ANCHORAGE DAILY NEWS

ORDER NO. CERTIFIED AFFIDAVIT OF PUBLICATION (PART 2 OF THIS FORM) WITH ATTACHED COPY OF ADVERTISEMENT MUST BE SUBMITTED WITH INVOICE.

ADVERTISING ORDER NO. A0- EVOS-93-044

FROM

~~Anchorage Daily News~~
~~Errol Valdez, Oil Spill Trustee Council~~
645 G Street
Anchorage, AK 99501

TO
PUBLISHER

Anchorage Daily News
Attn: Jessica Butts
P.O. Box 149001
Anchorage, AK 99514-9001

tel: 257-4254

fax: 258-4774

AGENCY CONTACT

L.J. Evans

PHONE

(907)278-8008

DATE OF A.O.

October 19, 1992

fax: 258-9860

DATES ADVERTISEMENT REQUIRED:

October 25, November 1 and November 4, 1992

THE MATERIAL BETWEEN THE DOUBLE LINES MUST BE PRINTED IN ITS ENTIRETY ON THE DATES SHOWN.

SPECIAL INSTRUCTIONS:

Approximate size 2 column x 3" or as appropriate

Type of Advertisement: ☐ Legal ☒ Display ☐ Classified ☐ Other (Specify):

See attached copy re: 11/4/92 Public Scoping Meeting

Please publish in a public notice section

Please send certificate of publication to:

Terri Bristow
EVOS Trustee Council
645 G Street
Anchorage, AK 99501

SEND INVOICE IN
TRIPLICATE TO

T. Bristow, EVOS Trustee Council
645 G Street, Anchorage, AK 99501

PAGE 1 OF
PAGES

TOTAL OF
ALL PAGES \$

REF	TYPE	NUMBER	AMOUNT	DATE	COMMENTS
1	VEN				
2					
3					
4					

FIN	AMOUNT	SY	CC	PGM	LC	ACCT	FY	NMR	
1			18707001					DIST	UO
2									
3									
4									

REQUISITIONED BY:

L.J. Evans

DIVISION APPROVAL

[Signature]

PROOF OF PUBLICATION

- CLIP -

BARBARA PRICE.....

being first duly sworn on oath
deposes and says that she.....
Advertising
is the Billing Clerk..... of
the Anchorage Daily News, a
daily newspaper. That said
newspaper has been approved as
a proof of publication and it now
and has been published in the
English language continually as a
daily newspaper in Anchorage,
Alaska, and it is now and during
all said time was printed in an
office maintained at the aforesaid
place of publication of said
newspaper. That the annexed is
a copy of a

Display Ad.....

as it was published in regular
issues (and not in supplemental
form) of said newspaper on

NOV. 4, 1992

and that such newspaper was
regularly distributed to its
subscribers during all of said
period. That the full amount of
the fee charged for the foregoing
publication is not in excess of
the rate charged private
individuals.

signed Barbara Price

EXXON VALDEZ RESTORATION EIS PUBLIC SCOPING MEETING November 4, 1992 • 12 Noon - 9 p.m. Simpson Building, 645 G Street, Anchorage

The public is invited to an Open House between 12:00 noon and 9:00 p.m. on Wednesday, November 4, in the Simpson Building, 645 G Street, Anchorage, Alaska to participate in continuing efforts to define relevant issues for analysis in the Exxon Valdez oil spill Restoration Plan and associated Environmental Impact Statement. The Restoration Plan will identify activities planned to restore resources and services injured by the Exxon Valdez oil spill. The oil spill area includes Prince William Sound, the Gulf of Alaska and the Alaska Peninsula.

Staff involved in developing the Restoration Plan will be available at the Open House to discuss the nature and extent of issues to be addressed in the Draft EIS. Written comments will also be accepted until November 20, 1992 and should be addressed to: EVOS Trustee Council Restoration Office, Attn: Ken Rice, 645 G Street, Anchorage, AK 99501.

For more information, contact the Oil Spill Public Information Center, 645 G St. Anchorage, AK 99501, or call Carrie Holba or L.J. Evans at 278-8008 or toll free at 1-800-478-7745 (within Alaska).

If you are a person with a disability who may need a special modification in order to participate in this meeting, please contact L.J. Evans at 278-8008 no later than October 29 to make any necessary arrangements.

Daily News

BILLING INQUIRES (907) 257-4232

BILLING PERIOD		ADVERTISER/CLIENT NAME	
12/01/95 12/31/95		STAK/OIL SPILL R	
TOTAL AMOUNT DUE		UNAPPLIED AMOUNT	TERMS OF PAYMENT
276.56		.00	NET 20
CURRENT NET AMOUNT DUE	30 DAYS	60 DAYS	90 DAYS
.00	.00	.00	276.56

PAGE #	BILLING DATE	BILLED ACCOUNT NAME AND ADDRESS	REMITTANCE ADDRESS
1	12/31/95	ST OF AK/DEC OIL SPILL RESTORATION 645 G ST. ANCHORAGE AK 99501	ANCHORAGE DAILY NEWS PO BOX 140147 ANCHORAGE 99514-0147 REC'D JAN 12 1996
BILLED ACCOUNT NUMBER	STOF0506		
ADVERTISER/CLIENT NUMBER	STOF0506		

8384797000050006323232323232000000276561

DATE	NEWSPAPER REFERENCE	DESCRIPTION - OTHER COMMENTS/CHANGES	SAU SIZE BILLED UNITS	TIMES RUN RATE	GROSS AMOUNT	NET AMOUNT
		BALANCE FORWARD			276.56	
					TOTAL DUE	276.56
		PREVIOUS AMOUNT OWED: \$	276.56			
		NEW CHARGES THIS PERIOD: \$	0.00			
		CASH THIS PERIOD: \$	0.00			
		DEBIT ADJUSTMENTS THIS PERIOD: \$	0.00			
		CREDIT ADJUSTMENTS THIS PERIOD: \$	0.00			

		PLEASE NOTE!!!!				
		OUR REMITTANCE ADDRESS HAS BEEN CHANGED TO:				
		PO BOX 140147				
		ANCHORAGE, AK 99514-0147				

STATEMENT OF ACCOUNT AGING OF PAST DUE AMOUNTS

SBITM

CURRENT NET AMOUNT DUE	30 DAYS	60 DAYS	90 DAYS	UNAPPLIED AMOUNT	TOTAL AMOUNT DUE
.00	.00	.00	276.56	.00	276.56

anchorage Daily News

147 • ANCHORAGE, AK 99514-0147

*UNAPPLIED AMOUNTS ARE INCLUDED IN TOTAL AMOUNT DUE

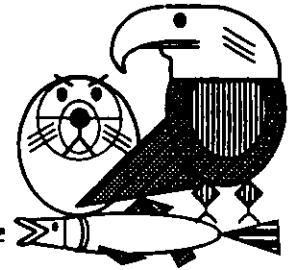
BILLING PERIOD		BILLED ACCOUNT NUMBER		ADVERTISER/CLIENT NAME	
12/01/95 12/31/95		STOF0506		STAK/OIL SPILL R	
00075823		STOF0506		STAK/OIL SPILL R	

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



January 25, 1996

Dr. Thomas Albert
Department of Wildlife Management
North Slope Borough
Box 69
Barrow, Alaska 99723

Dear Dr. Albert:

Thank you for your participation in the *Exxon Valdez* Trustee Council's 1996 Restoration Workshop. Your keynote address on science and traditional knowledge in regard to the bowhead whale was very interesting and appropriate for the audience. We also appreciated that you stayed for the entire meeting and contributed additional thoughts during the public comment time at the close.

We hope that you found the workshop to be informative. If there are any ideas or information we can contribute to your work on the North Slope, please let us know.

Stan Senner mentioned your interest in obtaining the reports on the harbor seal work sponsored by the Trustee Council. I have enclosed Kathy Frost's final report from the early phases of the Natural Resources Damage Assessment (1989-1991) and an annual report covering more recent work. If you have questions about either of these reports, contact Kathy directly at the Alaska Department of Fish and Game in Fairbanks.

Once again, thank you for your participation in the 1996 Restoration Workshop. Let's hope that there will never be need for such an event regarding the Beaufort Sea.

Sincerely,

A handwritten signature in cursive script that reads "Molly McCammon". The signature is fluid and elegant, with a long, sweeping underline.

Molly McCammon
Executive Director

MM/kh
enclosures (2)

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

State of Alaska
Office of the Governor

R-file

TONY KNOWLES
Governor
P.O. Box 110001
Juneau, Alaska 99811-0001
NEWS RELEASE



Bob King
Press Secretary
Claire Richardson
Deputy Press Secretary
907-465-3500
FAX: 907-465-3533

FOR IMMEDIATE RELEASE: January 24, 1996

96-015

DEC DEPUTY NAMED NEW COMMISSIONER

Knowles Promotes Michele Brown to Top Environmental Post

Citing her experience in working with the public and industry, Governor Tony Knowles today named Michele Brown as his new commissioner of the Department of Environmental Conservation (DEC). Brown, who previously served as Deputy Commissioner, replaces Gene Burden, who stepped down earlier this month for family reasons.

Brown, 45, earned her law degree from the University of California Davis in 1977 and came to Alaska the following year. Brown worked as an Assistant Attorney General for the state from 1978 until 1990, specializing in resource and environmental issues. For the next two years she served as executive director of the Citizen's Council on Oil and Other Hazardous Substances, a council formed by the Legislature to assess government and the private sector's ability to respond to oil spills and releases of other hazardous materials. Brown then moved to Moscow, where she served as senior environmental advisor to the United States Agency for International Development (USAID) for almost two years before returning to Alaska as DEC's deputy commissioner.

Michele Brown has a record of working with industry and the public to find solutions to protect our environment, and also keep Alaskans working, Knowles said. "Michele understands the importance of achieving consensus, rather than confrontation. Industry and environmentalists can work together on major issues."

Gene Burden set the tone for this Administration in seeking partnerships between industry and environmental groups, and he was highly successful, Brown said.

Governor Knowles and I think this approach is the right direction for Alaska. Protecting the cleanliness and beauty of our home is part of our message when we tell the world that Alaska is open and ready for business."

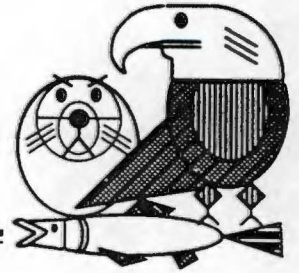
The Department of Environmental Conservation employs approximately 500 people and serves as a regulatory and resource agency to protect the environment and public health. Two areas of particular concern to Governor Knowles are safe water and sanitation in rural Alaska and improving oil spill prevention and response. As Commissioner Brown will earn approximately \$84,000 annually.

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: January 24, 1996

SUBJ: Alaska SeaLife Center Event — February 8, 1996

Please find enclosed an invitation from the Alaska Sealife Center Board of Governors and Board of Directors regarding an upcoming event on the evening of February 8, 1996 at the Anchorage Museum of History and Art.

As you are aware, the Seward Association for the Advancement of Marine Science (SAAMS) is engaged in a major private fundraising campaign to secure additional support for the visitation component of the facility. This campaign has been extremely successful in Seward, substantially exceeding the targeted fundraising goals. More recently, the campaign has expanded its focus to seek support on a statewide and national basis. The February 8th event is part of that effort, featuring Dr. Sylvia Earle as a special guest. I am enclosing a copy of her resume for your information.

The Board of Governors and the Board of Directors wanted me to extend this invitation to you on their behalf. Representation of the Council at the event by individual trustees would enhance the program and be greatly welcome.

If you are interested in attending the event, please let them know.

enclosure

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

Dr. Sylvia A. Earle

Dr. Sylvia A. Earle, marine biologist, is one of the world's most accomplished marine scientists, and as such, is a staunch advocate for safeguarding the earth's largest—and most vital—natural resource. Her findings have increased worldwide recognition of the ocean's importance, and have been so esteemed as to impact national and international laws for protection of ocean environments.

Earle is the former chief scientist of the National Oceanographic and Atmospheric Association. She is currently director of Deep Ocean Engineering, a company she founded in 1981, which builds state-of-the-art deep water submersibles. Earle is also president of Deep Ocean Exploration and research; chairman of the Caribbean Marine Research Center; a director of the Center for Marine Conservation, the Explorers Club, the World Resources Institute, and the Lindbergh Foundation; and a member of the council of the World Wide Fund for Nature and the World Wildlife Fund.

Sylvia Earle's dedication to the oceanic world began early in her life. At age sixteen she borrowed a friend's copper diving helmet, compressor, and pump, and slipped below the waters of a Florida river—her first underwater dive. Since then she has pioneered underwater observations of dolphins and whales, and has set new diving records while exploring unknown waters throughout the world: The Gulf of Mexico, the Caribbean Sea, the Bahamas, the Indian Ocean, Papua New Guinea, Hawaii, the Red Sea, the Gulf of California, Oregon's Crater Lake, the Galapagos Islands, the Nankai Trough off the coast of Japan, and the Truk Lagoon in Micronesia. Combining the credentials of scientist, explorer, policy maker, conservationist, and founder of Deep Ocean Engineering, she is known worldwide as an ambassador of the sea.

Having begun at a time when few women were taken seriously as marine scientists, Earle has dedicated her life to the sea. In 1964, she took part in an international expedition as the only woman in a group of seventy people. In 1970, she led the first team of female aquanauts to live underwater for a duration of two weeks, who ventured out into the surrounding ocean for 10 to 12 hours every day. She has led or participated in expeditions totaling more than 6,000 hours underwater, and has descended solo to more than 3,000 feet. She has set numerous diving records, including the deepest untethered solo dive (1,250 feet). Earle and engineer Graham Hawkes founded Deep Ocean Engineering in 1981 to build tools for better exploring the sea. And it is one of their submersibles, Deep Rover, that allowed her to become one of four people that have submerged to 1,000 meters, or approximately 3,000 feet—the deepest any solo diver has ever gone.

Her latest project, also with Graham Hawkes, is to reach "Ocean Everest," the deepest spot in the world's oceans, 7 miles down in the Mariana Trench near Guam. They hope to reach the lowest point in the Trench, Challenger Deep, using a pair of "underwater airplanes" called Deep Flight. Deep Flight -1, a new design for submersibles, is able to dive to 1,000 meters. Because it is airtight there is no need for decompression after each dive, and perhaps more importantly, it is light

and fast so it can follow fish. As Earle says, "I envision barrel rolls with whales." The next version, Deep Flight -2, is in production, and will dive to the ocean's greatest depths. The reason? As Earle says, "Once there, you can go anywhere else in the ocean."

This seems a mild statement until it's learned that 90 percent of the ocean has not been explored, though the seas cover 70.8 percent of the planet. (The average depth of the ocean is about two and a half miles.) Earle laments, "Earth is a marine habitat. The ocean is home to the greatest diversity of the planet. It's still ironic that there are more footprints on the moon than there are on the bottom of the sea, and we're only 7 miles away. One of the best things we can do as humans is embrace wild places." While the world spends billions of dollars looking into the heavens, most of the planet still begs to be seen. It is this ignorance, in Earle's opinion, that constitutes the biggest threat to the oceans.

This is a central theme of her book *Sea Change: A Message of the Oceans*, which also sounds an alarm about the state of the ocean environment. But ignorance is the biggest obstacle. Earle's goal is to communicate the wonders of ocean resources so that people will recognize that understanding, protecting and conserving those resources is vital to the survival of mankind.

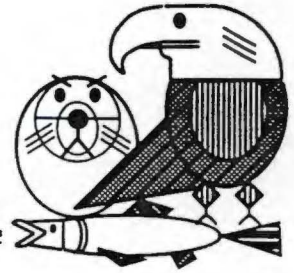
Education is the key. If people are aware of the diversity of life within the oceans, she hopes, then they will fight for the multitude of animals and environments contained there. "It's the lack of knowing that leads to the lack of caring," she says. And Sylvia Earle, marine botanist, deep-sea diver, explorer, businesswoman, conservationist, and writer, considers it a personal responsibility to educate the public of the ocean's importance and magnificence.

Exxon Valdez Oil Spill Trustee Council


Restoration Office

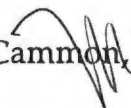
645 G Street, Suite 401, Anchorage, Alaska 99501-3451

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



MEMORANDUM

TO:  James R. Ayers, Chief of Staff
Office of the Governor

FROM: Molly McCammon,  Executive Director

DATE: January 24, 1996

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enclosure

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

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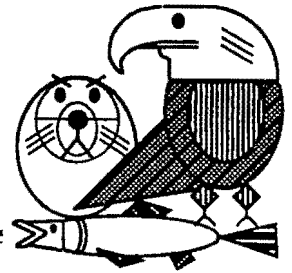
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Exxon Valdez Oil Spill Trustee Council

Restoration Office


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

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



MEMORANDUM

TO: Kassie Tadsen/NBS - Project Manager

FROM: Eric F. Myers,  Director of Operations

DATE: January 24, 1996

SUBJ: Contract IHP - 96 - 018/Guidance re: Project Implementation

The purpose of this memorandum is to provide guidance to NBS regarding project issues identified to date, including: tape back-up system (capacity of current equipment); 3 OSPIC nodes (insufficient hard drive capacity, additional RAM); file server/drive configuration; clean up of fourth floor work station hard drives; printer utilization; supervisor access; user training; and user assistance.

As discussed at our meeting yesterday, there are some work elements that will require additional hours to complete. The contract (Appendix D - Financial Consideration) recognizes that if, after the initial audit, "the contractor discovers facts materially different than those stated in the Request for Proposal" the contractor may propose changes in the work plan.

Two elements of the project have been identified as needing increased hours. The proposed change in total contract hours (a net increase of 18 hours) and the associated cost (\$1,530) has been reviewed by the Project Director in consultation with the ADFG information services staff, and determined to be justified as consistent with the scope of services and the provisions of the contract/Appendix D (i.e., the additional labor costs were identified as a result of the initial audit). An amendment to the contract for these incremental costs will be processed as quickly as possible.

Specific guidance on each of the issues raised by NBS is provided below.

1. Tape back-up system: The current equipment is capable of backing up 2.4 GB on a single tape while the hard drive will be 4 GB+. NBS recommends acquisition/installation of a new tape back up system.

Response: NBS should proceed to establish a reliable tape back-up system using the existing Restoration Office equipment.

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

2. Three OSPIC work stations/Computer Room hard drive: There is insufficient memory (hard drive capacity) on three OSPIC work stations; without upgrades, the stations will not run Windows 95. Also, only 8 MG of memory is available on these three machines. An upgrade to 16 MG is desirable, but not essential. In addition, NBS has determined that a hard drive in the computer room is defunct and needs to be replaced.

Response: The Restoration Office will secure the needed additional hard drive capacity/installation for the four computers and (possibly) the additional RAM, using applicable State procurement procedures (i.e., competitive solicitation).

3. File server/disk configuration: NBS has asked for clarification regarding configuration of the file server and hard drive in light of the problems (dismounting) of the existing server. As a result of the audit, NBS identified the need for a fundamental replacement and reconfiguration of the existing server and drive. This necessitates installation of new hardware (a Barracuda drive) purchased by the Restoration Office. This aspect of the project work, while an integral part of the scope of services, was not explicitly identified in the RFP. A change order for additional hours to complete this work has been proposed.

Response: NBS should proceed with installation of the new Barracuda drive and use the current drive as an "archive" to store inactive accounts and files. Only the accounts and files of current resident system users will be moved to the new drive. It is recognized that this work will require additional hours as reflected in the attached NBS spreadsheet dated 1/23/96.

4. Cleanup of workstation hard drives: NBS has determined that there are three computers on the 4th floor in need of extensive hard drive clean up in order to accommodate Windows 95. Additional hours will be required to accomplish the extraordinary level of clean up.

Response: NBS should proceed with the clean up of these work stations. The condition of these computers (and their use of Stacker) could not be foreseen prior to the audit. It is recognized that this work will require additional hours as reflected in the attached NBS spreadsheet dated 1/23/96.

5. Printer utilization: NBS has asked for clarification regarding location and purpose of printers.

Response: Jeff Lawrence will work with NBS to inventory all existing printers/locations and provide further specific guidance.

6. Supervisor access: NBS has noted that supervisor access needs more secure control.

Response: The only individual with a need for the supervisor access will be Jeff Lawrence. Eric Myers/Director of Operations will retain a copy of the password on file in case it is needed in Jeff's absence.

7. User training: NBS has noted the need for Windows 95 training.

Response: NBS should set up two computers with Windows 95 (either in the computer room or the small conference room) so that staff can experiment with the new system. Additionally, the Project Director is in the process of soliciting training services from vendors.

8. User assistance: NBS has identified need for clarification regarding requests for assistance from Restoration Office staff that are not directly related to the project scope.

Response: Restoration Office staff will be reminded that the scope of the contractor's work does not include miscellaneous user support. If there are future requests for assistance from Restoration Office staff that involve technical assistance or training services outside of the contract, it is requested that the NBS project team direct that individual to speak with Eric Myers regarding their needs. The Restoration Office will be seeking to establish a long term maintenance and support function. However, that is outside of the scope of the current contract.


Please let me know if you have any questions regarding the matters discussed above. I will work with ADFG procurement officials to secure the needed contract amendment as quickly as possible.

Thank you for your continuing assistance.

attachment

cc: Molly McCammon
Jeff Lawrence/OSPIC
Bill Johnson/ADGF
Debbie Boyd/ADFG

Task	Responsible	Hours	Hours	Complete?	Sched start	Sched comp	Actual start	Actual comp	Signature
Pre-Installation		Original	Revised						
Audit network	Tech Mgr	6.0	11.0	complete					
Create implementation plan	Proj Mgr	---			1/12/96	1/12/96	1/12/96	1/12/96	
Review plan with client	Proj Mgr, Tech Mgr, RL	---			1/12/96	1/12/96	1/12/96	1/12/96	
Cable Plant Installation									
Verify present installation	Wire Comm	9.0	1.0	complete	1/9/96	1/9/96	1/9/96	1/9/96	
Repair cabling	Wire Comm	2.0	1.0	complete	1/11/96	1/11/96	1/11/96	1/11/96	
Network Clean-up and Consolidation									
Compile documentation	Proj Mgr	---			1/24/96	1/24/96			
Review with technical team	Proj Mgr	---			1/29/96	1/29/96			
Establish a reliable tape back-up system	Tech	6.0	6.0		1/10/96	awaiting sw upgrade			
Evaluate current system					1/10/96	1/17/96	1/10/96	1/17/96	
Recommend upgrades in h/w, s/w, etc.					1/19/96	1/19/96	1/19/96	1/19/96	
Implement tape back-up system									
Clean up EVOS server/update hardware	Tech	0.0	20.0		1/24/96	1/29/96			
User account clean-up					1/24/96	1/24/96			
Login script clean-up					1/24/96	1/24/96			
Complete back-up					1/25/96	1/25/96			
Install new hard drive and controllers					1/26/96	1/26/96			
Re-install old drive as "archive" drive					1/26/96	1/26/96			
Re-install Novell NW3.11					1/26/96	1/26/96			
Create current autoexec.ncf and startup.ncf					1/26/96	1/26/96			
Restore files to new SYS: or archive volume					1/26/96	1/29/96			
OSPIC network clean-up	Tech	34.0	34.0		1/15/96	1/31/96	1/15/96		
Move contents of OSPIC server to main svr	Tech				1/15/96	1/31/96	1/15/96		
Move OSPIC w/s to main network	Tech				1/15/96	1/31/96	1/15/96		
Move OSPIC printers to main network	Tech				1/15/96	1/31/96	1/15/96		
Network upgrade					1/29/96	2/7/96			
Install on network Windows 95, Office, WP, Excel (admin)	Tech	2.0	2.0		1/29/96	1/29/96			
Install virus checker on server	Tech	1.0	1.0						
Configure w/s hardware for Windows 95	Tech	8.0	8.0	*3 w/s upgrades (8 hours) to be handled separately					
Optimize memory on w/s	Tech	8.0	0.0			N/A	N/A		
Clean up workstation contents for W95 install	Tech	0.0	10.0		1/29/96	2/7/96			
Install Windows 95 and MS Mail 16	Tech	44.0	44.0		1/29/96	2/7/96			
Install Office on w/s 10	Tech	10.0	10.0		1/29/96	2/7/96			
Install WP on w/s 6	Tech	12.0	12.0		1/29/96	2/7/96			
Install Sched, Filemaker Pro, MS Mail 8	Tech	12.0	12.0		1/29/96	2/7/96			
Install Calendar, My AdvMail, Procomm 2	Tech	4.0	4.0		1/29/96	2/7/96			
Test all w/s: 16	Tech	8.0	8.0		1/29/96	2/7/96			
attach to server									
login									
open applications									
print from all									
send/receive Email									
Customer sign-off on each w/s	Customer	---			1/29/96	2/7/96			
Perform quality review	Tech Mgr	1.0	1.0		2/7/96	2/7/96			
Orientation									
System administrator	Tech	3.0	3.0		2/8/96	2/8/96			
Back-up system administrator	Tech	1.0	1.0		2/8/96	2/8/96			
Tape back-up operator	Tech	1.0	1.0		2/8/96	2/8/96			

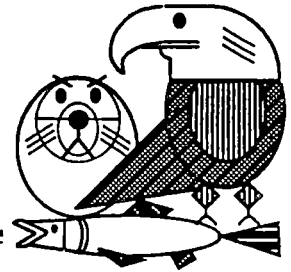
Task	Responsible	Hours	Hours	Complete?	Sched start	Sched comp	Actual start	Actual comp	Signature
Rehearse TBU/restore	Tech	2.0	2.0		2/8/96	2/8/96			
Post-installation									
Post-install clean-up	Tech	2.0	2.0		2/9/96	2/10/96			
Post-install documentation	Tech	1.0	1.0		2/9/96	2/10/96			
Post-install review with client	Proj Mgr, Sales	—			2/10/96	2/10/96			
Continuing on-site support	Tech	0	TBD						
Project complete	Cust	—							
		177.0	195.0						

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



DRAFT 1/24/96

AGENDA

Restoration Work Force Meeting
Thursday, January 25, 1996 at 9:00 am

1. Restoration Workshop — debrief
2. Project Management
 - discussion of instructions/timeline for development of separate budget
3. Direct v. Indirect Costs — General Administration
 - comment on working draft definition (memo from T. Cramer)
4. DPD and Budget Instructions
5. Housekeeping reminders
 - equipment inventory
 - December 31 Quarterly Reports
 - Annual v. Final reports (who's who)
 - FY 96 Revised DPDs and budgets
6. "Telling the Story" follow-up
7. Upcoming Meetings/Events/Deadlines (Invitation, Annual Report, etc.)
8. What would Mom say?

Trustee Agencies

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

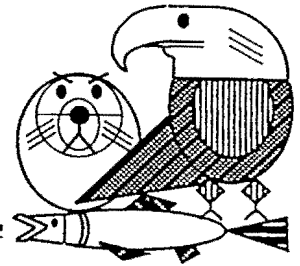
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FAX COVER SHEET

To: Restoration Work Force

From: ERIC MYERS Date: JAN 23, 1996

Comments:

Total Pages: 2

PLEASE DISTRIBUTE ASAP

RESTORATION WORK FORCE MEMBERS INCLUDE:

Belt, Gina
Berg, Catherine
Fries, Carol
Gibbons, Dave
Joe Sullivan/Bill Hauser
Bartels, Leslie/Lisa Thomas
Miraglia, Rita

Morris, Byron
Piper, Ernie
Rice, Bud
Spies, Bob
Thompson, Ray
Wright, Bruce

Document Sent By: KNILE

8/17/95

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.

3943

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	[12] 15036366335	PHIL MUNDY
	[13] 19077896608	MORRIS-WRIGHT
	[15] 2698918	CAROL FRIES
	[17] 2713992	R.THOMPSON
	[18] 2672474	J.SULLIVAN
	[19] 7863636	L.BARTELS
	[20] 7863350	C.BERG
	[21] 2572517	B.RICE
	[24] 2697652	E.PIPER
	[35] 15103737834	B.SPIES
	[38] 2715827	G.BELT

ERROR

*** ACTIVITY REPORT ***

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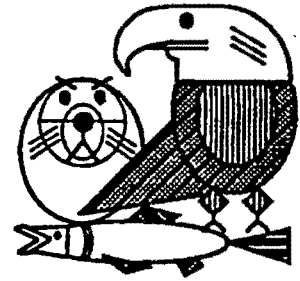
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CONNECTION ID	RITA MIRAGLIA
START TIME	01/24 08:38
USAGE TIME	01'17
PAGES	2
RESULT	OK

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



MEMORANDUM

TO: Restoration Work Force
FROM: *Traci Cramer*
Traci Cramer
Administrative Officer

DATE: January 23, 1996

RE: Direct vs. Indirect Policy

The audit team has identified the definition of what is a direct cost to a project and what is an indirect cost as an item that needs further clarification. This memorandum proposes guidelines for determining what costs should be included in the individual project budgets (direct costs) and what costs are to be recovered through the general administration formula (indirect costs). These guidelines are based on the principles and standards contained in OMB Circular A-87.

The goal is to incorporate final guidelines in the FY97 Invitation and the revised Financial Operating Procedures. As such, it is requested that you and your agency's administrative staff review the proposed guidelines and be prepared to discuss suggested changes at the Restoration Work Force meeting scheduled for January 25.

Direct Project Costs

To be allowable, costs must be necessary and reasonable for proper and efficient execution of a project, and not be a general expense required to carry out the overall responsibilities of the agency. Direct costs are those costs that are identified with or linked to a particular objective of a specific project. Direct costs are:

- a. Compensation of employees for the time and effort devoted specifically to the execution of a project as outlined in the Detailed Project Description.
- b. Cost of materials acquired, consumed, or expended specifically for the purposes outlined in the Detailed Project Description.

- c. Cost of equipment required specifically for the purposes outlined in the Detailed Project Description.
- d. Cost of specialized communication technologies required specifically for the purposes outlined in the Detailed Project Description.
- e. Contractual services required specifically for the purposes outlined in the Detailed Project Description.
- f. Costs attributable to production of the annual or final report for a project.
- g. Cost of travel incurred specifically for the purposes outlined in the Detailed Project Description, including travel to the Annual Restoration Workshop.

General Administration Formula (Indirect Costs)

The general administration formula allows agencies to recover costs based on a percentage of personnel and contractual costs. Funds derived from the formula are intended to pay for costs that are (a) incurred for a common or joint purpose benefiting more than one project, (b) not identified with or linked to a particular objective of a specific project, or (c) support services. General administration funds are intended to pay for:

- a. The cost of basic office supplies which are consumed by multiple individuals working on various projects.
- b. The cost of payroll and personnel functions, maintenance and operation of space, data processing, clerical support, various levels of administrative supervision, administrative contract monitoring, accounting, budgeting, auditing, mail and messenger services, and other incidental costs.

Other incidental costs include expenses required to carry out the overall responsibilities of the agency, such as incidental long distance charges, incidental fax charges, and miscellaneous copying charges.

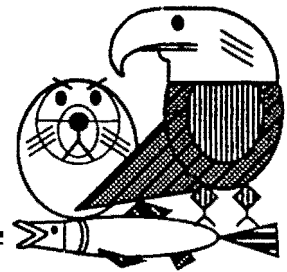
If you have any questions, give me a call at 586-7238.

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



January 23, 1996

Patricia Wallace
4751 Rochelle Road
Homer, Alaska 99603

Dear Ms. Wallace:

Thank you for your recent letter to the *Exxon Valdez* Trustee Council in support of protecting the lands just north of Homer, popularly called "Overlook Park" or "Baycrest Overlook."

We appreciate your support for protection of this area. In fact, two individual parcels, nominated by their landowners, are actively under consideration for protection by the Trustee Council through the Small Parcel Habitat Protection Program. This includes a 90-acre parcel referred to as the Baycrest parcel (KEN-12), and an adjacent 97-acre parcel referred to as Overlook Park (KEN-55). It is hoped both parcels (which are contiguous) can be protected.

For your information, I have enclosed a copy of the habitat benefit reports concerning these two parcels. Key habitats and other attributes of the parcels include the intertidal-subtidal habitat adjacent to the land, exceptional recreational and tourism qualities, and valuable uplands which support a variety of fish and wildlife. At its November 20, 1995 meeting, the Trustee Council authorized formal offers to purchase both the Baycrest parcel and the Overlook Park parcel at their fair market value. Offers to purchase the parcels at the appraised fair market values have been presented to the owners.

Again, please know that the Trustee Council shares your interest in seeing these lands protected. I will provide a copy of your letter to each of the Trustee Council members at their next meeting.

Sincerely,

Molly McCammon
Executive Director

enclosures: KEN-12/Baycrest Benefits Report
KEN-55/Overlook Park Benefits Report

EM/ty

Trustee Agencies

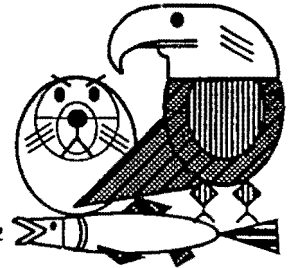
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United States: National Oceanic and Atmospheric Administration, Departments of Agriculture and Interior

Exxon Valdez Oil Spill Trustee Council

Restoration Office

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



January 23, 1996

Lynne M. Burt
Box 1170
Homer, Alaska 99603

Dear Ms. Burt:

Thank you for your recent letter to the *Exxon Valdez* Trustee Council in support of protecting the lands just north of Homer, popularly called "Overlook Park" or "Baycrest Overlook."

We appreciate your support for protection of this area. In fact, two individual parcels, nominated by their landowners, are actively under consideration for protection by the Trustee Council through the Small Parcel Habitat Protection Program. This includes a 90-acre parcel referred to as the Baycrest parcel (KEN-12), and an adjacent 97-acre parcel referred to as Overlook Park (KEN-55). It is hoped both parcels (which are contiguous) can be protected.

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Again, please know that the Trustee Council shares your interest in seeing these lands protected. I will provide a copy of your letter to each of the Trustee Council members at their next meeting.

Sincerely,

Molly McCammon
Executive Director

enclosures: KEN-12/Baycrest Benefits Report
KEN-55/Overlook Park Benefits Report

EM/ty

Trustee Agencies

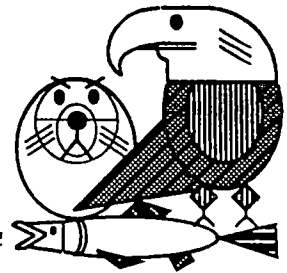
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Exxon Valdez Oil Spill Trustee Council

Restoration Office

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

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



January 23, 1996

Karen Wessel
4744 Sabrina Road
Homer, Alaska 99603

Dear Ms. Wessel and family:

Thank you for your recent letter to the *Exxon Valdez* Trustee Council in support of protecting the lands just north of Homer, popularly called "Overlook Park" or "Baycrest Overlook."

We appreciate your support for protection of this area. In fact, two individual parcels, nominated by their landowners, are actively under consideration for protection by the Trustee Council through the Small Parcel Habitat Protection Program. This includes a 90-acre parcel referred to as the Baycrest parcel (KEN-12), and an adjacent 97-acre parcel referred to as Overlook Park (KEN-55). It is hoped both parcels (which are contiguous) can be protected.

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Again, please know that the Trustee Council shares your interest in seeing these lands protected. I will provide a copy of your letter to each of the Trustee Council members at their next meeting.

Sincerely,

Molly McCammon
Executive Director

enclosures: KEN-12/Baycrest Benefits Report
KEN-55/Overlook Park Benefits Report

EM/ty

Trustee Agencies

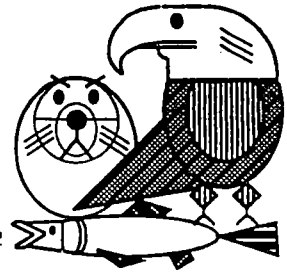
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Exxon Valdez Oil Spill Trustee Council

Restoration Office

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January 22, 1996

Ron Weilbacher
PO Box 3824
Soldotna, Alaska 99669

Dear Mr. Weilbacher:

The purpose of this letter is to confirm that the Restoration Office has received your Small Parcel Nomination Packet.

As you will note in the Small Parcel Nomination Packet, there are five threshold criteria that must be met to have a parcel considered for possible acquisition by the Trustee Council (copy attached). This includes that potential sellers must indicate they are willing to sell their property at fair market value. If a parcel nomination is received that meets all threshold criteria and then evaluated for its restoration value and rated as having a high enough value, an appraisal can be undertaken to establish fair market value. Appraisals used in the Small Parcel Program must be consistent with federal appraisal standards. **Please note that if you indicate that you are willing to sell your property at fair market value, you are not in any way obligated to accept an offer to purchase your land.** (See the second page of the nomination form.)

At this point, it is not clear from your nomination packet that you would be willing to sell your property at fair market value and, consequently, your parcel cannot be further evaluated at this time.

I would be happy to provide additional information or answer questions regarding the Small Parcel Program. Please let me know if you would like to modify your nomination form to meet threshold criteria.

Sincerely,

Eric F. Myers
Director of Operations

Attachment

EM/ty

Trustee Agencies

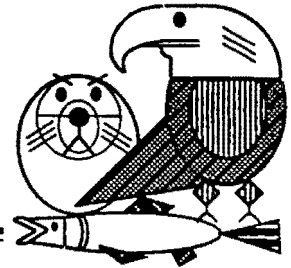
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United States: National Oceanic and Atmospheric Administration, Departments of Agriculture and Interior

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



MEMORANDUM

To: Steve Jewett
Peter van Tamelen
Jim Bodkin
Craig Matkin
Kathy Frost

From: Stan Senner 
Science Coordinator

Date: January 22, 1996

Subj: Revisions to Recovery Objectives

I understand that in the break-out sessions on recovery objectives at the Restoration Workshop last week, you volunteered to revise or draft new language regarding the Injury and Recovery Status of various resources injured by the oil spill.

I am working on another round of revisions to Chapter 5 this week. If it is possible to get me your suggestions now, preferably by close of business on Thursday, January 25, that would be most useful. If not, please send your suggestions anyway, because these revisions will almost certainly go through one more iteration after this week before going out for public comment in mid-February.

For Peter and Steve, please send me your drafts concurrently with whatever you send to Pete Peterson, with whom I discussed this before he left for North Carolina.

My e-mail address is: stans@evro.usa.com. My fax number is 907-276-7178.

Any suggestions you can make will be considered seriously and greatly appreciated.

Thank you.

PS: It was good to see you at the Restoration Workshop.

Trustee Agencies

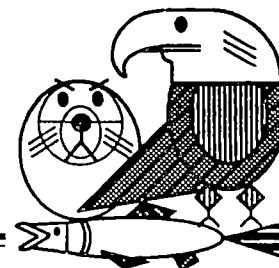
State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation
United States: National Oceanic and Atmospheric Administration, Departments of Agriculture and Interior

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



January 19, 1996

Dr. Scott A. Hatch
Alaska Science Center
National Biological Service
1011 East Tudor Road
Anchorage, Alaska 99503

Dear Scott:

The Trustee Council received more than \$35 million in proposals for Fiscal Year 1996. Unfortunately, it was not possible to fund all projects that were submitted.

On December 11, 1995, the *Exxon Valdez* Oil Spill Trustee Council acted on your proposal for the FY 1996 Work Plan: Project 96021, Seasonal Movements and Pelagic Habitat Use by Common Murres and Tufted Puffins. This letter is to inform you that the Trustee Council accepted the following Executive Director's recommendation and did not fund the project.

Do not fund. Pilot study in FY 1995 yielded interesting results, but there is need for more research and development work on the use of satellite transmitters implanted in common murres. This work might be appropriate for the Alaska SeaLife Center in the future, but the necessary facilities are not presently available in Alaska.

For your information, I am enclosing a summary of Trustee Council action taken on the FY 96 Work Plan. I know that you have been involved in discussions about the design of research facilities at the Alaska SeaLife Center, and I encourage you to keep the SeaLife Center in mind as you consider proposals to the Trustee Council in the future.

Sincerely,

Molly McCammon
Executive Director

Enclosure

cc: Catherine Berg, DOI Liaison
Lisa Thomas, NBS

Trustee Agencies

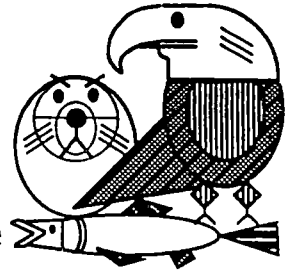
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Exxon Valdez Oil Spill Trustee Council

Restoration Office

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

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



January 19, 1996

Ms. Katherine J. Kuletz
Nongame Migratory Bird Management
U.S. Fish and Wildlife Service
1011 E. Tudor Road
Anchorage, Alaska 99503

Kathy
Dear Katherine:

The *Exxon Valdez* Trustee Council acted upon deferred projects for the Fiscal Year 1996 Work Plan at their meeting on December 11, 1995. I am pleased to inform you that the Trustee Council approved additional funds for Project 96031, Development of a Productivity Index to Monitor the Reproductive Success of Marbled and Kittlitz's Murrelets in Prince William Sound. The Trustee Council approved the project, including the following recommendation from the Executive Director:

Fund. Funding approved in August was intended to provide the principal investigator the resources to synthesize and publish prior Trustee-supported work on marbled murrelets. The Chief Scientist has recommended that future field work on marbled murrelets should be considered in the context of the APEX predator project (96163), and I recommend approval of limited additional funds (\$10,000) to cover costs associated with fully exploring integration with APEX.

Previously you provided a memorandum dated July 21, 1995 describing what you would do in FY 1996 to synthesize and publish past work on the marbled murrelet. We need an additional, short memorandum and revised budget for an additional \$10,000 of funding, specifically in regard to development of possible future field work in the context of the APEX (96163) projects. Following favorable review of the revised memorandum and budget, you will receive authorization from the Executive Director for use of the funds approved on December 11th.

For your information, I am enclosing a spreadsheet that summarizes Trustee Council action on the FY 96 Work Plan.

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

Thank you for your participation in the *Exxon Valdez* oil spill restoration program. We appreciate your continued interest, and look forward to working with you this coming year.

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 distinguishable.

Molly McCammon
Executive Director

Enclosure

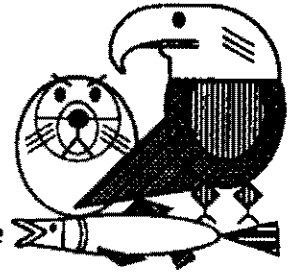
cc: Catherine Berg, DOI Liaison
David Irons, USFWS Project Manager

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: Eric F. Myers, *EFM* Director of Operations

DATE: 1/19/96

SUBJ: Next RWF Meeting — Thursday, August 25, 1996 at 9:00 am

The next Restoration Work Force meeting will be:

THURSDAY, January 25, 1996 at 9:00 am

(Please Note: this is a change from the previously
announced meeting date of Wednesday.)

The purpose of the meeting will be to follow up on a number of issues raised at the recent retreat held at the West Coast International Inn as well as other topics.

An agenda will be sent under separate copy.

Trustee Agencies

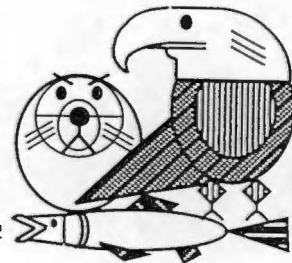
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Exxon Valdez Oil Spill Trustee Council

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: Eric Myers Date: January 19, 1996

Comments: Total Pages: 2

Please give to the work
force member(s) in your office.

Thanks

RESTORATION WORK FORCE MEMBERS INCLUDE:

Belt, Gina

Berg, Catherine

Fries, Carol

Gibbons, Dave

Joe Sullivan/Bill Hauser

Bartels, Leslie/Lisa Thomas

Miraglia, Rita

Morris, Byron

Piper, Ernie

Rice, Bud

Spies, Bob

Thompson, Ray

Wright, Bruce

Document Sent By: Keri Dille

8/17/95

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

TONY KNOWLES
GOVERNOR



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

P.O. Box 110001
Juneau, Alaska 99811-0001
(907) 465-3500
Fax (907) 465-3532

January 17, 1996

The Honorable Ted Stevens
United States Senate
522 Senate Hart Office Building
Washington, DC 20510-6025

Ted
Dear Senator Stevens:

Thank you for your letter of December 8 asking for my opinion regarding the suggestion to create an Exxon Valdez Oil Spill Restoration Review Commission to review the Exxon Valdez Oil Spill Trustee Council's actions.

I would be happy to work with you if you think additional review is needed. However, the council's activities are already under rigorous scientific and public scrutiny. The program now underway is the product of several years planning with exhaustive public involvement. It lays out a comprehensive and balanced approach to restoration as described in the Exxon Valdez Oil Spill Restoration Plan which was adopted in November 1994, following an extensive public involvement process, including a formal environmental impact statement. Further, the council has authorized and initiated an in-depth audit. The audit will be completed in March.

As you know, some members of the public want the entire settlement to go toward habitat protection and acquisition. Others want to see all the money go toward a science program. The council has laid out a plan to do some of each, and in addition has established a restoration reserve, which when fully capitalized will ensure \$5-6 million a year is available in perpetuity for marine research or other restoration needs. I also asked the council's executive director, Molly McCannion, to comment on this concept, and I am enclosing a copy of her response which expands further on my observations.

At this time, it appears a review commission as proposed by Mr. Steiner and Mr. Grimes would not be a priority use of ever shrinking federal funds. I would be happy to discuss this with you further at your convenience.

Sincerely,

Tony Knowles
Governor

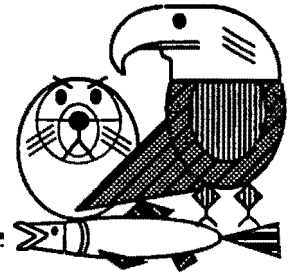
Enclosure

Exxon Valdez Oil Spill Trustee Council

Restoration Office

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

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MEMORANDUM

To: Cathy @ G. Frampton's Office
Renée @ P. Janik's Office
Barbara @ S. Pennoyer's Office
Carla @ F. Rue's Office
Santé @ M. Brown's Office
Vicki @ C. Tillery's Office
Ginny @ D. Williams' Office

From: Tami Yockey
Exxon Valdez Restoration Office

Date: January 13, 1996

Subj: Availability For Trustee Council Meeting

I am now checking the availability of your TC member for a Trustee Council meeting on February 8 (Thursday) or 9 (Friday). Meeting place is still not known.

Please contact me regarding these new dates.

Thank you.

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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TRANSACTION OK

[09] 19075867589

JUNEAU OFFICE

[25] 19075867840

P. JANIK

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B. BOTELHO

[27] 12022084684

G. FRAMPTON

[28] 19075867249

S. PENNOYER

[29] 19074652332

FRANK RUE

[31] 19074655070

G. BURDEN

[36] 2787022

ALEX-CRAIG

[37] 2714102

D. WILLIAMS

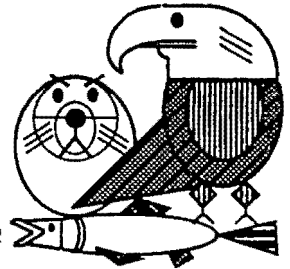
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Exxon Valdez Oil Spill Trustee Council

Restoration Office

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

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



January 12, 1996

The Honorable Tony Knowles
Governor, State of Alaska
P.O. Box 110001
Juneau, AK 99811-0001

Dear Governor Knowles:

You have asked me to comment on your recent letter from Senator Ted Stevens, asking your opinion of possible establishment of an *Exxon Valdez Oil Spill Restoration Review Commission* to examine the *Exxon Valdez Oil Spill Trustee Council* program.

Independent review of the Trustee Council's actions - including scientific peer review and an independent audit of the Council's finances, as well as public input and review - is strongly supported by the Council as central elements of the ongoing restoration program. I believe the Council's actions have undergone and are currently undergoing significant review at several levels, as described below.

1. Public review. The *Exxon Valdez Oil Spill Restoration Plan*, which provides overall guidance for how to use the settlement funds, was adopted after a multi-year public planning process with literally dozens of meetings in communities throughout the spill area and unprecedented public comment. Thousands of individuals participated and as a result, the plan reflects the overall public support for a balanced restoration program, including research, direct restoration where possible, and habitat protection.

A 17-member Public Advisory Group, made up of representatives of various interest groups in the spill area, provides ongoing advice regarding the Trustee Council's activities. The PAG meets at least five times a year, including one field trip to communities in the spill area, and its members are regular participants in the ongoing activities of the Restoration Office.

In addition, Council staff hold frequent public meetings in Anchorage, Juneau, and communities throughout the spill-affected area. In order to further increase community involvement, the Council recently funded a project through the Chugach Regional Resources Commission (a regional non-profit organization), to facilitate public involvement with the restoration program in spill area communities. The Council regularly communicates to the public with frequent newsletters, advisories, reports, and

Trustee Agencies

State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation
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I completely agree with that observation and, as I have outlined to you, have gone to great lengths to ensure extensive public and scientific review of the restoration process.

Given the review this program has already and is currently receiving, I'm not sure another examination as proposed by Messrs. Steiner and Grimes is necessary. It would be expensive and take at least two years to accomplish. However, with this said, the Trustees welcome any review of their efforts and would be pleased to cooperate with anything recommended by yourself, Senator Stevens or others.

If I can provide any further information, please do not hesitate to contact me. I would be happy to work directly with Senator Stevens or his staff on this if you feel it would be helpful.

Sincerely,

A handwritten signature in cursive script that reads "Molly McCammon". The signature is fluid and extends to the right.

Molly McCammon
Executive Director

cc: Steven Pennoyer, NOAA
Phil Janik, USFS
George T. Frampton, Jr., USDO
Michele Brown, ADEC
Frank Rue, ADF&G
Bruce Botelho, ADOL

Enclosures

other documents. A public comment session is included during all Trustee Council meetings. Great efforts are made to work with the Public Advisory Group and other members of the public to respond to issues and concerns they identify.

2. Independent financial review. The Trustee Council has commissioned a full-fledged independent audit of its expenditures. The Juneau firm of Elgee, Rehfeld & Funk received the contract to conduct this audit, and a report is expected by March 1, 1996. The audit team is reviewing agency accounting, project tracking, reporting, and expenditure processes. Future audits are anticipated on an annual basis.

3. Independent scientific review. The Council's overall science program (which consists of approximately \$18 million in FY96 for research, monitoring, and general restoration) undergoes independent scientific and technical review under the guidance of the Trustee Council's Chief Scientist, Dr. Robert Spies, who is himself an independent contractor. I have enclosed a copy of a description of the peer review process, including resumes of our scientific staff and core peer reviewers. National caliber scientists lead this review process.

4. General Accounting Office Briefing Report (August 1993). The General Accounting Office previously examined the use of *Exxon Valdez* oil spill settlement funds in 1993. Although there were a number of errors in the GAO's report, the Trustee Council took the opportunity to respond to the pertinent issues raised by the GAO, as indicated in the enclosed 1995 response by the Department of Interior to the GAO.

5. Overall review of the restoration program. The Trustees have directed me to develop a recommendation on how best to conduct an overall analysis of the process under which the *Exxon Valdez* Oil Spill Trustee Council was originally created and how it developed during its first few years. The *Exxon Valdez* litigation was the largest natural resources damage case ever settled under the federal Clean Water Act and CERCLA. Before our memories fade, it is important to document the process and the lessons learned from those early days.

The *Exxon Valdez* settlement was precedent-setting in its scope and scale, and in fact many important elements of the model created by it have been incorporated into new regulations to implement the Oil Pollution Act of 1990 soon to be adopted by NOAA. These include significant and meaningful public involvement, as well as adoption of a *Restoration Plan* with strong guiding principles. Any future review should examine not only the *Exxon Valdez* case, but also other oil spills with active restoration programs in the context of the new regulations.

I disagree with Messrs. Steiner and Grimes' interpretation of Judge Holland's Order of May 17, 1995, a copy of which I have also enclosed. The Order denied Motions to Intervene in the *Exxon* litigations filed by the Coastal Coalition. In denying the Motions the court observed: "Given that the Trustee Council could spend \$1 billion of the public's money, their action should be subject to scrutiny." (Page 8). The Trustees and

**Scientific Review
of the
Exxon Valdez Oil Spill Restoration Program**
[January 1996]

The grounding of the T/V *Exxon Valdez* in Prince William Sound, Alaska presented an enormous technical challenge to natural resource managers in Alaska. Documenting injury to natural resources and fostering their restoration across hundreds of miles of poorly studied coastline in a scientifically defensible manner are extremely difficult tasks, never before been undertaken on this scale. The *Exxon Valdez* Oil Spill Trustee Council has therefore sought the assistance of experts in an effort to generate sound scientific information to support their decisions regarding restoration of injuries caused by the oil spill. One of the guiding principles in the *Restoration Plan* is that: "Restoration projects will be subject to open, independent scientific review before Trustee Council approval." The goals of the review process are to ensure that studies sponsored by the Trustee Council (1) adhere to a high standard of scientific excellence, (2) have scientific objectives that are designed to provide information valuable for management decisions and restoration actions, and (3) use valid methods that will allow them to achieve these objectives.

The Trustee Council's Restoration Plan (November 1994) establishes that restoration of injuries following the *Exxon Valdez* oil spill will take an ecosystem approach to understanding the factors that control injured populations. It is the responsibility of the scientific review team to ensure that the individual projects in the annual work plan are well integrated and, as a whole, address key processes, resources and services in the northern Gulf of Alaska ecosystem.

The review process is conducted under the direction of the Chief Scientist, who calls upon a set of "core reviewers" and other special reviewers as needed to achieve these objectives. An Assistant Chief Scientist works with the Chief Scientist on a part-time basis, and a Science Coordinator on the Trustee Council staff serves as an in-house science advisor, and as a liaison among the Council, the Chief Scientist, and the investigators conducting scientific studies sponsored by the Council. The core reviewers, who are identified below, assist the Chief Scientist in providing overall scientific and technical direction to the research, monitoring, and restoration activities sponsored by the Trustee Council. They also review the results of restoration projects, provide recommendations to the Executive Director regarding research and monitoring needs to the Trustee Council, and assess progress of ongoing projects. The core reviewers have been advising government representatives since the oil spill. Their experience, in combination with the breadth of their scientific advice particularly valuable.

In addition, many special experts provide scientific reviews. The expertise of the core reviewers and the Chief Scientist. The

Molly -
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correspondence.

Stan

**Scientific Review
of the
Exxon Valdez Oil Spill Restoration Program**
[January 1996]

The grounding of the T/V *Exxon Valdez* in Prince William Sound, Alaska presented an enormous technical challenge to natural resource managers in Alaska. Documenting injury to natural resources and fostering their restoration across hundreds of miles of poorly studied coastline in a scientifically defensible manner are extremely difficult tasks, never before been undertaken on this scale. The *Exxon Valdez* Oil Spill Trustee Council has therefore sought the assistance of experts in an effort to generate sound scientific information to support their decisions regarding restoration of injuries caused by the oil spill. One of the guiding principles in the *Restoration Plan* is that: "Restoration projects will be subject to open, independent scientific review before Trustee Council approval." The goals of the review process are to ensure that studies sponsored by the Trustee Council (1) adhere to a high standard of scientific excellence, (2) have scientific objectives that are designed to provide information valuable for management decisions and restoration actions, and (3) use valid methods that will allow them to achieve these objectives.

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The review process is conducted under the direction of the Chief Scientist, who calls upon a set of "core reviewers" and other special reviewers as needed to achieve these objectives. An Assistant Chief Scientist works with the Chief Scientist on a part-time basis, and a Science Coordinator on the Trustee Council staff serves as an in-house science advisor, and as a liaison among the Council, the Chief Scientist, and the investigators conducting scientific studies sponsored by the Council. The core reviewers, who are identified below, assist the Chief Scientist in providing overall scientific and technical direction to the research, monitoring, and restoration activities sponsored by the Trustee Council. They also review the results of restoration projects, provide recommendations to the Chief Scientist and Executive Director regarding research and monitoring needs, review proposals submitted to the Trustee Council, and assess progress of ongoing projects. Several of the core reviewers have been advising government representatives since the oil spill in 1989, and the continuity of their experience, in combination with the breadth of their knowledge, makes their scientific advice particularly valuable.

In addition, many special experts provide scientific reviews as needed to complement the expertise of the core reviewers and the Chief Scientist. There are more than 60 individuals

from throughout North America who have been special reviewers, with expertise ranging from microbiology to computer science. These individuals examine proposals, reports, or participate in special workshops as needed to maintain the scientific quality of research, monitoring, and restoration projects sponsored by the Trustee Council.

The peer review process is administered through a contract with Applied Marine Sciences, Inc. Most reviewers are paid for their services. Experience indicates that this is a fair practice that enhances the quality and timeliness of the scientific reviews. All reviewers are required to verify that they are free of potential conflicts of interest, because avoiding even the appearance of a conflict of interest is essential for providing unbiased and objective scientific support. Reviewers who accept compensation are required to maintain a valid business license from the State of Alaska.

Scientific review is carried out within the adaptive management process which guides the entire *Exxon Valdez* restoration program. Research and monitoring projects are reviewed and modified annually, taking into account each year's results and field experience. This is accomplished primarily through an annual cycle of reviewing proposals and reports. However, special workshops are convened as needed to focus extra attention on particular resources or groups of related projects. In addition, the scientific staff, core reviewers, and all principal investigators sponsored by the Trustee Council are required to participate in an annual restoration workshop, held in January, to review prior year results and to discuss program priorities and coordination for the future.

Core Reviewers: Biological Sciences

HANEY, CHRISTOPHER J. B.S, Southern College (1981); Ph.D, University of Georgia (1986). Employer - The Wilderness Society, Washington, D.C.; North Carolina State Museum of Natural Science, Raleigh. Specialities - pelagic ecology of seabirds, seabird ecology in the Bering Sea, biometrics. Special Honors - research fellow, guest investigator, Woods Hole Oceanographic Institution; visiting scientist, Russian Academy of Sciences. research biologist, Skidaway Institute of Oceanography, (1984-85); Wildlife Biologist, Alaska Fish & Wildlife Research Center (1986-87), research ecologist, LGL Alaska Research Associates, Inc. (1987-89); faculty member, School of Forest Resources at the Pennsylvania State University (1992-95).

MUNDY, PHILLIP R. B.S., University of Maryland (1970); M.S., Biology, University of Alabama at Tuscaloosa (1970); Ph.D., Fisheries, University of Washington (1979). Employer - self. Specialties - Salmon population biology, fisheries management. Marine ecosystem expertise - secondary and tertiary consumers. Special Honors - Active member of graduate faculties of University of Washington, Oregon State University & Montana State University; Member of the American Institute of Fisheries Research Biologists.

ROSE, GEORGE A. B.Sc. (Agr.), University of Guelph (1970); M.S., Laurentian University (1981); Ph.D., McGill University (1988). Employer - Senior Chair for Fisheries Conservation, Fisheries and Marine Institute, Memorial University of Newfoundland, St. John's. Specialties - Fisheries oceanography, acoustics, and ecosystem ecology and conservation of coastal ecosystems and fisheries. Special Honors - First recipient of Wilfred Templeman Memorial Award for outstanding contribution to Fisheries Science through publication in the Newfoundland Region (1992) and Scientific Program Leader of former OPEN and IFRP coastal ecosystem research programs.

PETERSON, CHARLES H. B.A., Princeton University (1968); Ph.D., University of California, Santa Barbara (1972). Employer - University of North Carolina at Chapel Hill. Specialties - marine ecology, community ecology, environmental problem solving, fisheries ecology, and biological oceanography. Marine Ecosystem Expertise - 3 years Chair of the Scientific Committee of GLOBEC (the US-initiated, international global change program designed to assess the impacts of changing global climate on marine ecosystems dynamics with special reference to fisheries dynamics); present service on the National Academy of Sciences NRC Panel on the Bering Sea Ecosystem; membership on the present Ecological Society ad hoc Committee on Ecosystem Management; membership on the Scientific Advisory Committee for OPEN (the Canadian fisheries oceanography program evaluating fisheries production in the Maritimes). Special Honors - award of NSF, Woodrow Wilson Society, Ford Foundation, Australian, and Japanese fellowships; appointment as Editor-in-Chief of *Oecologia* (1989-); senior editorial advisor of Marine Ecology Progress Series (1985-present); appointment to the North Carolina Marine Fisheries Commission (1985-87); appointment to and Vice Chair of the North Carolina Environmental Management Commission (1989-1995); and receipt of 23 years of continuous research support from NSF and NOAA.

Core Reviewers: Archaeology, Anthropology, and Subsistence

DUMOND, DON. B.A., University of New Mexico (1949); M.A., Mexico City College (1957); Ph.D., University of Oregon (1962); Employer - University of Oregon Museum of Natural History, Eugene; Specialties - Anthropology. Special Honors - elected full member, Society of Sigma Xi (1962); elected fellow, Arctic Institute of North America (1973); elected member, Electorate Nominating Committee, Section H, American Association for the Advancement of Science (1975-77); appointed member, Committee on Population and Health, World Nutrition Study, National Academy of Sciences and National Research Council (1976); elected Member at Large of the Section Committee Section H, American Association for the Advancement of Science (1979-83), elected member and (1982-83) chair. Nominations Committee American Anthropological Association (1981-83), appointed U.S. Delegate to the Permanent Council of the International Union of Anthropological and Ethnological Sciences (1981-90), appointed member, Ad Hoc Committee on the Status of Archaeologists within the American Anthropologist Association (1983-84), elected fellow, American Association for the Advancement of Science (1986).

WHEELER, POLLY C. B.A., Union College (1983); M.A., University of Alaska-Fairbanks (1986); Ph.D. candidate, University of Alberta. Employer - Alaska Sea Otter Commission. Specialities - subsistence, resource, and land policy in Canada and Alaska. Senior researcher, Tanana Chiefs Conference, Inc. (1991-93); research analyst, Fairbanks North Star Borough (1990-91); instructor, Dept. of Rural Development, Anthropology Northern Studies, University of Alaska Fairbanks (1989-1995). Special Honors - fellowships from Province of Alberta, Boreal Institute for Northern Studies, Alaska Anthropological Association, University of Alaska, and Union College.

Scientific Staff

SPIES, ROBERT B., CHIEF SCIENTIST. B.S., St Mary's College (1965); M.S., University of the Pacific (1969); Ph.D., University of Southern California (1971). Employer - Applied Marine Sciences, Inc. Specialties - marine pollution, effects of petroleum on marine organisms, benthic ecology. Special Honors - participant, National Research Council Workshop on Coastal Science and Policy Interactions in the U.S.; past editor, *Marine Environmental Research*; member, scientific review boards, U.S. EPA Environmental Monitoring and Assessment Program, NOAA National Status and Trends Program, Minerals Management Service Gulf of Mexico Research Program, Southern California Coastal Water Research Project; member, Board of Directors, Alaska SeaLife Center, Seward; member, Board of Directors, Romberg Tiburon Centers, San Francisco State University.

GUNTHER, ANDREW J., ASSISTANT CHIEF SCIENTIST (part-time). B.A., Amherst College (1978), M.S. (1982) and Ph.D. (1987), Energy and Resources, University of California, Berkeley. Employer - Applied Marine Sciences, Inc. Specialities - estuarine and marine pollution, environmental chemistry, application of scientific information to environmental management. Staff member, California Assembly Committee on Natural Resources (1979-80); Research Director, Citizens for a Better Environment (1982-83); environmental scientist, Aquatic Habitat Institute (1987-91); manager, Regional Monitoring Program for Toxic Substances in the San Francisco Estuary (1993-present).

SENNER, STANLEY E., SCIENCE COORDINATOR. B.A., Bethel College, Kansas (1973); M.S., University of Alaska Fairbanks (1977). Employer - *Exxon Valdez* Oil Spill Trustee Council. Specialties - ornithology, particularly migration ecology and food habits; conservation and natural resources policies. Research assoc., UAF Inst. Arctic Biology (1977); prof. staff member, U.S. House of Rep. Committee on Merchant Marine and Fisheries (1979-82); executive director, Hawk Mountain Sanctuary Association (1982-90); affil. research assoc., Acad. of Natural Sciences of Philadelphia (1984-90); co-chair, *Exxon Valdez* Restoration Planning Work Group (1990-92); director, Migratory Bird Conservation Program, Natl. Audubon Society (1992-94). Special Honors - Chair (1986-92), U.S. Sec., Internatl. Council for Bird Preservation; elective member, American Ornithologist' Union (1990); first recipient of the M.E. "Pete" Isleib Award for Bird Conservation in Alaska (1994); and service on numerous professional boards and advisory committees.



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, D.C. 20240

April 17, 1995

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EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

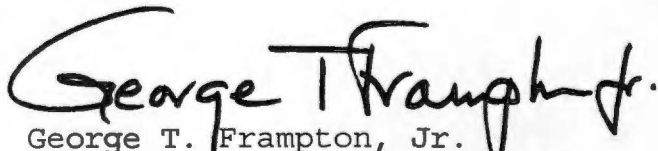
Mr. James Duffus
Director for Natural Resources
Management Issues
General Accounting Office
Room 1842
441 G Street, N.W.
Washington, D.C. 20548

Dear Mr. Duffus:

Enclosed is an update on implementation actions taken in response to the General Accounting Office (GAO) report, Natural Resources Restoration: Use of Exxon Valdez Oil Spill Settlement Funds, (GAO/RCED 93-206BR), dated August 20, 1993. The response was prepared by the Exxon Valdez Oil Spill Trustee Council in Anchorage, Alaska. It was prepared originally as a consolidated response from the Department of the Interior, the Department of Agriculture, and the National Oceanic and Atmospheric Administration. I understand, however, that the other two agencies have responded to the GAO separately.

If you have questions regarding the information in the enclosure, please contact Mr. Daniel Sakura of my staff at (202) 208-4678, or Ms. Molly McCammon, Executive Director for the Exxon Valdez Oil Spill Trustee Council at (907) 278-8012.

Sincerely,


George T. Frampton, Jr.
Assistant Secretary for Fish
and Wildlife and Parks

Enclosure

STATUS OF RECOMMENDED ACTIONS
GAO BRIEFING REPORT RCED-93-206BR, DATED AUGUST 1993, ENTITLED
"USE OF EXXON VALDEZ OIL SPILL SETTLEMENT FUNDS"

This report is in response to GAO Report RCED-93-206BR. Because of the length of this response, it begins with a summary of the GAO recommendations and Exxon Valdez Oil Spill (EVOS) Trustee Council actions.

I. SUMMARY

A. Complete restoration and land acquisition plans:

- On November 2, 1994, the Trustee Council adopted the Exxon Valdez Oil Spill Restoration Plan.
- In March 1995, the Council released the Draft Restoration Program: FY 96 and Beyond, which was based on the Restoration Plan.
- The Council has completed the Comprehensive Habitat Protection Evaluation and Ranking Process.
- To date, the Council has authorized the acquisition of interests in 67,401 acres of land and made offers on an additional 487,156 acres.

B. Require more timely and better quality reports:

- The Council established April 15 as the annual deadline for submission of final reports.
- Principal investigators have submitted most of the final reports for projects approved in 1992 and 1993.
- In October 1994, the Council issued revised Procedures for Preparation and Distribution of Final Reports.
- The Council encourages publication of results in peer-reviewed literature.

C. Provide more open competition for restoration projects:

- In the Restoration Plan, the Council adopted a policy to encourage competition.

April 17, 1995

- In FY 95, the Council tested two competitive procurement methods.
- In FY 96, the Council will open all research and monitoring projects to competition, as well as selected general restoration projects.
- Agencies frequently implement projects, or portions of projects, through competitively-bid contracts.

D. Improve internal controls:

- The Council has authorized funding for an independent external audit.
- The Council has adopted financial operating procedures.
- The Council's executive director submits quarterly reports on financial activities and the status of projects to the Council.
- The Council has directed the executive director to make recommendations on restoration projects, following independent review by Council staff.

The following comments address the four recommendations in the report:

II. COMPLETE RESTORATION AND LAND ACQUISITION PLANS:

A. On November 2, 1994, the Council adopted the Exxon Valdez Oil Spill Restoration Plan. Adoption of the plan marked the culmination of several years of intensive public participation. In summary, the plan established a restoration reserve and determined an appropriate balance among various kinds of restoration actions, such as habitat protection, scientific research, and general restoration projects.

Following the release of the Draft Restoration Plan in November 1993, the Council prepared an environmental impact statement, conducted public meetings, and finalized a record of decision, as directed by the National Environmental Policy Act.

April 17, 1995

The Final Restoration Plan established 21 policies to direct the restoration program. Policies address such issues as how to restore injured services (human use) and how to foster greater competition and efficiency in order to implement the plan.

The Restoration Plan describes the nature and extent of injury for each injured resource or service, the recovery objective, and the restoration strategy. Recovery objectives are measurable conditions that signal recovery. For populations of species, the objective is the return to pre-spill population levels, but for other species, it could include parameters which relate to reproductive success, growth rates, and age-class distribution. In general, for resources that are not recovering, restoration efforts focus on determining why they are not recovering. For resources which are recovering, restoration strategies rely primarily on natural recovery. Consequently, the research program focuses on resources that are not recovering.

B. In March 1995, the Council released the Draft Restoration Program: FY 96 and Beyond, which was based on the Restoration Plan. In January 1995, more than 130 scientists, staff, and members of the public met in Anchorage to review restoration activities over the past year and to develop a forecast of projects needed in future years to accomplish restoration objectives. This program will help the Council develop a financially sustainable program to optimize the use of available funds for restoration.

C. The Council has completed the Comprehensive Habitat Protection Evaluation and Ranking Process. The habitat protection evaluation process consisted of three phases: (1) imminently threatened lands; (2) large parcels (greater than 1,000 acres); and, (3) small parcels (less than 1,000 acres). All aspects of this process have been subject to extensive review by the Public Advisory Group and the general public.

In the first phase, Council staff analyzed 19 parcels totalling 380,320 acres that were either imminently threatened or offered opportunities to promote restoration of injured resources and related services. The Council subsequently authorized the acquisition of title or timber rights for 67,401 acres.

In the second phase, Council staff analyzed 96 large tracts of private land, totalling 1,065,000 acres. The Council has made offers to landowners on 487,156 acres. Negotiations are continuing on three additional packages of large parcels.

April 17, 1995

In the third phase, the Council received nominations for 242 small parcels. Those 117 parcels that were in compliance with all threshold criteria were further evaluated, scored, and ranked. The Council recently authorized preliminary negotiations on 22 small parcels and a second nomination period. During the second round of small parcel nominations, landowners nominated additional parcels, which are currently being analyzed by the Council.

D. The Council authorized acquisition of interests in 67,401 acres of land and made offers on an additional 487,156 acres. Because negotiations are continuing, the status of land acquisitions is constantly changing. The attached table summarizes the status of land acquisitions as of April 4, 1995.

III. REQUIRE MORE TIMELY AND BETTER QUALITY REPORTS:

A. The Council established April 15 as the annual deadline for submission of final reports. Final reports approved in the FY 92 Work Plan were due on April 15, 1993; those approved in the FY 93 Work Plan were due on April 15, 1994. Consequently, final reports not yet received for these two years are now overdue. Final reports for projects approved in the FY 94 Work Plan were due on April 15, 1995.

B. Principal investigators have submitted most of the final reports for projects approved in 1992 and 1993. The Council has been tracking the status of final project reports. As of December 31, 1994, principal investigators have submitted to the chief scientist 95% of the 1992 project reports and 73% of the 1993 project reports. These reports are in various stages of peer review and revision. As of December 31, 1994, the chief scientist had accepted 53% of the final reports for projects funded in the FY 92 Work Plan. This represents a 16% increase since June 30, 1994. The Council has made arrangements to ensure prompt submission of overdue reports.

C. In October 1994, the Council issued revised Procedures for Preparation and Distribution of Final Reports. These procedures include formatting standards to ensure the proper cataloguing of final reports in libraries. The procedures specify a minimum number of copies of the report that must be printed (36 copies), the office to which these copies must be submitted (Oil Spill Public Information Center), and deadlines by which the final report will be available in libraries and other

April 17, 1995

outlets (approximately three months from the date of acceptance by the chief scientist).

These procedures provide needed guidance for individuals responsible for preparing final reports. Prior to the publication of these procedures, principal investigators did not know where to submit final reports, and reports were often not adequately identified as the final report for a particular project.

An innovation in the formatting standards is the requirement for an abstract with a maximum length of 200 words, so that it can be entered into the National Technical Information Service index system and an electronic information management system being developed by the Council.

D. The Council encourages publication of results in peer-reviewed literature. In the Invitation to Submit Restoration Projects for Fiscal Year 1996, the Council stated its commitment to "report on and make available the results of all projects it funds," to the public. The Council encourages principal investigators to submit manuscripts to peer-reviewed literature for the "widest dissemination and usefulness of its products." Accordingly, the results of several projects funded by the Council have been published in peer-reviewed literature. Examples include:

Loughlin, T. R., editor. 1994. Marine mammals and the Exxon Valdez. Academic Press, Inc., San Diego. 395pp.

Moles, A., S. Rice, and B. L. Norcross. 1994. Non-avoidance of hydrocarbon laden sediments by juvenile flatfishes. Netherlands Journal of Sea Research 32 (3/4):361-367.

Wolfe, D. A., M. J. Hameedi, J. A. Galt, G. Watabayashi, J. Short, C. O'Claire, S. Rice, J. Michel, J. R. Payne, J. Braddock, S. Hanna, and D. Sale. 1994. The fate of the oil spilled from the Exxon Valdez. Environmental Science and Technology 28(13):561-568.

IV. PROVIDE MORE OPEN COMPETITION FOR RESTORATION PROJECTS:

A. In the Restoration Plan, the Council adopted a policy to encourage competition. A majority of the Council's restoration projects have been undertaken by State or Federal agencies. However, the number of competitive contract awarded to

April 17, 1995

nongovernmental agencies has increased each year. In the Restoration Plan, the Council adopted a policy to encourage active participation from individuals and groups to generate new project ideas and to implement projects.

B. In FY 95, the Council tested two competitive procurement methods. Before FY 95, there was little competition in generating ideas for projects to propose to the Council for funding. In developing the FY 95 work plan, the Council staff tested two competitive procurement techniques in order to generate innovative project ideas:

1. Federal Broad Agency Announcement. In May 1994, the National Oceanic and Atmospheric Administration (NOAA) issued a Broad Agency Announcement (BAA, FAC 90-4, Part 35) on behalf of the Council for research into the recovery problems of pelagic feeding marine mammals and seabirds.
2. State of Alaska Multi-step Sealed Proposal. In May 1994, the Alaska Department of Fish and Game (ADF&G) issued a multi-step sealed proposal (AS 36.30.265) to investigate the role of disease in the mortalities of Pacific herring in Prince William Sound. The first step consisted of expressions of interest and unpriced technical proposals; the second step consisted of a request for proposals issued to qualified respondents.

In response to the BAA, four proposals were submitted. The Council subsequently funded two of the proposed projects. The Council found the BAA process to be an effective method to generate new approaches for restoration. The Council also found that the BAA process is easily integrated into the proposal review process.

In response to the State's request for expressions of interest for the Pacific herring project, ADF&G received responses from five firms, three of which were considered qualified to compete in the second phase. The three firms then submitted a unified proposal, which was accepted. The Council also found this system to be an effective, though time-consuming, method to generate new ideas for restoration.

C. In FY 96, the Council will open all research and monitoring topics to competition. In conjunction with the Invitation to Submit Restoration Proposals for FY 96, NOAA issued a BAA on behalf of the Council requesting proposals for any of

April 17, 1995

the research or monitoring topics identified in the invitation as well as selected general restoration projects. If a proposal submitted under the BAA is favorably reviewed and the Council decides to fund it, NOAA has the option of proceeding directly to a contract with the proposer. In some cases, the Council may recommend further competitive solicitation.

D. Agencies frequently implement projects, or portions of projects, through competitively-bid contracts. Recent examples include:

Project 94163, Forage Fish Influence on Injured Species, University of Alaska, \$350,000.

Project 94507, Symposium Proceedings Publication, American Fisheries Society, \$69,000.

Project 95115, Sound Waste Management Plan, Ross & Associates, \$208,202.

V. IMPROVE INTERNAL CONTROLS:

A. The Council has authorized funding for an independent external audit. Each of the Federal agencies and the State of Alaska have approved audit functions that are conducted in accordance with established policy. In addition, the Council has approved funding for an independent external audit of the restoration program.

In preparation for the audit, the Council retained an independent accounting firm to produce a report outlining the revenues, disbursements, fees, and changes in the Joint Trust Account balance. The report, "Statement of Revenue, Disbursements and fees and Changes in Joint Trust Account Balance," provided an accounting of activities from inception of the Joint Trust through the month ending December 31, 1994.

Currently, the Council staff is drafting a professional services agreement to request assistance in the preparation of a formal Request for Proposals (RFP). Because this represents the first external audit undertaken by the Council, the contractor will clearly define specific audit requirements and assess the needs of the Council relative to the audit. Upon completion of the audit requirement and needs assessment, an RFP will be released.

April 17, 1995

B. The Council has adopted financial operating procedures. These financial operating procedures require that trustee agencies maintain accountability for the expenditure of Exxon settlement funds. This recognizes that each of the trustee agencies has adopted sound internal controls.

C. The executive director submits to the Council quarterly reports on financial activities and the status of projects. Oversight of financial activity is accomplished through quarterly reporting of actual expenditures. Concurrently, trustee agencies report project status in relationship to the milestones that were identified in their proposals. The information is then compiled and reports are submitted to the Council. The goal of the quarterly report is to alert the Council to potential problems.

D. The Council has directed the executive director to make recommendations on projects, following independent review by Council staff. The GAO report noted that the same agencies propose, review, approve, and carry out projects. In November 1993, the Council appointed an executive director to develop draft work plans and recommend projects for Council approval, among other duties.

The work plan process begins with an invitation to submit proposals. A host of organizations propose projects, including State and Federal agencies, as well as private and nonprofit organizations. Proposals are reviewed by expert peer reviewers, the chief scientist and legal counsel, as well as trustee agencies. Based on scientific, legal, and financial analysis, the executive director develops a draft work plan. After review by the Public Advisory Group and the general public, the executive director makes her recommendations to the Council. When the Council approves a project, it also assigns the project to a trustee agency for implementation. However, the executive director continues to oversee program execution.

VI. CONCLUSION

As outlined above, the Council has completed all four actions recommended in the GAO report. Specifically, it has completed restoration and land acquisition plans, required more timely and better quality reports, provided more open competition for restoration projects, and improved internal controls. Within the next year, the Council expects to complete several additional land purchase agreements, receive all overdue final reports, and complete an external audit.

Status of Recommended Actions

April 14, 1995

Status of Land Acquisitions

April 4, 1995

Completed Transactions		Trust Fund
* Kachemak Bay State Park Inholdings	23,800 ac.	\$7,500,000
Seal Bay / Tonki Cape	41,549 ac.	\$38,700,100
Orca Narrows Timber Rights	2,052 ac.	\$3,450,000
Total:	67,401 ac.	\$49,650,100
Agreements Reached		
* Akhiok - Kaguyak, Inc.	119,885 ac.	\$36,000,000
* Koniag	115,739 ac.	\$21,500,000
Old Harbor	32,100 ac.	\$11,250,000
Total:	267,724 ac.	\$68,750,000
Offers		
Afognak Joint Venture	48,728 ac.	≤\$70,000,000
* Chenega	74,554 ac.	≤\$38,000,000
Eyak - Core Parcels	13,700 ac.	≤\$21,000,000
Shuyak Island	25,665 ac.	≤\$42,000,000
* Tatitlek	56,785 ac.	≤\$12,000,000
Total:	219,432 ac.	≤\$183,000,000
Negotiations Continuing		
English Bay	49,300 ac.	
Eyak - Orca Revised and Other Lands	49,700 ac.	
Port Graham	46,170 ac.	
Total:	145,170 ac.	

* Trust funds were combined with other sources to purchase these parcels. Acreage shown is for the entire parcel.

bcc: EVOSTC/MMcCammon

FWP/DSakura

SOL/B Roth

PMB/DWilliams

FWP/MKimbro

GAO/LHamner (FAX 512-8354)

FWP:MKIMBRO:04-17-95:filename EXXONVAL.GAO

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MAY 18 1995

Office of
United States Attorney
Anchorage, Alaska

FILED

MAY 17 1995

UNITED STATES DISTRICT COURT
DISTRICT OF ALASKA

By Yh Deputy

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

UNITED STATES OF AMERICA,
Plaintiff,

vs.

STATE OF ALASKA,

Defendant and
Counterclaimant.

No. A91-0081 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

20
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 Yniguez
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

12
13
14
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.

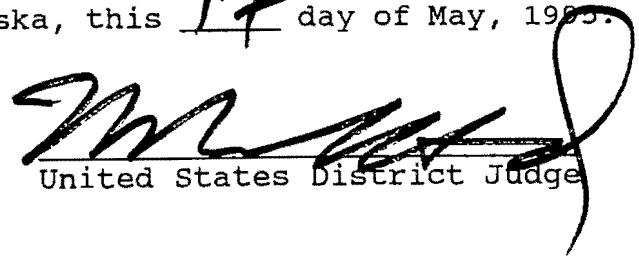
20 ¹³ In exercising its discretionary decision on the issue of
21 permissive intervention, the court may also consider other relevant
22 factors such as standing. Spangler v. Pasadena City Bd. of Ed., 552
23 F.2d 1326 (9th Cir. 1977). "An organization has standing to sue in
24 its own right if the associational ties of its members are injured."
25 E.E.O.C. v. Nevada Resort Ass'n, 792 F.2d 882, 885 (9th Cir. 1986)
26 (citation omitted). "[T]he 'injury in fact' test requires more than
an injury to a cognizable interest. It requires that the party
seeking review be himself among the injured." Lujan v. Defenders
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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Conclusion

For the above stated reasons, the motions to intervene in Case Nos. A91-0081, A91-0082, and A91-0083 are denied. The underlying motions to compel will not be considered.

DATED at Anchorage, Alaska, this 17 day of May, 1985.


United States District Judge

A91-0081--CV (HRH)

B. HERMAN (AG-STE-200)

J. BOTTINI (US-ATTY)

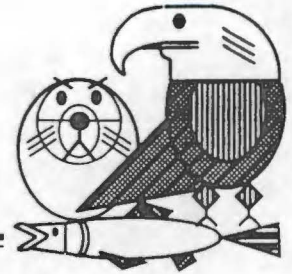
COASTALCOALITION

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: Cathy @ G. Frampton's Office
Renée @ P. Janik's Office
Barbara @ S. Pennoyer's Office for Bill Hines
Carla @ F. Rue's Office
Santé @ M. Brown's Office for Ernie Piper
Vicki @ C. Tillery's Office
Jennie @ D. Williams' Office

From: Tami Yockey
Exxon Valdez Restoration Office

Date: January 11, 1996

Subj: Scheduling of Next Trustee Council Meeting

MAX COMPLETE

The teleconference for Friday, January 12, at 2pm is **on**. I will set up a conference call and the operator will call each TC member at their office. If your TC member will be at a number other than the usual office number, please call me tomorrow morning with the new number.

Thank you.

cc: B. Roth
D. Sakura

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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[36] 2787022

D.WILLIAMS
JUNEAU OFFICE
P.JANIK
B.BOTELHO
G.FRAMPTON
S.PENNOYER
FRANK RUE
G.BURDEN
ALEX-CRAIG

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EV Restoration

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*** ACTIVITY REPORT ***

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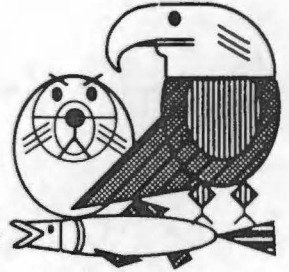
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RESULT	OK	

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



MEMORANDUM

To: Cathy @ G. Frampton's Office
Renée @ P. Janik's Office
Barbara @ S. Pennoyer's Office
Carla @ F. Rue's Office
Santé @ M. Brown's Office
Vicki @ C. Tillery's Office
Jennie @ D. Williams' Office
Ginny

From: Tami Yockey
Exxon Valdez Restoration Office

Date: January 11, 1996

Subj: Scheduling of Next Trustee Council Meeting

TAX COMPLETE

The Trustee Council meeting scheduled for January 30 has been postponed. We are now looking at February 12 or 13. The meeting location has not yet been decided.

Please contact me regarding the availability of your TC member for these dates.

Thank you.

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.

3708

INCOMPLETE TX/RX

TRANSACTION OK

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B. BOTELHO

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G. FRAMPTON

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S. PENNOYER

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FRANK RUE

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G. BURDEN

[36] 2787022

ALEX-CRAIG

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D. WILLIAMS

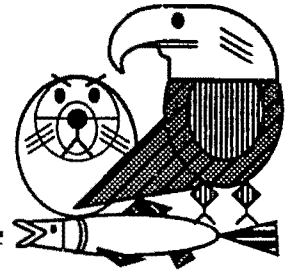
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Exxon Valdez Oil Spill Trustee Council

Restoration Office

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

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



January 11, 1996

B.L. Goatcher, Coastal Management Biologist
Katmai National Park and Preserve
202 Center Avenue, #201
Kodiak, Alaska 99615-6312

Dear Mr. Goatcher:

The *Exxon Valdez* Trustee Council acted upon deferred projects for the Fiscal Year 1996 Work Plan at their meeting on December 11, 1995. I am pleased to inform you that the Trustee Council approved funds for Project 96161, Differentiation and Interchange of Harlequin Duck Populations Within the North Pacific. The Trustee Council approved the project, including the following recommendation from the Executive Director:


Fund. This project has been recast with an emphasis on genetics as a way to look at the population structure and interchange among harlequin ducks in the northern Gulf of Alaska. This information will contribute to restoration and management goals in Prince William Sound and elsewhere in the oil-spill area.

We have your revised Detailed Project Description and budget for Project 96161. Following additional scientific review of the revised DPD, and documentation that the requirements of the National Environmental Policy Act have been met, you will receive authorization from the Executive Director for use of the funds approved on December 11th.

For your information, I am enclosing a spreadsheet that summarizes Trustee Council action on the FY 96 Work Plan.

Thank you for your participation in the *Exxon Valdez* oil spill restoration program. We appreciate your continued interest, and look forward to working with you this coming year.

Sincerely,


Molly McCammon
Executive Director

Enclosure

cc: Catherine Berg, DOI Liaison
Bud Rice, NPS
Lisa Thomas, NBS

Trustee Agencies

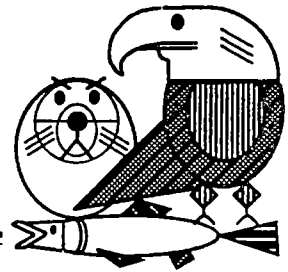
State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation
United States: National Oceanic and Atmospheric Administration, Departments of Agriculture and Interior

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



January 11, 1996

Craig O. Matkin
North Gulf Oceanic Society
P.O. Box 15244
Homer, Alaska 99603

Dear Craig:

The *Exxon Valdez* Trustee Council acted upon deferred projects for the Fiscal Year 1996 Work Plan at their meeting on December 11, 1995. I am pleased to inform you that the Trustee Council approved additional funds for Project 96012A, Comprehensive Killer Whale Investigation in Prince William Sound, Alaska. The Trustee Council approved the project, including the following recommendation from the Executive Director:

Fund December increment to accomplish limited monitoring in FY 1996. There continues to be great interest in the status of killer whales, especially the AB pod, in Prince William Sound. However, any commitments of Trustee funds beyond FY 1996 should be contingent on a thorough review of the recovery status of killer whales during the winter.

Following final review of the revised Detailed Project Description which you submitted in November, I will authorize the National Oceanic and Atmospheric Administration to enter into a contract with the North Gulf Oceanic Society to carry out Project 96012A.

For your information, I am enclosing a spreadsheet that summarizes Trustee Council action on the FY 96 Work Plan.

Thank you for your participation in the *Exxon Valdez* oil spill restoration program. We appreciate your continued interest, and look forward to working with you this coming year.

Sincerely,

A handwritten signature in cursive script, reading "Molly McCammon". The signature is fluid and extends to the right.

Molly McCammon
Executive Director

Enclosure

cc: Byron Morris/Bruce Wright

Trustee Agencies

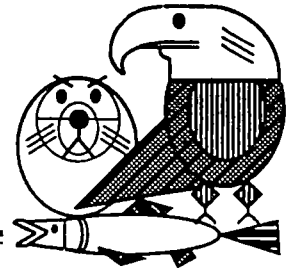
State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation
United States: National Oceanic and Atmospheric Administration, Departments of Agriculture and Interior

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



January 11, 1996

Dr. Joseph R. Sullivan
Alaska Department of Fish and Game
333 Raspberry Road
Anchorage, Alaska 99518

Dear Joe:

On December 11, 1995, the *Exxon Valdez* Oil Spill Trustee Council acted on your proposal for the FY 1996 Work Plan: Project 96164, Pacific Herring Projects Coordination. This letter is to inform you that the Trustee Council accepted the following Executive Director's recommendation:

Do not fund. With little prospect that ADF&G will take over the future role expected of this project and with herring research on track under the guidance of the peer review policy, Trustee Council funding is not necessary.

To implement this action by the Trustee Council, the \$49,200 approved for this project last August has been withdrawn by decreasing the authorizations requested from the Federal District Court and the Legislative Budget and Audit Committee.

Sincerely,

A handwritten signature in cursive script, reading "Molly McCammon". The signature is written in black ink.

Molly McCammon
Executive Director

cc: Bob Clasby, CFMD Div. Director

Trustee Agencies

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

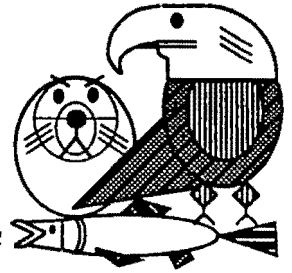
United States: National Oceanic and Atmospheric Administration, Departments of Agriculture and Interior

Exxon Valdez Oil Spill Trustee Council

Restoration Office

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

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



January 11, 1996

Mr. Dan Rosenberg
Division of Wildlife Conservation
Alaska Department of Fish and Game
333 Raspberry Road
Anchorage, Alaska 99518

Dear Dan:

The *Exxon Valdez* Trustee Council acted upon deferred projects for the Fiscal Year 1996 Work Plan at their meeting on December 11, 1995. I am pleased to inform you that the Trustee Council approved funds for Project 96427, Harlequin Duck Recovery Monitoring. The Trustee Council approved the project, including the following recommendation from the Executive Director:

Fund. Late report (B11) now submitted. This project continues basic assessment of recovery status of harlequin ducks in Prince William Sound.

All review and NEPA analysis have been completed on this project. You therefore have my authorization to proceed with the deferred portion of the project consistent with the Trustee Council's approval. However, funds administered by the Trustee Council may not be spent by a state agency unless approved by the Legislative Budget and Audit Committee (LB&A). The committee was scheduled to consider the Trustee Council's December authorizations on January 8th, but deferred action until some as yet undetermined date. Please contact Joe Sullivan, the ADF&G liaison, if you have questions about LB&A approval.

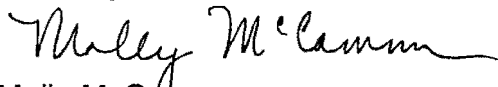
For your information, I am enclosing a spreadsheet that summarizes Trustee Council action on the FY 96 Work Plan.

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

Thank you for your participation in the *Exxon Valdez* oil spill restoration program. We appreciate your continued interest, and look forward to working with you this coming year.

Sincerely,

A handwritten signature in cursive script that reads "Molly McCammon".

Molly McCammon
Executive Director

Enclosure

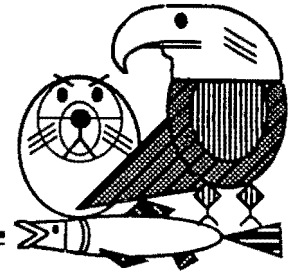
cc: Tom Rothe, Project Leader
Joe Sullivan, ADF&G Liaison

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



January 11, 1996

Dr. David Duffy
Alaska Natural Heritage Program
Environmental and Natural Resources Institute
University of Alaska Anchorage
Anchorage, Alaska 99501

Dear David:

The *Exxon Valdez* Trustee Council acted upon deferred projects for the Fiscal Year 1996 Work Plan at their meeting on December 11, 1995. I am pleased to inform you that the Trustee Council approved additional funds for 96163, Apex Predator Ecosystem Experiment. The Trustee Council approved the project including the following recommendation from the Executive Director:

Fund. The pilot effort in FY 1995 has shown a link between forage fish and seabird productivity. The scientific reviewers are enthusiastic about the prospect that this work will yield results that are of benefit to the marine ecosystem in Prince William Sound and the northern Gulf of Alaska.

Because the project has changed substantially from the original submission, please submit a revised integrated, Detailed Project Description and budget. The revised DPD should be responsive to the recommendations of the Chief Scientist in his memorandum dated January 4, 1996. Following scientific and budgetary review, and documentation that the requirements of the National Environmental Policy Act have been satisfied, you will receive authorization from the Executive Director for use of the funds approved on December 11th.

For your information, I am enclosing a spreadsheet that summarizes Trustee Council action on the FY 96 Work Plan.

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

Thank you for your participation in the *Exxon Valdez* oil spill restoration program. We appreciate your continued interest, and look forward to working with you this coming year.

Sincerely,

A handwritten signature in cursive script, reading "Molly McCammon". The signature is written in dark ink and has a fluid, connected style.

Molly McCammon
Executive Director

Enclosure

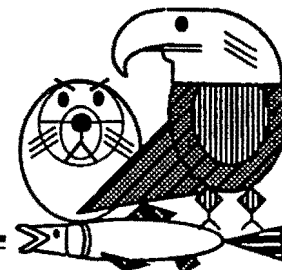
cc: Byron Morris, NMFS Liaison
Bruce Wright, NMFS
Catherine Berg, DOI Liaison
Dave Irons, USFWS

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



January 11, 1996

Dr. Gary Marty
Dept. of Anatomy, Physiology & Cell Biology
School of Veterinary Medicine
University of California
Davis, California 95616

Dr. R.M. Kocan
School of Fisheries HF-15
University of Washington
Seattle, Washington 98195

Dr. Christopher J. Kennedy
Dept. of Biological Sciences
Simon Fraser University
Burnaby, BC
Canada V5A 1S6

Dear Drs. Marty, Kocan, and Kennedy:

The *Exxon Valdez* Trustee Council acted upon deferred projects for the Fiscal Year 1996 Work Plan at their meeting on December 11, 1995. I am pleased to inform you that the Trustee Council approved funds for Project 96162, Investigations of Disease Factors Affecting Declines of Pacific Herring Populations in Prince William Sound, Alaska. The Trustee Council approved the project, including the following recommendation from the Executive Director:

Fund. Project is designed to investigate potential link between oil exposure and disease, and between disease and the herring population decline in PWS. Understanding the causes of the decline and the lack of recovery is important for restoration and resumption of the herring fishery.

All scientific review and NEPA analysis have been completed on this project. Therefore, by this letter ADF&G has my authorization to enter into a contact with you to proceed with the deferred portion of the project consistent with the Trustee Council's approval. However, there may be a delay in ADF&G actually receiving the funds approved by the Trustee Council for your project. Funds administered by the Trustee Council may not be spent by a state agency unless approved by the Legislative Budget and Audit Committee (LB&A). The committee has not yet taken action on the Trustee Council's December authorization but I am hopeful a meeting to do so will be scheduled soon. Please contact Joe Sullivan, the ADF&F liaison, if you have questions about LB&A approval.

For your information, I am enclosing a spreadsheet that summarizes Trustee Council action on the FY 96 Work Plan.

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

Thank you for your participation in the *Exxon Valdez* oil spill restoration program. We appreciate your continued interest, and look forward to working with you this coming year.

Sincerely,

A handwritten signature in cursive script that reads "Molly McCommon".

Molly McCommon
Executive Director

Enclosure

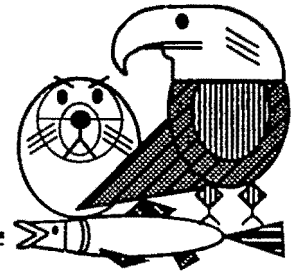
cc: Joe Sullivan, ADF&G Liaison

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



January 11, 1996

Mark Willette
Alaska Department of Fish and Game
401 Railroad Avenue
P.O. Box 669
Cordova, Alaska 99574-0669

Dear Mark:

The *Exxon Valdez* Trustee Council acted upon deferred projects for the Fiscal Year 1996 Work Plan at their meeting on December 11, 1995. I am pleased to inform you that the Trustee Council approved additional funds for Project 96166, Herring Natal Habitats. The Trustee Council approved the project, including the following recommendation from the Executive Director:

Fund for FY 96 contingent upon expectation that project begins a transition to non-Trustee funding sources beginning in FY 97. Project's major objective is to improve estimate of spawning biomass of herring. This information is needed to establish harvest levels and guidelines that allow restoration to occur and to sustain a healthy fishery.

All scientific review and NEPA analysis have been completed on this project. You therefore have my authorization to proceed with the deferred portion of the project consistent with the Trustee Council's approval. However, funds administered by the Trustee Council may not be spent by a state agency unless approved by the Legislative Budget and Audit Committee (LB&A). The committee was scheduled to consider the Trustee Council's December authorizations on January 8th, but deferred action until some as yet undetermined date. Please contact Joe Sullivan, the ADF&G liaison, if you have questions about LB&A approval.

There is one additional consideration in the case of Project 96166, which is the expectation that a transition to non-Trustee funding sources will begin in FY 1997. Currently we project Trustee funding of \$300,000 in FY 1997, \$150,000 in FY 1998, and zero in FY 1999. These projections are "placeholders" for planning purposes, and, obviously, there are many considerations, including the status of recovery of the Prince William Sound herring population and the level of funds provided by the State Legislature to the department. It is important, however, that ADF&G and the Restoration Office begin a discussion about a transition of this herring work to non-Trustee funding. To that end, we invite the department to prepare a memorandum outlining its views about such a transition. This memorandum can then serve as a basis for discussions about the herring budgets for FY 1997 and beyond.

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

For your information, I am enclosing a spreadsheet that summarizes Trustee Council action on the FY 96 Work Plan.

Thank you for your participation in the *Exxon Valdez* oil spill restoration program. We appreciate your continued interest, and look forward to working with you this coming year.

Sincerely,



Molly McCammon
Executive Director

Enclosure

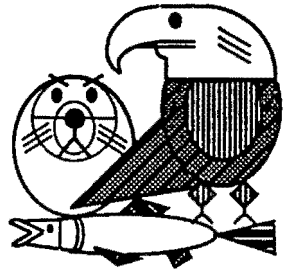
cc: Joe Sullivan, ADF&G Liaison
Bob Clasby, CFMD Div. Director

Exxon Valdez Oil Spill Trustee Council

Restoration Office

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

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



MEMORANDUM

To: Trustee Council Members
From: Molly McCammon, Executive Director
Date: January 5, 1996
Subj: 1996 Restoration Workshop

At our December meeting I reported on progress in setting up the annual Restoration Workshop, which is scheduled for January 16-18, 1996. Plans for the workshop are now in place.

For your information, I have enclosed the most recent draft of the agenda, the abstracts of projects carried out in the FY 1995 Work Plan, and the final FY 1996 Work Plan. Please note that two Trustees, Frank Rue and Steve Pennoyer, are scheduled to give short talks on the afternoon of the 16th. However, each of you is welcome and encouraged to attend and participate.

Please call me if you will be able to attend. As of today, more than 140 people are preregistered, and we expect about 200 people in attendance.

Thank you.

enclosures (5)
cc: Legal Counsel

Trustee Agencies

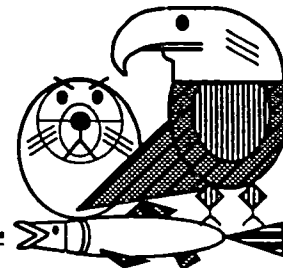
State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation
United States: National Oceanic and Atmospheric Administration, Departments of Agriculture and Interior

Exxon Valdez Oil Spill Trustee Council

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Thank you.

enclosures (5)
cc: Legal Counsel

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

1996 RESTORATION WORKSHOP

Exxon Valdez Oil Spill Trustee Council

January 16 – 18
Anchorage, Alaska

WHAT: You are invited to participate in the third annual
Exxon Valdez Oil Spill Restoration Workshop.

WHO: Restoration Project Leaders and Principal Investigators
Restoration Work Force and Liaisons
Public Advisory Group
Interested Members of the Public

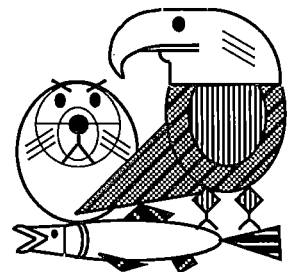
IMPORTANT!! Call the Restoration Office at 907/278-8012
NOW to pre-register in order to assure you have a place
at the workshop. Registration deadline is noon on January 12.

WHEN: January 16 – 18, 1996

WHERE: Hotel Captain Cook, Anchorage, Alaska

To make hotel reservations from inside Alaska call
1-800-478-3100. From outside Alaska call 1-800-843-1950.

Workshop hotel room rates are \$75 single/
\$85 double. Request the EVOS Trustee
Council Restoration Workshop rates.

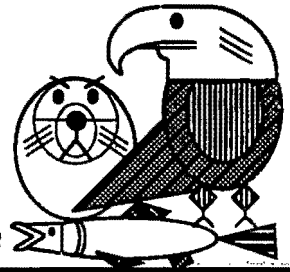


Exxon Valdez Oil Spill Trustee Council

Restoration Office

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

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



COMMUNITY INVOLVEMENT COORDINATOR HIRED

The Trustee Council has contracted with the Chugach Regional Resources Commission to hire Martha Vlasoff as Community Coordinator to maintain and enhance communications with the communities impacted by the oil spill.

Martha's responsibilities will include increasing the involvement of community residents in the restoration effort. She will work to inform spill area residents regarding on-going research projects, serving as liaison between project investigators, government agencies, the Restoration Office staff, and the Trustee Council. Martha will also be working with the Alaska Department of Fish and Game to integrate local traditional knowledge into the restoration program.

Martha will work with local community facilitators who have been hired in Port Graham (Walter Meganack, Jr.), Tatitlek (Gary Kompkoff), and Chenega (Mike Eleshansky), along with additional facilitators to be hired in Cordova, Nanwalek, Seward, and Valdez. Facilitators will also be recruited to represent the concerns from the Kodiak/Alaska Peninsula region. For more information, contact Martha (907/278-8012).

PUBLIC INFORMATION — RADIO SPOTS ON RESTORATION PROGRAM

The Trustee Council has contracted with Ms. Jody Seitz of Cordova to write and produce a pilot radio series on the Council's restoration program. The radio series will inform the general public statewide about the progress of research and restoration following the *Exxon Valdez* oil spill.

The pilot series will consist of 13 radio spots of 3-4 minutes each, and will be aired over the Alaska Public Radio Network. Spots are planned on harbor seals, killer whales, octopus, the pink salmon life cycle, pink salmon genetics, otolith marking, Kenai River sockeye, mussel bed recovery, *fucus*, the herring life cycle, nearshore predators, plankton, and seabirds/forage fish.

Ms. Seitz's research for the radio spots will include interviews with Principal Investigators. She will be attending the upcoming annual Restoration Workshop, and will be taking this opportunity to talk to PIs about their work and in some cases tape interviews for use as "actualities." I would appreciate your cooperation in this effort. I see it as an important means of carrying out our mission of informing the public about the progress of restoration. If the pilot is successful, I anticipate that we will be looking for funding to continue the radio series on a longer term basis.

A handwritten signature in dark ink, reading "Molly McCammon". The signature is fluid and cursive, with a long, sweeping underline.

Molly McCammon, Executive Director

S. We are still trying to come up with a name for the radio series. Contact Sandra Schubert at the Restoration Office if you have any good ideas!

Trustee Agencies

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

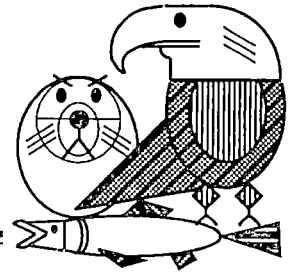
United States: National Oceanic and Atmospheric Administration, Departments of Agriculture and Interior

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: 1995 Project Leaders and Principal Investigators
Restoration Work Force and Liaisons

From: Molly McGammon
Executive Director

Date: December 7, 1995

Subj: Reminders about the 1996 Restoration Workshop

The dates of the 1996 Restoration Workshop--January 16-18--should be on your calendar by now, but here are some reminders before you are totally caught up in the Holiday Season.

The workshop will be held at the Captain Cook Hotel in Anchorage. You should make room reservations now. From Alaska, call 1-800-478-3100. From outside of Alaska, call 1-800-843-1950. Room rates are \$75 single, \$85 double. Ask for the "EVOS Trustee Restoration Workshop" or "Science Workshop" rate.

Abstracts are due now to Stan Senner, science coordinator, at the Restoration Office. Some abstracts are in, but we have not heard from many of you. I have enclosed another copy of the abstract guidelines in case you misplaced or did not receive the first set. These abstracts are crucial to the success of the meeting, so please get yours in as quickly as possible!

I have enclosed a draft agenda for the meeting. Remember that there is not enough time for each investigator to give an oral presentation. **Expect to hear from Stan Senner or the chairs of individual sessions by Friday, December 15, if you are invited to give a talk.**

Please also remember that everyone, especially people who are not giving oral presentations, are encouraged to prepare poster papers to be displayed at the meeting. There will be a special poster session and reception on the first evening of the workshop, and there should be ample opportunity to share your results with your peers. **If you have questions about posters, call Bill Hauser at ADFG (267-2172).** Another copy of the poster guidelines is enclosed.

Thank you. Have a good Holiday Season, and we look forward to seeing you at the 1996 Restoration Workshop.

enclosures (3)

mm/ss/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

GUIDELINES FOR ABSTRACTS DUE DECEMBER 8

Abstracts are invited and expected from the project leader or principal investigator for each project that received EVOS Trustee Council funding in FY 1995. Please submit no later than **December 8, 1996** to Stan Senner, Science Coordinator, at the Restoration Office, 645 G Street, Suite 400, Anchorage, AK 99501.

Abstracts should be a **maximum of one typewritten, single-spaced page**, and should include:

- (1) Project number and title;
- (2) Principal Investigators, including names, mailing addresses (for each PI, if different), and telephone number for the lead investigator;
- (3) purpose and objectives of the restoration study or project, including reference to injured resources (include scientific names for plants and animals);
- (4) study area;
- (5) brief mention of primary methods, materials, equipment (especially if not standard);
- (6) description of major results in 1995, with reference to earlier results as needed; and
- (7) summary comments that interpret or evaluate the results, especially in view of the status of the injured resource, restoration objectives, or future program directions.

These last two items are the most important, and should account for most of the substance of the abstract.

The abstract should not include detailed descriptions of experiments, organisms, and standard methods, nor references to the literature. In most cases tables and graphs will not be appropriate, but can be included if the abstract does not exceed one page.

A sample abstract is enclosed as a model.

If you have questions, please call Stan Senner at 907-278-8012.

Project Number and Title: 94166 - The impact of exposure of adult pre-spawn herring (*Clupea harengus pallasii*) on subsequent progeny

Principal Investigators: Mark G. Carls, Stanley D. Rice, and Robert E. Thomas, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, Auke Bay Laboratory, 11305 Glacier Highway, Juneau, AK 99801 (MGC telephone: 907-789-6019)

Abstract: The *Exxon Valdez* oil spill in Prince William Sound may have impaired reproduction and caused disease in herring stock. The primary objective of this laboratory study was to determine if exposure of parent fish would cause genetic damage in progeny. Reproductively ripe adult herring were exposed to oil in water to determine the presence or absence of direct toxic effects, damage to gonads, reduced resistance to disease, and genetic damage in larvae. Because it was not practical to measure germ line damage directly in the laboratory, efforts were focused on detection of chromosomal damage in the actively dividing somatic cells in the pectoral fins of larvae. Hydrocarbons accumulated in tissues of exposed herring, and mixed function oxidase activity was induced in liver tissue. Prevalence of viral hemorrhagic septicemia virus in adult herring increased as a function of oil concentration. Parental exposure to oil did not affect progeny. Parameters not affected included egg fertility, hatching success, hatch timing, embryo death, larval health (95 to 99% not moribund or dead within 24 h of hatch), larval swimming, larval abnormalities, stage of larval development at hatch, anaphase-telophase abnormalities, number of mitotic figures, number of pycnotic cells, and number of multinucleated or karyorrhectic cells.

NOTE: If you have questions or special needs, please call Bill Hauser at the Alaska Department of Fish and Game (267-2172).

POSTER DESIGN AND PREPARATION GUIDELINES

TIPS:

- Keep it simple, details are unnecessary
- Use a minimum of text and tables
- Maximize the use of illustrations and figures
- Make it self-explanatory
- Provide a logical, coherent story
- Make readable with large, bold lettering

CONTENTS:

- Title, followed by name and affiliation of the author(s)
- Abstract (upper left corner)- what, why, how, results
- Introduction- state the problem or area of investigation
- Purpose/Objectives- what you investigated
- Methods- lab techniques, experimental design, samplers
- Presentation of results- graphs, photos, art work,
- Conclusion- list findings, interpretations and implications

LAYOUT AND DESIGN (Figure 1):

- Poster area is 4 (wide)
- A 4-ft poster width can handle 3 columns (12" wide)
- For poster design see Figure 1 (enclosed)
- Place the abstract in the top left corner
- Follow with introduction, objectives, methods, etc.
- Use borders or "white" space to separate sections
- Avoid large blocks of text, leave "white" space
- "Block" main points comparable to "slides" in oral talks

TEXT AND READABILITY: (Figure 2)

- Title, use letters (caps) about 1" high
- Authors, affiliations, and text letters about 2/3" high
- Use a bold typeface (gothic, helvetica bold, megaron)
- All text should be easily read from a distance of 5 feet

ILLUSTRATIONS:

- Maximize the use of figures
- Minimize the use of tables, particularly complex ones
- Keep the figures simple and use bold lines and symbols
- Label (interpret) each figure with a "take-home" message

PRODUCTION METHODS:

- An array of microcomputer graphics programs are available
- Please use high quality printers (i.e., laser printers)
- Typesetting is expensive, but offers high quality results
- Enlargements or reductions by photocopiers or photography
- Kroytype machines and press-on lettering is acceptable

ASSEMBLY METHODS:

- Displays mounted on foamcore poster board are attractive
- Blocks of panels each 12 x 12" can be easily transported
- Titles can be scored and folded into 2-3 pieces
- Unmounted displays can be rolled up for convenient transport
- Please bring your own attachment supplies and materials
- Push pins, tacks, adhesive tape, velcro ribbon

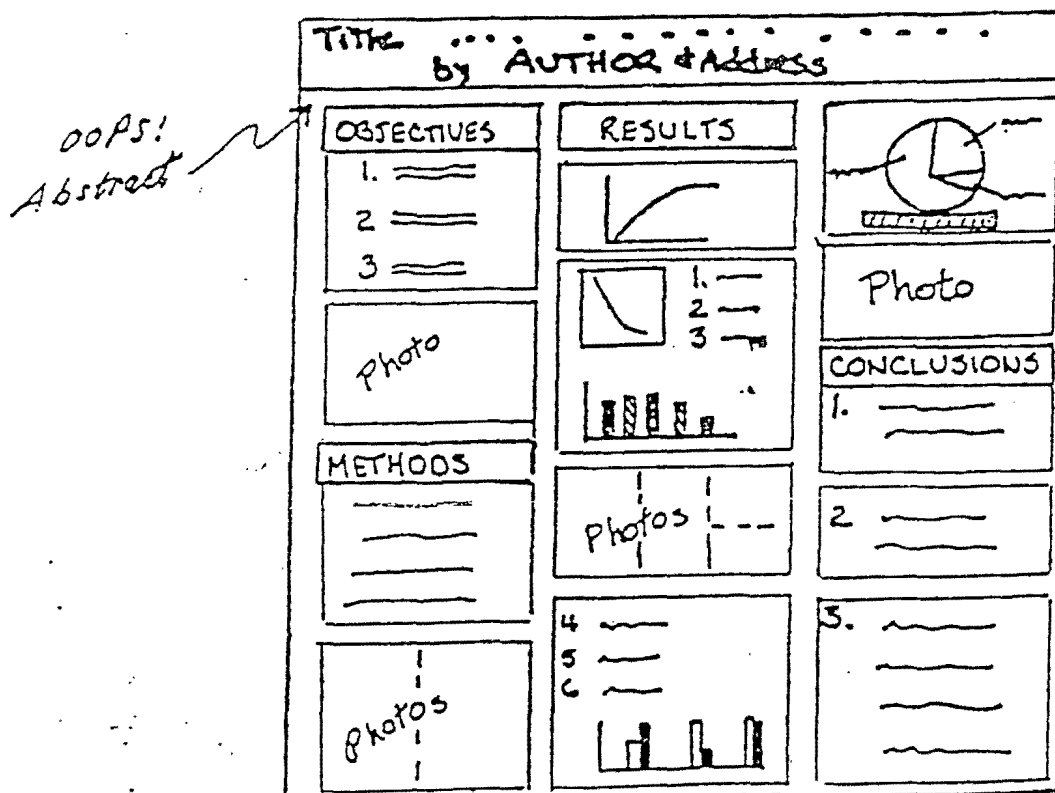
USE OF COLOR:

- Color will enhance poster readability and attractiveness
- Use colored backing paper to highlight and separate sections
- Color tape and yarn can connect/highlight key points
- Add color with markers, tape, yarn, backing paper

ADDITIONAL CONSIDERATIONS:

- No electrical outlets or extra space will be provided
- Please assemble and disassemble your poster on time

FIGURE 1. Sample poster design and layout.



Acknowledgements: L. A. Helfrich, B. A. LaFleur, and J. A. Rice

DRAFT

Agenda

DRAFT

Restoration Retreat
Westcoast International Inn
3333 West International Airport Road
243-2233

Tuesday - January 9, 1996

8:00 AM - 12:00 PM Administrative Items

- Role of Restoration Office
 - Overall Restoration Program
 - Science Program
 - Habitat
 - OSPIC
- Role of Trustee Council Agencies
 - Liaisons
 - Program Management
 - Principal Investigators
- Agency Funding
 - Administrative Support Needs
 - Program Management
 - General Administration
 - Definitions of Direct/Indirect Costs
- FY 97 Detailed Project Descriptions
- FY 97 Budget Instructions

12:00 PM - 1:00 PM Lunch on your own

1:00 PM - 5:00 PM

- The restoration stories to be told
 - Resource injury, status, recovery
 - Restoration process
 - Ecosystem links
- How to tell the stories
 - Scientific Community
 - Scientific conferences
 - Articles in non-Trustee, peer-reviewed literature
 - National Research Council review
 - Research "fellowships"
 - Other

Page 2 - Agenda for Restoration Retreat
January 9, 1996

Public

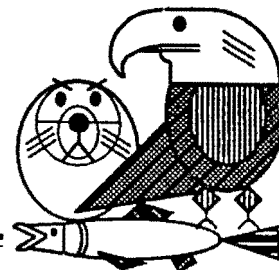
- March 24th Anniversary
- Radio Programs
- OSPIC
- Newspapers and Other Printed Media
- Written Synthesis/Report
- Other

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: Cassie Tadsen/NBS - Project Manager
FROM: Eric F. Myers, Director of Operations
DATE: January 5, 1996
SUBJ: NBS Contract — Authorization to Proceed

The purpose of this memorandum is to provide written authorization to proceed with further work (stage two) on the NBS contract consistent with the scope of Services to be Performed described in Contract IHP - 96 - 018.

Background: As provided for under Appendix D - Financial Consideration, services provided by NBS are to be executed in two stages. The contract provides that the first stage, not to exceed 11 hours (\$935), is to cover work through the initial Progress Conference. The contract provides that no work will be undertaken beyond the first stage without the written consent of the Project Director.

On January 5, 1996 NBS project staff met with the Project Director and other Restoration Office representatives to report on the findings of the first stage audit work. A memorandum from NBS dated January 2, 1995 was reviewed that summarized the findings of the audit and recommendations regarding further work (copy attached). In addition, two three ring binders of materials providing documentation of the existing network system was provided to the Restoration Office. (The two volumes included: *EVOS Trustee Council At A Glance*, prepared December 21, 1995, and *General Hardware Documentation*, prepared December 20, 1995.)

At the January 5 meeting the audit findings were reviewed and additional priority work was work identified by the NBS project team. Based on that review, the Project Director indicated that work should proceed. This memorandum provides the formal written authorization required by the contract.


Eric F. Myers, Project Director

Date: 1/5/96

attachment

cc: Debbie Boyd/ADFG

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

FAX TRANSMITTAL

TO: Eric F. Myers, Director of Operations
Exxon Valdez Oil Spill Trustee Council

Jan. 2, 1996

FAX: 276-7178
PHONE: 278-8012

FROM: Rob Lapham

SUBJECT: LAN evaluation -- audit and recommendations

Cover + 0

We are ready to participate in the progress conference scheduled for Jan. 5.

Resulting from our meeting Dec. 27 and from the audit and from inspection and evaluation by our service manager, there are some tasks which ought to be performed immediately, both from a system reliability perspective and in order to pin down with greater certainty the labor hours we will need to expend. We estimate we can perform the tasks identified within approximately 20 hours and at our meeting will ask for your approval to proceed with the following:

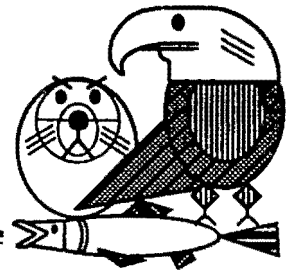
1. The tape backup unit is disconnected and in a cabinet. This should be brought on-line and a complete tape backup run both to test that the hardware and software is working properly and to give you the backup you need.
2. Your system hard drive is unstable; it has dismounted 23 times in 3 months. At our meeting we will recommend a replacement drive controller and one or two drives so that if the primary drive fails the system will remain up. The existing drive would be used to support an enhanced archiving capability.
3. Four workstations on the 4th floor have insufficient memory and disk space to run Windows 95. We need to take the covers off these computers to inspect and determine the correct part number for the RAM chips to be ordered. We also want to review with users the programs on their workstation hard drives that may be deleted.
4. Our system audit did not include the three workstations on the 1st floor; we need to inspect and document these workstations.
5. We need to catalog and inventory all software for which we have installation responsibility and compare this to the draft you attached to the RFP. This includes identification of all software acquired under the recent D.O.s. We ask you to verify that all such software is located in the room with your file server or in the room you have assigned as our technician's room (or will be placed there).
6. We have a complete list of directories on your file server but need to understand which of these, plus programs and files will be kept and which not. (Example: currently there are home directories for 70 users.)

Exxon Valdez Oil Spill Trustee Council

Restoration Office

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



MEMORANDUM

To: Public Advisory Group Members
From: Molly McCammon, Executive Director
Date: January 5, 1996
Subj: 1996 Restoration Workshop

At our December meeting I reported on progress in setting up the annual Restoration Workshop, which is scheduled for January 16-18, 1996. Plans for the workshop are now in place.

For your information, I have enclosed the most recent draft of the agenda, the abstracts of projects carried out in the FY 1995 Work Plan, and the final FY 1996 Work Plan. Several PAG members have indicated that they are planning to attend the workshop, and each of you is welcome and encouraged to attend and participate.

Please call the Restoration Office no later than January 12 to preregister. As of today, more than 140 people are preregistered, and we expect about 200 people in attendance.

Thank you. Please let me, Stan Senner, or LJ Evans know if you have any questions about the workshop.

enclosures (5)
cc: Legal Counsel

Trustee Agencies

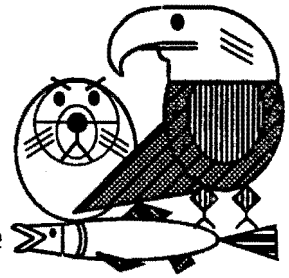
State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation
United States: National Oceanic and Atmospheric Administration, Departments of Agriculture and Interior

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



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From: Molly McCammon, Executive Director
Date: January 5, 1996
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Thank you.

enclosures (5)

cc: Legal Counsel

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: Restoration Work Force

FROM: Molly McCammon
Executive Director

RE: Restoration Retreat

DATE: January 5, 1996

REMINDER: Restoration Retreat is still scheduled for Tuesday, January 9. Attached is a revised agenda. Just a few notes: if a substantial group of us get weathered into Juneau (we'll be there for Monday's LB&A Committee meeting), we will have to hold the retreat by teleconference, in which case the Anchorage location will be the 4th floor Simpson Building. But go to the West Coast International first. Also, a few Public Advisory Group members and several of the Coordinating Committee members will also be observing/participating.

If you have any questions, call me, Stan or Eric. See you Tuesday.

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

Agenda

DRAFT

Restoration Retreat
Westcoast International Inn
3333 West International Airport Road
243-2233

Tuesday - January 9, 1996

8:00 AM - 12:00 PM Administrative Items

• **8:00 AM - 9:00 AM**

- Respective Roles of Restoration Office & Trustee Agencies (Molly)

• **9:00 AM - 11:00 AM -**

- Agency Support (Traci)
 - Administrative Support Needs
 - Program Management
 - General Administration
 - Definitions of Direct/Indirect Costs

• **11:00 AM - 12:00 PM -**

- Misc. Housekeeping Issues (Sandra)
 - FY 97 Detailed Project Descriptions
 - FY 97 Budget Instructions
 - Other

12:00 PM - 1:00 PM Lunch on your own

1:00 PM - 5:00 PM

- The Restoration Stories to be Told (Stan and Bob Spies)
 - Resource injury, status, recovery
 - Restoration process
 - Ecosystem links
- How to Tell the Stories (Stan and Bob Spies)
 - Scientific Community
 - Resource Managers
 - Public

*** MULTI TRANSACTION REPORT ***

TX/RX NO.

3581

INCOMPLETE TX/RX

TRANSACTION OK

[09] 19075867589

JUNEAU OFFICE

[10] 19075867555

D.GIBBONS

[12] 15036366335

PHIL MUNDY

[13] 19077896608

MORRIS-WRIGHT

[15] 2698918

CAROL FRIES

[16] 2672450

RITA MIRAGLIA

[17] 2713992

R.THOMPSON

[18] 2672474

J.SULLIVAN

[19] 7863636

L.BARTELS

[20] 7863350

C.BERG

[21] 2572517

B.RICE

[24] 2697652

E.PIPER

[35] 15103737834

B.SPIES

[38] 2715827

G.BELT

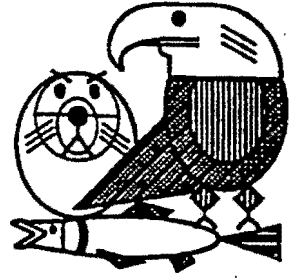
ERROR

Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 "G" Street, Anchorage, AK 99501

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



MEMORANDUM

TO: Max Mertz
FROM: *Traci Cramer*
Traci Cramer
Administrative Officer

DATE: January 5, 1996

RE: Billing Statements

This memorandum is a follow-up to our telephone conversation regarding the attached billing statement dated November 26, 1995. As we discussed, it would be appropriate if back-up documentation is provided that includes sufficient information to determine if the payment represents expenses for personnel (including the employees, their time and hourly rate), travel or other expenses.

As the project director, I am responsible for ensuring that any payment is consistent with the terms of the contract. Receipt of the requested documentation will allow confirmation that the rates quoted in the proposal are being utilized and that other expenses included in the billing are applicable to the work being performed.

It has also come to my attention that the contract required a progress report be submitted on a monthly basis. While it is recognized that progress information is being communicated verbally, the contract does require the submission of a report. Further discussion on this requirement is necessary. Options include amending the contract to remove this requirement or require that monthly progress reports be submitted.

Regardless, based on your assurance that the back-up documentation will be forthcoming, I have approved payment of the invoice.

cc: Molly McCammon
Debbie Boyd

Trustee Agencies

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

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

Billing Statement

ELGEE, REHFELD & FUNK, CPA'S
9309 GLACIER HWY., B 200
JUNEAU, AK 99801

November 26, 1995

AUDIT

EXXON VALDEZ OIL SPILL TRUSTEE COU..
TRACI CRAMER
P.O. BOX 20122
JUNEAU, AK 99802

Client #: EXX01

PLEASE PAY THIS AMOUNT: \$19,663.25

Please return top portion of statement with payment.

For Professional Services Rendered:

Beginning Balance 0.00

Progress Bill

Invoice # 2264 total amount 19,663.25

Total Current Charge 19,663.25

No Payments This Period 0.00

Amount Due This Bill \$19,663.25

0-30 Days	31-60 Days	61-90 Days	91-120 Days	> 120 Days	Total A/R
19,663.25	0.00	0.00	0.00	0.00	19,663.25

Amount Due is payable upon receipt of bill. Delinquent accounts will be charged a finance charge of 1.50 percent per month. Thank you for keeping your account current.

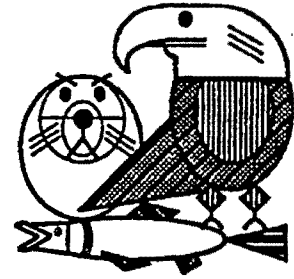
Traci Cramer 1/4/96
ok to pay

Exxon Valdez Oil Spill Trustee Council

Restoration Office

645 "G" Street, Anchorage, AK 99501

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



MEMORANDUM

TO: Sandra Schubert
FROM: *Traci Cramer*
Traci Cramer
Administrative Officer

DATE: January 4, 1996

RE: Comments on the FFY97 Budget Instructions

As you requested, the following is a summary of the substantial comments received on the FFY97 budget instructions.

Alaska Department of Fish and Game -

1. **After proposals are received additional time is required on behalf of the agencies to adjust project totals for general administration/program management or develop the agency program management budget.** I concur that any requirement should be understood in advance and a schedule developed.
2. **The agency would like to continue the requirement of electronic budgets.** It's my opinion that this is an internal agency issue and should be resolved at the agency level.
3. **The agency felt that publication of transportation costs in the budgets was helpful last year and would like to see the practice continue in FFY97.** The requirement to budget specific costs was removed since the cost of transportation varies widely, as does the per diem rate. Nothing prevents the agency from providing standard transportation costs and requiring that those costs be used uniformly by the agency.
4. **The definition of Program Management is still unclear.** Hopefully, this definition will be refined at the Restoration Retreat.
5. **It is unclear when an agency submits the Non-Trustee Agency documentation with**

Trustee Agencies

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

a project proposed by the agency. Like normal agency responsibility, it is hard to write a definition to cover all possibilities and the agency will have to use their best judgement.

6. **Report writing costs should be moved from the technical instructions and explained in the agency and non-trustee organization instructions.** This revision would indeed provide clarity to the instructions.

As we discussed, the agency also suggested other technical changes which are not incorporated in this memorandum.

United States Department of the Interior -

Indicated that the DPD and Budget Instructions appear straight forward and comprehensive.

United State Forest Service -

A memorandum was received from Ray Thompson which included a discussion of the DPD Instructions and the Options Paper on General Administration and Program Management. However, no mention was made of the Budget Instructions. Unless told differently, I will assume that the agency has no comment.

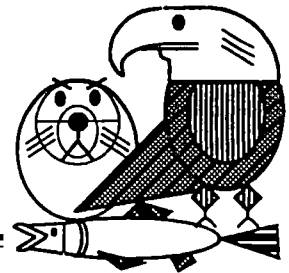
As of this date, nothing has been received from NOAA, ADNR or ADEC.

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



January 4, 1996

Raymond C. Highsmith
School of Fisheries and Ocean Science
University of Alaska Fairbanks
POB 757220
Fairbanks, Alaska 99775-7220

Dear Ray:

The Trustee Council received more than \$35 million in proposals for fiscal year 1996. Unfortunately, it was not possible to fund all projects that were submitted.

On December 11, 1995, the *Exxon Valdez* Oil Spill Trustee Council acted on your proposal for the FY 1996 Work Plan: Project 96037, Coastal Habitat Intertidal Monitoring. This letter is to inform you that the Trustee Council accepted the following Executive Director's recommendation and did not fund the project.

Do not fund. Although more information on recovery of intertidal biota is desirable, the high cost of this new commitment precludes funding this year. Based on the Chief Scientist's recommendation, before funding can be considered in future years coordination with ongoing work at NOAA must be explored. Primary value of this work is documentation of injury and recovery, with few management applications.

This recommendation does not reflect a lack of appreciation for or confidence in the work performed by you and your colleagues at UAF. We now are looking more closely at the NOAA work mentioned in my recommendation, as I want to consider this work along with your interests as my recommendation on the FY 97 Work Plan is developed.

For your information, I am enclosing a summary of Trustee Council action taken on the FY 96 Work Plan.

Sincerely,

Molly McCammon
Executive Director

Enclosure
cc: Joe Sullivan, ADF&G

Trustee Agencies

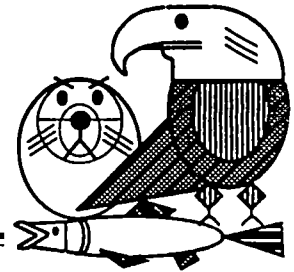
State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation
United States: National Oceanic and Atmospheric Administration, Departments of Agriculture and Interior

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



January 4, 1996

A. J. Gharrett
POB 210082
Auke Bay, Alaska 99821

Dear Dr. Gharrett:

The Trustee Council received more than \$35 million in proposals for fiscal year 1996. Unfortunately, it was not possible to fund all projects that were submitted.

On December 11, 1995, the *Exxon Valdez* Oil Spill Trustee Council acted on your proposal for the FY 96 Work Plan, Project 96093B/Restoration of Prince William Sound Pink Salmon by Diversion of Harvest Effort: Population Genetic Assessment of Gene Flow from Early Return Stock. This letter is to inform you that the Trustee Council accepted the following recommendation from the Executive Director and did not fund the project.

Do not fund. The proposed seven-year project is a major commitment of funds. Project would be aided by other Trustee Council funded genetics work, and may be appropriate after information from these projects is available.

Although I was not able to recommend funding this project, we have high regard for you and your proposal. Your interest in the restoration program is appreciated and we hope that you will consider submitting proposals in future years. For your information, I am enclosing a summary of Trustee Council action taken on the FY 96 Work Plan.

Sincerely,

Molly McCammon
Executive Director

Enclosure

cc: Joe Sullivan, ADF&G

Trustee Agencies

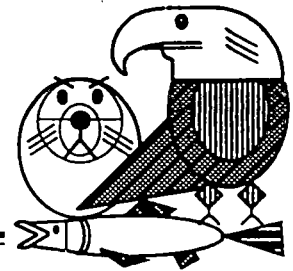
State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation
United States: National Oceanic and Atmospheric Administration, Departments of Agriculture and Interior

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



January 4, 1996

Dr. Tim Linley, Project Leader
Prince William Sound Aquaculture Corporation
POB 1110
Cordova, Alaska 99574

Dear Dr. Linley:

The Trustee Council received more than \$35 million in proposals for fiscal year 1996. Unfortunately, it was not possible to fund all projects that were submitted.

On December 11, 1995, the *Exxon Valdez* Oil Spill Trustee Council acted on your proposal for the FY 1996 Work Plan: Project 96093C, Restoration of Prince William Sound Pink Salmon by Diversion of Harvest Effort. This letter is to inform you that the Trustee Council accepted the following recommendation from the Executive Director and did not fund the project.

Do not fund. The proposed seven-year project is a major commitment of funds. The project's objective, remote release of hatchery-raised pink salmon with altered run timing, is inconsistent with ADF&G policies required for permitting the remote release.

Although the Council did not fund this proposal as submitted, there may be continued interest in the remote release aspect of the PWSAC proposal. Give me a call when you have a chance, and we can discuss this further. For your information, I am enclosing a summary of Trustee Council action taken on the FY 96 Work Plan.

Sincerely,

A handwritten signature in cursive script that reads "Molly McCammon".

Molly McCammon
Executive Director

Enclosure

cc: Joe Sullivan

Trustee Agencies

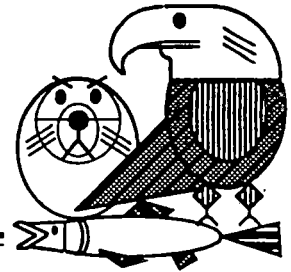
State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation
United States: National Oceanic and Atmospheric Administration, Departments of Agriculture and Interior

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



January 4, 1996

David G. Roseneau and G. Vernon Byrd
Alaska Maritime National Wildlife Refuge
2355 Kachemak Bay Drive, Suite 101
Homer, Alaska 99603

Dear Dave and Vern:

The *Exxon Valdez* Trustee Council acted upon deferred projects for the Fiscal Year 1996 Work Plan at their meeting on December 11, 1995. I am pleased to inform you that the Trustee Council approved funds for Project 96144, Common Murre Population Monitoring. The Trustee Council approved the project including the following recommendation from the Executive Director:

Fund. Rather than start a multi-year commitment to monitoring common murre populations at a series of Gulf of Alaska colonies, I concur with the Chief Scientist's recommendation that current efforts should be focused on the Barren Islands. Population censuses at the Barren Islands will be very helpful in terms of the APEX study, as well as to track murre recovery at this critical group of colonies.

Because the scope of the project has changed substantially from the original submission, please submit a revised Detailed Project Description. Following review of the revised DPD, and documentation that the requirements of the National Environmental Policy Act have been met, you will receive authorization from the Executive Director for use of the funds approved on December 11th.

For your information, I am enclosing a spreadsheet that summarizes Trustee Council action on the FY 96 Work Plan.

Thank you for your participation in the *Exxon Valdez* oil spill restoration program. We appreciate your continued interest, and look forward to working with you this coming year.

Sincerely,

Molly McCammon
Executive Director

Enclosure

cc: Catherine Berg, DOI Liaison

Trustee Agencies

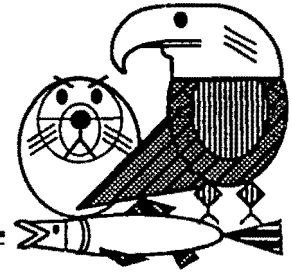
State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation
United States: National Oceanic and Atmospheric Administration, Departments of Agriculture and Interior

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



January 4, 1996

Dr. Stanley D. Rice and Mr. Mark Carls
National Marine Fisheries Service
Auke Bay Laboratory
11305 Glacier Highway
Juneau, Alaska 99801

Dear Jeep and Mark:

The *Exxon Valdez* Trustee Council acted upon deferred projects for the Fiscal Year 1996 Work Plan at their meeting on December 11, 1995. The Trustee Council approved close-out funds for Project 96074, Herring Reproductive Impairment including the following recommendation from the Executive Director:

Fund close-out of entire project, both laboratory and field components, since major objectives have been accomplished.

Because the scope of the project has changed substantially from the original submission, please submit a revised Detailed Project Description. Following review of the revised DPD, you will receive authorization from the Executive Director for use of the funds approved on December 11th.

For your information, I am enclosing a spreadsheet that summarizes Trustee Council action on the FY 96 Work Plan.

Thank you for your participation in the *Exxon Valdez* oil spill restoration program. We appreciate your continued interest, and look forward to working with you this coming year.

Sincerely,

A handwritten signature in cursive script, appearing to read "Molly McCammon".

Molly McCammon
Executive Director

Enclosure

cc: Byron Morris & Bruce Wright

Trustee Agencies

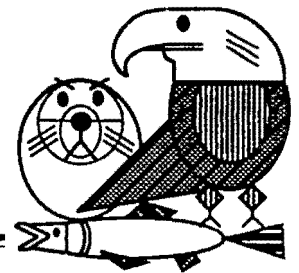
State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation
United States: National Oceanic and Atmospheric Administration, Departments of Agriculture and Interior

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



January 4, 1996

Mary Anne Bishop
Copper River Delta Institute
U.S. Forest Service
P.O. Box 1460
Cordova, Alaska 99574

Dear Mary Anne:

The *Exxon Valdez* Trustee Council acted upon deferred projects for the Fiscal Year 1996 Work Plan at their meeting on December 11, 1995. I am pleased to inform you that the Trustee Council approved funds for Project 96104, Avian Predation on Blue Mussels in Prince William Sound, as an addendum to Project 96025, Nearshore Vertebrate Predators. The Trustee Council approved the project, including the following recommendation from the Executive Director:

Fund in FY 1996 as a pilot project within the Nearshore Vertebrate Predator program (96025). This work should complement other work within NVP on impacts of birds on prey taken by sea otters and other "top" predators, but consideration of future funding contingent on relevance of first-year results to the other NVP studies.

The scope of the project has changed substantially from the original submission, and we have received your revised Detailed Project Description and budget. Following technical review of the revised DPD and documentation that the requirements of the National Environmental Policy Act have been met, you will receive authorization from the Executive Director for use of the funds approved on December 11th.

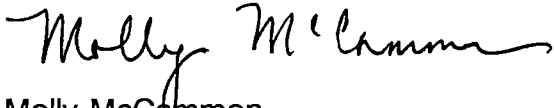
For your information, I am enclosing a spreadsheet that summarizes Trustee Council action on the FY 96 Work Plan.

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

Thank you for your participation in the *Exxon Valdez* oil spill restoration program. We appreciate your continued interest, and look forward to working with you this coming year.

Sincerely,

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

Molly McCammon
Executive Director

Enclosure

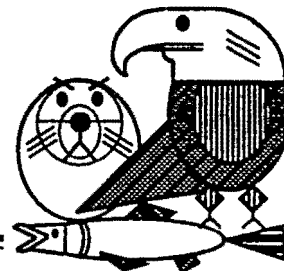
cc: Dave Gibbons, USFS Liaison
Ray Thompson, Chugach National Forest
Jim Sedell, Pacific Northwest Experiment Station
Leslie Holland-Bartels, NBS

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



January 4, 1996

Mr. Craig Harrison, Chair
Pacific Seabird Group Conservation Committee
4001 N. 9th Street #1801
Arlington, Virginia 22203

Dr. Kenneth Warheit, Chair
Pacific Seabird Group Restoration Committee
P.O. Box 178
Tenino, Washington 98589

Dear Craig and Ken:

The *Exxon Valdez* Trustee Council acted upon deferred projects for the Fiscal Year 1996 Work Plan at their meeting on December 11, 1995. I am pleased to inform you that the Trustee Council approved funds for Project 96038, Publication of Seabird Restoration Workshop. The Trustee Council approved the project, including the following recommendation from the Executive Director:

Fund. The Pacific Seabird Group Symposium on Seabird Restoration, which was supported by the Trustees, was highly successful and deserves wide circulation in a published format. I recommend approval of \$15,000 toward those publication costs, although the proposers will still require additional funds from other sources before proceeding with publication.

With submission of your revised budget and explanation on November 28 and the letter from Ken Warheit on December 1, all necessary review of this project is complete from the standpoint of the Restoration Office. By copy of this letter, I am authorizing the Department of the Interior to proceed to enter into a contract with the Pacific Seabird Group to undertake the project as approved on December 11.

For your information, I am enclosing a spreadsheet that summarizes Trustee Council action on the FY 96 Work Plan.

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

Thank you for your participation in the *Exxon Valdez* oil spill restoration program. We appreciate your continued interest, and look forward to working with you this coming year.

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 distinguishable.

Molly McCammon
Executive Director

Enclosure

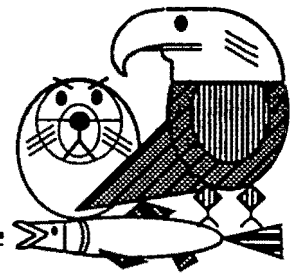
cc: Catherine Berg, DOI Liaison
George Divoky, PSG Project Administrator

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



January 4, 1995

Dr. Sievert Rohwer
Curator of Birds
Thomas Burke Memorial Washington State Museum
DB-10
University of Washington
Seattle, Washington 98195

Dear Dr. Rohwer:

Thank you for your letter of December 28, 1995. We have talked again about the disposition of the remaining carcasses at The Burke Museum and want to reiterate our interest in the preservation of at least the species of special interest. The Trustees recently funded an FY 1996 project on harlequin duck genetics, and we anticipate receiving proposals for common murre and perhaps other injured species. The specimens now at the museum would be important resources for these studies.

The timing of our FY 1997 funding cycle may be less than ideal for the museum. However, a proposal for this work would not need to be extensive, and, while I cannot assure you of funding by the Trustees, a proposal from the museum would be welcomed. If you feel that you simply cannot take the time and resources to go through the FY 1997 funding process, please let us know before choosing to destroy the specimens of special interest.

Thank you again for your efforts to date.


Sincerely,

Molly McCammon
Executive Director

cc: Ken Warheit, PSG
Robert Spies, Chief Scientist
Catherine Berg, DOI Liaison

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



Sievert Rohwer
Associate Director

(206) 543-4066
FAX: (206) 685-3039

The Burke Museum

Natural and cultural heritage of the Pacific Region

Thursday, December 28, 1995

RECEIVED
JAN 2 1996

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

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

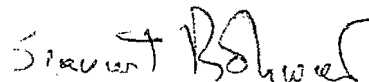
Dear Ms. McCammon:

Thanks for your kind letter of December 20, 1995, even if you were unable to offer us support to continue our work preparing the Valdez birds.

I do not know whether we will be able to hold these birds that remain unprepared and whether it will seem worth our while to work on another proposal for them. We have so many things going, including two expeditions to Russia in the coming summer that it is hard for us to manage projects that drag on as long as this one has. Nonetheless, I promise that my collections manager and I will consider carefully your suggestion that we reapply for help in preserving specimens of just for those species of special interest, either because of significant injury or because of ongoing large scale projects.

Please do send us a copy of the FY1997 invitation for proposals when they are available.

Sincerely,



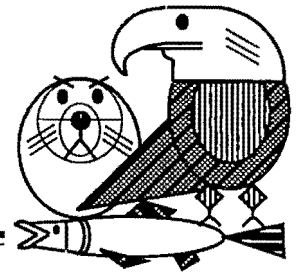
Sievert Rohwer
Curator of Birds

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

RE: Authorization -- Project 96507/EVOS Symposium Publication

DATE: January 4, 1996

The purpose of this memorandum is to formally approve the expenditure of funds on Project 96507/EVOS Symposium Publication, as described in the Detailed Project Description.

cc: Bob Spies
Traci Cramer

Trustee Agencies

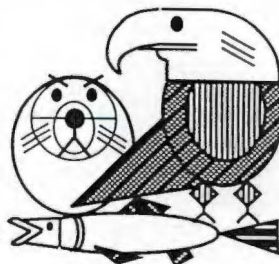
State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation
United States: National Oceanic and Atmospheric Administration, Departments of Agriculture and Interior

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

FAX COMPLETE

To: Restoration Work Force

From: Molly McCammon Date: 1/2/95

Comments: Total Pages: 1

Happy New Year! A revised chapter 5 of
the Restoration^{Plan} was mailed to you on Friday.
It's about 28 pages long. Comments are due
Jan. 9. If you would like to pick up a copy
at the office - give us a call here.

RESTORATION WORK FORCE MEMBERS INCLUDE:

Belt, Gina
Berg, Catherine
Fries, Carol
Gibbons, Dave
Joe Sullivan/Bill Hauser
Bartels, Leslie/Lisa Thomas
Miraglia, Rita

Morris, Byron
Piper, Ernie
Rice, Bud
Spies, Bob
Thompson, Ray
Wright, Bruce

Alex Swiderski
Maria Lisowski

Barry Roth

Document Sent By: _____

8/17/95

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

Table 1. Resources and Services Injured by the Spill

29 Dec 95
DRAFT

INJURED RESOURCES

Recovered

Bald eagle

Recovering

Bald eagle

Black oystercatcher

Common murre

Intertidal organisms

(some) (everything)

Killer whale

Mussels

Pink salmon

Sockeye salmon

(Red Lake) (all systems)

Subtidal organisms

(some) (everything)

Not Recovering

Common murre

Harbor seal

Harlequin duck

Intertidal organisms-

-(some)

Killer whale

(AB pod)

Marbled murrelet

Pacific herring

Pigeon guillemot

Pink salmon

Sea otter

Sockeye salmon

-(Kenai & Akulura systems)

Subtidal organisms

-(some)

Archaeological resources

Sediment

Recovery Unknown

Clams - ?

Common loon

Cutthroat trout

Black oystercatcher

Dolly Varden

Kitlitz's murrelet

River otter

Rockfish

Other

Archaeological resources

Designated wilderness areas

Sediments

Services

Commercial fishing

Passive uses

Recreation and Tourism

Subsistence

29 Dec 1995
DRAFT

Chapter 5

Goals, Objectives, and Strategies

Injury Status and Recovery Objectives

~~This chapter presents goals, objectives, and strategies for restoration.~~ The first part of this chapter discusses ~~goals, recovery objectives, and strategies~~ in general. The second part describes the nature and extent of injury and recovery ~~and the recovery objective, and the restoration strategy~~ for each injured resource and service discussed in Table 2 in Chapter 4. Detailed information on injury ~~and recovery objectives, and strategies~~ can be found on the following pages:

<u>Resource</u>	<u>Page</u>
Archaeological Resources	
Bald Eagles	
Black Oystercatchers	
Clams	
<u>Common Loons</u>	
Common Murres	
Cutthroat Trout	
Designated Wilderness Areas	
Dolly Varden	
Harbor Seals	
Harlequin Ducks	
Intertidal Organisms	
Killer Whales	
<u>Marbled Murrelets, marbled and Kittlitz's</u>	
Mussels	
Pacific Herring	
Pigeon Guillemot	
Pink Salmon	
River Otters	
Rockfish	
Sea Otters	
Sediments	
Sockeye Salmon	
Subtidal Organisms	
<u>Service</u>	
Commercial Fishing	
Passive Use	
Recreation and Tourism	
Subsistence	

Overview

The first part of this chapter discusses goals, objectives, and strategies in general. A goal is the end toward which an endeavor is directed; objectives are descriptions of measurable outcomes; and strategies are plans of action. Taken together, goals, objectives, and strategies produce a blueprint for restoring the spill area. To be funded, a project must be consistent with the goals and policies of the Restoration Plan and with restoration objectives and strategies as they change over time.

GOAL: *The end toward which restoration is directed*

The goal of restoration is recovery of all injured resources and services. Recovery is to be sustained by healthy, productive ecosystems that maintain naturally occurring biodiversity. All restoration actions must be directed toward this goal.

OBJECTIVES: *Measurable outcomes of restoration*

Objectives

The recovery objectives described in the following section of the restoration program are the measurable conditions that signal the recovery of individual resources or services. They are the yardsticks against which the success of the program is measured. In general, resources and services will have recovered when they return to conditions that would have existed had the spill not occurred. In nature, however, populations often undergo large natural changes, and because it is difficult to predict conditions that would have existed in the absence of the spill, recovery is often Recovery, therefore, is most realistically defined as a return to prespill conditions or to levels that fall within the bounds of natural variation. For resources that were in decline before the spill, like harbor seals marbled murrelets, recovery may be achieved consist of stabilizing the When a population is stabilized, even if at a lower level than before the spill. For some resources, little is known about their injury and recovery status, so it is difficult to define recovery.

Where few little prespill data exist, injury is inferred from comparisons of oiled and unoled areas, and recovery is usually defined as a return to conditions comparable to those of unoled areas. Because the differences between oiled and unoled areas may have existed before the spill, statements of injury and objectives based on these differences are often less certain than in those cases where prespill data exist. Alternatively, injury may be evaluated based on the number of oiled carcasses picked up following the spill relative to the estimated size of the spill-area population. Even in cases where some prespill data are available, However, there also is can be some uncertainty associated with interpreting the significance of prespill population data since populations undergo natural fluctuations. In all cases, indicators of recovery can include increased numbers of individuals, reproductive success, improved growth and survival rates, and normal age and sex composition of the injured population.

Full ecological recovery will have been achieved when the population of flora and fauna are

again present at former or prespill abundances, ~~are~~ healthy and productive, and there is a full complement of age classes at the level that would have been present had the spill not occurred. A recovered ecosystem provides the same functions and services as would have been provided had the spill not occurred.

[NOTE: WE PROPOSE TO ELIMINATE THE FOLLOWING GENERIC DISCUSSION OF STRATEGIES, AS WELL THE DISCUSSION OF SPECIFIC STRATEGIES FOR EACH INJURED RESOURCE (BUT NOT FOR SERVICES). THIS STUFF IS PROBABLY BEST COVERED THROUGH THE INVITATIONS, WHERE IT IS UPDATED ANNUALLY. IN ADDITION, SOME OF THE MORE GENERIC DISCUSSION IS ALREADY COVERED IN CHAPTER 3 OF THE RESTORATION PLAN. IF WE WERE TO RETAIN THIS MATERIAL, IT WOULD REQUIRE SUBSTANTIAL REVISION.]]

~~STRATEGIES: Plans of action~~

~~A restoration strategy is a plan of action for achieving objectives. Each year, through its annual or multiyear work plan, the Trustee Council decides which strategies to implement. Restoration strategies reflect consideration of ecosystem relationships. For example, the strategy for some injured resources includes research into why they are not recovering, such as declining or contaminated food sources or disruption of ecosystem relationships.~~

~~In this section, restoration strategies are presented under three headings: Biological Resources, Other Resources, and Services.~~

~~Biological Resources~~

~~Because restoration strategies for biological resources depend on whether the resource is recovering, strategies are subdivided into those for recovering resources, resources that are not recovering, and resources whose recovery is unknown.~~

~~Recovering Resources.~~ ~~The fact that a resource is recovering suggests that nature will restore it without intervention. Consequently, restoration of recovering resources will rely primarily on natural recovery.~~

~~Because these resources are recovering, research into factors limiting recovery and general restoration projects to accelerate recovery may not be warranted. However, if a resource is not expected to recover fully on its own or if waiting for natural recovery will cause long-term harm to a community or service, appropriate alternative means of restoration would be undertaken. Habitat protection and monitoring are encouraged, as are general restoration projects that protect the resource from other sources of potential injury. (Restoration strategies under "Services" also apply to these resources.)~~

~~The restoration strategy for recovering resources has three parts:~~

- ~~• Rely on natural recovery~~
- ~~• Monitor recovery~~

~~• Protect injured resources and their habitats~~

~~**Resources Not Recovering.** Except for certain protective measures, attempts to restore these resources without knowing why they are not recovering may be ineffectual or even detrimental. For this reason, the restoration strategy for these resources emphasizes determining why they are not recovering, and eliminating threats to the remaining populations.~~

~~Where sufficient knowledge about the nature of injury exists, the restoration strategy also encourages actions to promote recovery. The populations of some of these resources are in a steep decline and may not recover without help. Furthermore, some of these resources have subsistence or economic importance and their recovery is linked to the recovery of these services. (Restoration strategies under "Services" also apply to these resources.)~~

~~Research is encouraged, provided it helps explain why a resource is not recovering. Habitat protection and monitoring are also encouraged. General restoration projects are allowed if they address factors limiting recovery or if they protect the resource from other sources of potential injury.~~

~~The restoration strategy for resources that are not recovering has four parts:~~

- ~~• Conduct research to find out why these resources are not recovering~~
- ~~• Initiate, sustain, or accelerate recovery~~
- ~~• Monitor recovery~~
- ~~• Protect injured resources and their habitats~~

~~**Recovery Unknown.** If specialists do not know whether a resource is recovering, it will be treated in much the same way as a recovering resource. Until more is known about the nature and extent of injuries and the degree of recovery of these resources, restoration will rely primarily on natural recovery, aided by monitoring and protective measures.~~

~~Because the recovery of these resources is unknown, and, in some cases, the injury poorly understood, research into factors limiting recovery and general restoration projects to accelerate recovery may not be warranted. Habitat protection and monitoring are encouraged, as are general restoration projects that protect these resources from other sources of potential injury.~~

~~The restoration strategy for resources whose recovery is unknown has three parts:~~

- ~~• Rely on natural recovery~~
- ~~• Monitor recovery~~
- ~~• Protect injured resources and their habitats~~

Other Resources

Other injured resources include archaeological resources, designated wilderness areas and oiled sediment. The strategy for restoring archaeological resources seeks to repair and protect injured

sites and artifacts. The strategy for sediment includes removal or reduction of residual oil and monitoring. Any restoration strategy that aids recovery of injured resources, or prevents further injuries, will assist recovery of designated wilderness areas or wilderness study areas.

Services

Commercial fishing, passive use, recreation (including sport fishing) and tourism and subsistence are services that were reduced or lost because of the spill. Injured resources that support these services include clams, harbor seals, Pacific herring, pink salmon, sea otters, and sockeye salmon. The primary way to restore services is to restore the resources on which they depend.

Additional restoration strategies for commercial fishing, recreation and tourism, and subsistence include promoting recovery of the service as soon as possible through such means as increasing the availability, reliability, or quality of the resource on which the service depends. For some resources, this may take the form of increasing availability in the long run through improved resource management or providing replacement resources. Strategies for recreation and tourism and subsistence also include removing or reducing residual oil if treatment is cost effective and less harmful than leaving the oil in place.

Objectives and Strategies by Resource and Service Injury Status and Recovery Objective

This section describes the nature and extent of injury and recovery and the recovery objective, and the restoration strategy for each injured resource and service. Specific strategies to achieve recovery objectives are described in annual work plans and restoration project invitations (e.g., *Invitation to Submit Restoration Projects for Federal Fiscal 1997 and Draft Restoration Program: FY 97 and Beyond*). The information in this section is expected to change over time as the restoration program adapts to new information. For example, population declines or sublethal effects may be documented for new resources, some resources may begin to recover or never recover, and recovery objectives and strategies may will change in response to new information and conditions. Hypotheses for why resources are not recovering are particularly susceptible to change as prevailing hypotheses are tested and new ones are formed.

New scientific data will be incorporated into restoration decisions without the need to change the plan. However, changes will be reported in the Trustee Council's annual status report.

Resources

ARCHAEOLOGICAL RESOURCES

Injury and Recovery

Twenty-four archaeological sites on public lands are known to have been adversely affected by cleanup activities, or looting and vandalism linked to the oil spill. Additional sites on private land

may have been injured, but damage assessment studies were limited to public land.

Documented injuries include theft of surface artifacts, masking of subtle clues used to identify and classify sites, violation of ancient burial sites, and destruction of evidence in layered sediments. In addition, vegetation has been disturbed, which has exposed sites to accelerated erosion. The effect of oil on soil chemistry and organic remains may reduce or eliminate the utility of radiocarbon dating in some sites.

Assessments of 14 sites in 1993 suggest that most of the archaeological vandalism that can be linked to the *Exxon Valdez* oil spill occurred in 1989 before adequate constraints were put into place over the activities of oil spill clean-up personnel. Most vandalism took the form of "prospecting" for high yield sites. In 1993, only two of the 14 sites visited showed signs of continued vandalism, and the link between but it is difficult to prove that this recent vandalism was related to the spill, and the *Exxon Valdez* oil spill remains highly problematical. Oil samples have not yet been analyzed, but oil was visible in the intertidal zones of two of the 14 sites monitored in 1993, but because oil samples have not yet been analyzed, the *Exxon Valdez* oil spill cannot be confirmed as the source of the oil in these sites.

Monitoring of archaeological sites in 1994 and 1995 found no evidence of new damage from vandalism. The presence of oil is being determined in sediment samples taken from four sites in 1995.

None of the archaeological artifacts collected during the spill response, damage assessment, or restoration programs is stored within the spill area. These artifacts are stored in the University of Alaska Museum in Fairbanks and in the Federal Building in Juneau. Native communities in the spill area have expressed a strong interest in having them returned to the spill area for storage and display.

The Alutiiq Archaeological Repository in Kodiak, whose construction costs were partly funded by the Trustee Council, is the only physically appropriate artifact storage facility in the spill area. In 1995 the Trustee Council approved funds for development of a comprehensive community plan for restoring archaeological resources in Prince William Sound and lower Cook Inlet, including strategies for storing and displaying artifacts at appropriate facilities within the spill area.

Recovery Objective

Archaeological resources are nonrenewable: they cannot recover in the same sense as biological resources. Archaeological resources will be considered to have recovered when spill-related injury ends, looting and vandalism are at or below prespill levels, and the artifacts and scientific data which remain in vandalized sites are preserved (e.g., through excavation, site stabilization, or other forms of documentation). Artifacts and data are typically preserved through excavation or other forms of documentation, or through site stabilization, depending on the nature of the injury and the characteristics of the site.

BALD EAGLES

Injury and Recovery

Prince William Sound provided year-round and seasonal habitat for about 5,000 bald eagles. Two hundred to 300 About 250 bald eagles are estimated to have died as a result of may have been killed in the spill, and productivity was reduced in oiled areas of Prince William Sound in 1989. Productivity was back to normal in 1990 and 1991, and an aerial survey of adults in 1995 indicated that the population has returned to or exceeded its prespill level in Prince William Sound. However, population estimates made in 1989, 1990, and 1991 indicate that there may have been an increase in the Prince William Sound bald eagle population since the previous survey conducted in 1984. Productivity decreased in 1989, but appeared to have recovered by 1990. Because population and productivity appear to have returned to prespill levels, bald eagles may have already recovered from the effects of the spill.

Recovery Objective

Because the Prince William Sound population and productivity are at or above prespill levels, the bald eagle has recovered from the effects of the Exxon Valdez oil spill. Bald eagles will have recovered when their population and productivity return to prespill levels.

BLACK OYSTERCATCHERS

Injury and Recovery

Black oystercatchers spend their entire lives in or near intertidal habitats and are highly vulnerable to oil pollution. An estimated 1,500-2,000 oystercatchers live in south-central Alaska. Only nine carcasses of adult oystercatchers were recovered following the spill, but estimated mortality may have been as high as, but probably did not exceed, 20 percent in the spill area. In addition, breeding activities were disrupted by the oil and clean-up activities. In comparison with oystercatchers on the largely unoiled Montague Island, oystercatchers at heavily oiled Green Island had reduced hatching success in 1989 and their chicks gained weight more slowly during 1991-93. Interpretation of these data on reproductive performance, however, are confounded by lack of pre-spill data. Productivity and survival of black oystercatchers in Prince William Sound have not been monitored since 1993, and the recovery status of this species is not currently known. Within Prince William Sound, an estimated 120 to 150 black oystercatchers, representing 12-15 percent of the total estimated population, died as a result of the spill. Mortality outside of Prince William Sound is unknown. Black oystercatchers are recovering, although they may still be exposed to hydrocarbons when feeding in intertidal areas.

Recovery Objective

Black oystercatchers will have recovered when the Prince William Sound population returns to attain prespill levels and reproduction is normal. An increasing population trend and comparable

hatching success and growth rates of chicks in oiled and unoiled areas will indicate that recovery is underway. reproductive success of nests and growth rates of chicks raised in oiled areas are comparable to those in unoiled areas.

CLAMS

Injury and Recovery

The magnitude of impacts on clam populations varies with the species of clam, degree of oiling, and location. However, data from the lower intertidal zone on sheltered beaches suggest that little neck clams and, to a lesser extent, butter clams on sheltered beaches were killed or suffered slower growth rates as a result of the oil spill by oiling and clean-up activities. In addition, growth appeared to be reduced by oil, but determination of sublethal or chronic effects is awaiting final analyses. In communities on the Kenai Peninsula, Kodiak, and Alaska Peninsula, concern about the effects of the oil spill on clams and subsistence uses of clams remains high.

Recovery Objective

Based on prespill data or comparisons of oiled and unoiled sites, clams will have recovered when populations and productivity have returned to levels that would have prevailed in the absence of the oil spill (prespill data or unoiled control sites).

COMMON LOONS

Injury and Recovery

Carcasses of 395 loons of four species were recovered following the spill, including at least 216 common loons. The population sizes are not known for any of these species, but, in general, loons are long-lived, slow-reproducing, and have small populations. Common loons in the oil-spill area may number only a few thousand, including only hundreds in Prince William Sound. Common loons injured by the spill probably included a mixture of resident and migrant birds, and their recovery status is not known.

Recovery Objective

Without more information on injury to common loons and their recovery status, no recovery objective can be identified.

COMMON MURRES

Injury and Recovery

About 30,000 carcasses of oiled birds were picked up following the oil spill, and 74 percent of them were common and thick-billed murres (mostly common murres). Many more murres died than were actually recovered, and it is estimated that the spill-area population declined by about 40 percent, including at colonies at Resurrection Bay, the Chiswell, Barren, and Triplet Islands.

and Puale Bay. In addition to direct losses of murre, there was evidence that the timing of reproduction was disrupted and productivity reduced. Interpretation of the effects of the spill, however, is complicated by incomplete prespill data and by indications that populations at some colonies were in decline before the oil spill.

Postspill monitoring of productivity at index colonies indicates that reproductive timing and success were again within normal bounds by 1993. Numbers of adult murre were last surveyed in 1994 [check] and, at that time, had not returned to prespill levels.

~~Productivity of common murre shows signs of recovery at some injured colonies (Barren Islands, Puale Bay) but postspill population counts are still lower than prespill estimates and show no sign of recovery.~~

Recovery Objective

Common murre will have recovered when populations trends are increasing significantly at index colonies ~~have returned to prespill levels and when productivity is sustained within normal bounds.~~ in the spill area and when reproductive timing and success are (Normal bounds will be determined by comparing productivity data with information from other murre colonies in the Gulf of Alaska and elsewhere.)

CUTTHROAT TROUT

Injury and Recovery

Prince William Sound is at the northwestern limit of the range of cutthroat trout, and few stocks are known to exist within the sound. Local cutthroat populations rarely number more than 1,000 each, and the fish have small home ranges and are geographically isolated. Cutthroat trout, therefore, are highly vulnerable to exploitation, habitat alteration, or pollution. Following the oil spill, cutthroat trout in a small number of oiled index streams grew more slowly than in unoiled streams, possibly as a result of reduced food supplies or exposure to oil, and there is concern that reduced growth rates may reflect reduced survival. The difference in growth rates persisted through 1991. No studies have been conducted since then, and the recovery status of this species is not known. ~~Cutthroat trout have grown more slowly in oiled areas than in unoiled areas. Insufficient data are available to determine whether they are recovering.~~

Recovery Objective

Cutthroat trout will have recovered when growth rates within oiled areas are comparable to those for unoiled areas, ~~after taking into account geographic effects.~~

DESIGNATED WILDERNESS AREAS

Injury and Recovery

The oil spill delivered oil in varying quantities to the waters adjoining the seven areas within the spill area designated by Congress as wilderness areas and wilderness study areas. Oil also was deposited above the mean high-tide line in these areas. During the intense clean-up seasons of 1989 and 1990, thousands of workers and hundreds of pieces of equipment were at work in the spill area. This activity was an unprecedented imposition of people, noise, and activity on the area's undeveloped and normally sparsely occupied landscape. Although activity levels on these wilderness shores have probably returned to normal, but at some locations there is still residual oil.

Recovery Objective

Designated wilderness areas will have recovered when oil is no longer encountered in these areas and the public perceives them to be recovered from the spill.

DOLLY VARDEN

Injury and Recovery

Like the cutthroat trout, there was evidence that Dolly Varden have grown more slowly in oiled streams areas than in unoiled streams areas, and there is concern that reduced growth rates reflect reduced survival. However, no data have been gathered since 1991, and the recovery status of this species is not known. Insufficient data are available to determine whether they are recovering.

Recovery Objective

Dolly Varden will have recovered when growth rates within oiled streams areas are comparable to those for in unoiled streams areas, after taking into account geographic effects.

Harbor Seals

Injury and Recovery

Harbor seal numbers were declining in the Gulf of Alaska, including in Prince William Sound, before the spill. An estimated 300 seals died in the sound as a direct result of the spill, and this was 6-15 percent of the prespill population. Postspill surveys in 19__ showed that seals in the oiled areas had declined by 43 percent, compared to 11 percent in the unoiled areas. Unfortunately, seals in both oiled and unoiled parts of Prince William Sound have continued to decline since the spill at an annual rate of about 6 percent. Possible factors for this long-term decline include disease and the amount or quality of food. Counts made during the molt at trend count sites in Prince William Sound from 1990 to 1993 indicate that numbers may have stabilized. However, counts during pupping have continued to decline. It is not known which counts are the best indicator of population status. If the conditions that were causing the population to decline before the spill have improved, normal growth may replace the animals that were lost. However, if conditions continue to be unfavorable, the affected population may

continue to decline. Harbor seals are a key subsistence resource in the oil spill area Prince William Sound. Subsistence hunting is both affected by the declining seal population and, in turn, may be affecting the recovery of harbor seals status.

Recovery Objective

Recovery will have occurred when harbor seal population trends are stable or increasing.

HARLEQUIN DUCKS

Injury and Recovery

Harlequin ducks feed in intertidal and shallow subtidal habitats where most of the spilled oil was initially stranded. More than 200 harlequin ducks were found dead in 1989, mostly in Prince William Sound, and many more than that actually died throughout the spill area. Bile samples from harlequin ducks collected in eastern and western Prince William Sound in 1989-90 had higher concentrations of hydrocarbon metabolites than samples from harlequins collected at Juneau. Prespill data on harlequin populations and productivity are poor and complicated by possible geographic differences in habitat quality. However, the summer population in Prince William Sound is small, only a few thousand birds, and there continues to be concern about poor reproduction and a possible decline in numbers of molting birds in western versus eastern parts of the Sound. There are indications of reduced densities of harlequin ducks in the breeding season; a declining trend in the summer, postbreeding population; and very poor production of young in western Prince William Sound.

Recovery Objective

Harlequin ducks will have recovered when breeding and postbreeding season densities and production of young return to estimated prespill levels, or when there are no differences in these parameters between oiled and un-oiled areas. A normal population age- and sex-structure and reproductive success appropriate to the habitat in western Prince William Sound will indicate that recovery is underway.

INTERTIDAL ORGANISMS

Injury and Recovery

Portions of 1,500 miles of coastline were oiled by the spill, and both the oil and intensive clean-up activities had significant impacts on the flora and fauna of the intertidal zone, the area of beach between low and high tides. With tidal action, oil penetrated deeply into cobble and boulder beaches, and, even with intensive clean up activities, persists in some beaches today. The most significant impacts occurred in middle and upper intertidal zones on sheltered rocky shores, which is where the greatest amounts of oil were stranded.

Small invertebrates like limpets, barnacles, and marine worms were less abundant at oiled versus unoiled index sites in Prince William Sound, Kodiak Island, and on the Kenai and Alaska peninsula coasts. The size, coverage, and reproductive potential of seaweed *Fucus gardneri* (known as rockweed or popweed) also was reduced following the spill. Although numbers of many species of invertebrate fauna have increased following the spill, recovery of *Fucus* in the upper intertidal zone is lagging. Full recovery of *Fucus* is crucial for recovery of the intertidal ecosystem, since many invertebrates depend on the cover provided by this seaweed. Many intertidal resources are important to subsistence users, as well as to sea and river otters, black oystercatchers, harlequin ducks, and pigeon guillemots.

~~The lower intertidal zone and, to some extent, the middle intertidal zone are recovering. However, injuries persist in the upper intertidal zone, especially on rocky sheltered shores. Recovery of this zone appears to depend, in part, on the return of adult *Fucus* in large numbers.~~

Recovery Objective

~~Each intertidal elevation (lower, middle, or upper) will have recovered when community composition, population abundance of component species, age class distribution, and ecosystem functions and services in each injured intertidal habitat have returned to levels that would have prevailed in the absence of the oil spill. Intertidal communities will have recovered when community composition on oiled shorelines is similar to that which would have prevailed in the absence of the spill. Indications of recovery are the return of keystone species, such as *Fucus*, and provision of adequate, uncontaminated food supplies for top predators in intertidal and nearshore habitats.~~

KILLER WHALES

Injury and Recovery

About _____ killer whales in _____ "resident" pods regularly use Prince William Sound within their ranges. Other whales in "transient" pods enter the Sound less frequently. There has been particular concern in Prince William Sound about the resident AB pod, which numbered 36 animals prior to the spill. Fourteen whales disappeared from this pod in 1989 and 1990, during which time no young were recruited into the population. Although four calves were added to the AB pod during 1992-94, surveys in 1994 and 1995 indicate the loss of five more whales.

The link between these losses and the oil spill is only circumstantial, but the apparent mortality of killer whales in Prince William Sound following the spill far exceeds rates documented for pods in British Columbia and Puget Sound over the last 20 years. The AB pod may never regain its former size, but overall numbers of resident killer whales in Prince William Sound are at or exceed prespill levels. Thirteen whales disappeared from one killer whale pod in Prince William Sound between 1988 and 1990. The injured pod is growing again.

Recovery Objective

Pending further evaluation of the status of the AB pod, no realistic recovery objective can be identified at this time. Killer whales will have recovered when the injured pod grows to at least 36 individuals (1988 level).

MARBLED MURRELETS, MARBLED AND KITTLITZ'S

Injury and Recovery

Prince William Sound and the northern Gulf of Alaska are key areas in the distributions of two poorly studied species of seabirds, marbled and Kittlitz's murrelets. The world population of Kittlitz's murrelet is believed to number only a few tens of thousands of birds, many of which are in the oil-spill area. The marbled murrelet is federally listed as a Threatened species in Washington, Oregon, and California; it is also listed as Threatened in British Columbia.

The marbled murrelet populations in Prince William Sound was were in decline before the spill. The causes of the prespill decline are unknown, but may be related to changing food supplies. The oil spill probably increased the prespill rate of decline for this species in the spill area, although the incremental injury is difficult to estimate. The population of marbled murrelets may be stabilizing or even increasing since the spill. Carcasses of nearly 1,100 murrelets were found after the spill, and it is estimated that as much as ___ percent of the Prince William Sound marbled murrelet population was killed by the spill. Population estimates for murrelets are highly variable, and postspill boat surveys do not yet indicate any statistically significant increase in numbers of marbled murrelets in Prince William Sound. The recovery status of Kittlitz's murrelet is not known.

Recovery Objective

Marbled murrelets will have recovered when population trends are stable or increasing. No recovery objective can be identified for Kittlitz's murrelet at this time.

MUSSELS

Injury and Recovery

Mussels are an important prey species in the nearshore ecosystem throughout the oil-spill area, and beds of mussels provide physical stability in the intertidal zone. For these reasons, mussel beds were purposely left alone during *Exxon Valdez* clean-up operations. In 1991, high concentrations of relatively unweathered oil were found in the mussels and underlying byssal mats in certain dense mussel beds. In 1991, relatively high concentrations of oil were found in mussels and in the dense underlying mat (byssal substrate) of certain oiled mussel beds. The beds were not cleaned nor was oil removed after the spill. The biological significance of oiled mussel beds is not known, but they Oiled mussel beds are potential pathways of sources of fresh (unweathered) oil contamination for local populations of harlequin ducks, black oystercatchers, river otters, and juvenile sea otters, all of which feed to some extent on mussels and show some signs of continuing injury. The extent and magnitude of oiled mussel beds are unknown. At least ___ [70-?] mussel beds in Prince William Sound are known to still have oil residue; 12 beds were cleaned on an experimental basis in 1994. Subsistence users also continue to be concerned about contamination from oil mussel beds.

Recovery Objective

Mussels will have recovered when they do not contaminate their predators, their populations and productivity are at prespill levels and they do not contain oil that contaminates higher trophic levels.

PACIFIC HERRING

Injury and Recovery

Pacific herring spawned in intertidal and subtidal habitats in Prince William Sound shortly after the oil spill. As much as 10 percent of the intertidal spawning habitat and 40 percent of the herring staging areas in the sound may have been contaminated by oil. Field studies conducted in 1989 and 1990 showed increased rates of egg mortality and larval deformities in oiled versus unoiled areas. Laboratory studies confirm that these effects can be caused by exposure to *Exxon Valdez* oil, but the significance of these injuries in the field at a population level is not known.

In 1992, herring biomass in Prince William Sound was at a record level. In 1993, however, there was an unprecedented crash of adult herring. A viral disease and fungus were the probable agents of mortality, and the connection between the oil spill and the disease outbreak is under investigation. Numbers of spawning herring in Prince William Sound have remained depressed through the 1995 season. Pacific herring are extremely important ecologically as well as commercially, and the closure of the herring fishery from 1993 through 1995 has had serious economic impact on people and communities in Prince William Sound.

Pacific herring studies have demonstrated egg mortality and larval deformities. Populations may have declined, but there is uncertainty as to the full extent and mechanism of injury. However, the stocks and dependent fisheries in Prince William Sound are not healthy, as indicated by the

low spawning biomass in 1993 and 1994 and the resultant elimination of the fisheries in those years.

Recovery Objective

Pacific herring will have recovered when indicators of population health, such as reproduction, growth, and recruitment, are within normal bounds and free of oil-related effects within Prince William Sound. ~~populations are healthy and productive and exist at prespill abundances.~~

PIGEON GUILLEMOT

Injury and Recovery

Although the pigeon guillemot is widely distributed, nowhere does it occur in large numbers or concentrations. Because guillemots feed in shallow, nearshore waters, both they and the fish they prey on are vulnerable to oil pollution. Like the marbled murrelet, the pigeon guillemot population in Prince William Sound was in decline before the spill. The causes of the prespill decline are unknown. It is estimated that 10-15 percent of the Gulf of Alaska population may have died in the spill, and declines along oiled shorelines in Prince William Sound were greater than along unoiled shorelines. Numbers of guillemots recorded on boat surveys are highly variable, and there is not yet any statistically significant evidence of a postspill population increase. The factors responsible for the guillemot's prespill decline may negate or mask recovery from the effects of the oil spill.

Recovery Objective

Pigeon guillemots will have recovered when the populations in Prince William Sound is are stable or increasing.

PINK SALMON

Injury and Recovery

About 75 percent of wild pink salmon in Prince William Sound spawn in the intertidal portions of streams and were highly vulnerable to the effects of the oil spill. Hatchery salmon and wild salmon from both intertidal and upstream spawning habitats swam through oiled waters and ingested oil particles and oiled prey as they foraged in the sound and emigrated to sea. As a result, three types of early life-stage injuries were identified: First, growth rates in juvenile salmon from oiled parts of Prince William Sound were reduced. Second, there was increased egg mortality in oiled versus unoiled streams. A possible third effect, genetic damage, is under investigation.

In the years preceding the spill, returns of wild pink salmon in Prince William Sound varied from a maximum of 21.0 million fish in 1984 to a minimum of 1.8 million in 1988. Since the spill, returns of wild pinks have varied from a high of about 14.4 million fish in 1990 to a low of about 2.2 million in 1992. There is particular concern about the Sound's southwest district,

where returns of both hatchery and wild stocks have been generally weak since the oil spill. Because of the tremendous natural variation in adult returns, however, it is difficult to attribute poor returns in a given year to injuries caused by oil. Injuries to salmon eggs and juveniles remain the best indicators of injury and recovery.

Evidence of reduced juvenile growth rates was limited to the 1989 season, but increased egg mortality persisted in oiled compared to unoled streams through 1993. The 1994 and 1995 seasons were the first since 1989 in which there were no statistically significant differences in egg mortalities in oiled and unoled streams. These data indicate that recovery from oil-spill effects is underway.

The Sound Ecosystem Assessment (SEA) Project is exploring physical and biological oceanographic factors that influence production of salmon and herring. These natural factors are likely to have the greatest influence over year-to-year returns in both wild and hatchery stocks of pink salmon.

~~Pink salmon studies have demonstrated egg mortality, fry deformities, and reduced growth in juveniles. Populations may have declined, but there is uncertainty as to the full extent and mechanism of injury. However, there is evidence of continued damage in some stocks from exposure to oil, and there were unexpectedly poor runs of both wild and hatchery stocks of pink salmon in Prince William Sound in 1992 and 1993. In 1994, runs were still depressed but exceeded forecasts.~~

Recovery Objective

Pink salmon will have recovered when population indicators, such as growth and survival, are within normal bounds and there are no statistically significant differences in egg mortalities in oiled and unoled streams for two years each of odd- and even-year runs in Prince William Sound. ~~populations are healthy and productive and exist at prespill abundance. An indication of recovery is when egg mortalities in oiled areas match prespill levels or levels in unoled areas.~~

River Otters

Injury and Recovery

River otters have a low density and an unknown population size in Prince William Sound, and, therefore, it is hard to assess oil-spill effects. Twelve otter carcasses were found following the spill. Studies conducted during 1989-1991 identified several differences between otters in oiled and unoled areas in Prince William Sound, including biochemical evidence of exposure to hydrocarbons or other sources of stress, reduced diversity in prey species, reduced body size (length-weight), and increased territory size. However, sample sizes were small, and it is not clear that these differences are the result of the oil spill. The Nearshore Vertebrate Predator project, now underway, will shed new light on the status of the river otters. In 1995 the Alaska Board of Game used its emergency authority to restrict trapping of river otters in western Prince William Sound to ensure that the results of this study are not compromised by the removal of

animals from study areas on Montague and Knight islands. River otters in Prince William Sound have suffered sublethal effects from the spill and may continue to be exposed to hydrocarbons.

Recovery Objective

The river otter will have recovered when biochemical indices of hydrocarbon exposure or other stresses and indices of habitat use are similar between oiled and unoled areas of Prince William Sound, after taking into account any geographic effects. Indications of recovery are when habitat use, food habits and physiological indices have returned to prespill conditions.

ROCKFISH

Injury and Recovery

Very little is known about rockfish populations in the northern Gulf of Alaska. Dead adult rockfish were recovered following the oil spill, and chemical analysis of five specimens indicated that oil ingestion was the cause of death. Analysis of other rockfish showed exposure were exposed to hydrocarbons and showed sublethal effects. Furthermore in addition, closures to salmon fisheries apparently increased fishing pressures on rockfish, which may have affected be affecting their the rockfish population. However, the original extent and mechanism of injury and the current status of to this species are unknown.

Recovery Objective

Without further study, a recovery objective cannot be defined.

SEA OTTERS

Injury and Recovery

Surveys of sea otters in the 1970s and 1980s indicate that the population was expanding and about 10,000 animals lived in Prince William Sound prior to the spill. Based on the number of carcasses and other data, population models suggest that 3,500-5,500 otters died in the first few months following the spill. In 1990 and 1991, unusual numbers of prime-age adult otters were found dead and there was evidence of an increased death rate in recently weaned juveniles. By 1992-93, mortality rates for juveniles had decreased, but were still higher in oiled than in unoled parts of Prince William Sound. Boat surveys conducted in March and July in 1993 and again in 1994 indicated a population of about 7,700 otters in the Sound, but there was no statistically significant evidence of a population increase following the spill (1990-1994). The Nearshore Vertebrate Predator project, which was started in 1995, should help clarify the recovery status of the sea otter in Prince William Sound. Sea otters do not appear to be recovering, but are expected to eventually recover to their prespill population. Exactly what population increases would constitute recovery is very uncertain, as there are no population data from 1986 to 1989, and the population may have been increasing in Eastern Prince William Sound during that time. In addition, only large changes in the population can be reliably detected with current measuring techniques. However, there are recent indications that the patterns of

juvenile and mid-aged mortalities are returning to prespill conditions.

Recovery Objective

Sea otters will have recovered when the Prince William Sound population returns to its prespill abundance and distribution. An increasing population trend and normal reproduction and age structure in oiled parts of the sound will indicate that recovery is underway. Sea otters will be considered recovered when population abundance and distribution are comparable to prespill abundance and distribution, and when all ages appear healthy.

SEDIMENTS

Injury and Recovery

With tidal action, oil penetrated deeply into cobble and boulder beaches that are relatively common on the rocky islands of shorelines throughout the spill area, especially in sheltered habitats. Cleaning removed much of the oil from the intertidal zone but subsurface oil persisted in many heavily oiled beaches and associated subtidal sediments, in mussel beds, which were avoided during the cleanup. Subsurface oil persists at least at _____ locations in Prince William Sound and as far away as the Alaska Peninsula. While much of this oil is probably not biologically active, it is of great concern to residents in oil-spill communities, and there are sites where sheening still occurs.

Following the oil spill, chemical analyses of oil in sediments were conducted at a small number of index sites in Prince William Sound. At these sites, oil in sediments reached its greatest concentrations at water depths of 20 meters, although elevated levels of hydrocarbon-degrading bacteria (associated with elevated hydrocarbons) were detected at depths of 40 and 100 meters in 1990 in Prince William Sound. Chemical analyses show that *Exxon Valdez* oil apparently did not reach deeper than 20 to 40 meters, although elevated activities of hydrocarbon-degrading bacteria were seen somewhat deeper in some cases. By 1993, however, there was little evidence of *Exxon Valdez* oil and related microbial activity at most index sites in Prince William Sound, except at those associated with sheltered beaches that were heavily oiled in 1989. These index sites—at Herring, Northwest, and Sleepy bays—were among the _____ at which subsurface oiling is still known to occur (see above).

Recovery Objective

Sediments will have recovered when contamination causes no negative effects to the spill ecosystem residues of subsurface oil at sheltered sites that were previously heavily oiled are declining or are biologically harmless.

SOCKEYE SALMON

Injury and Recovery

Commercial fishing was closed in portions of Cook Inlet and near Kodiak in 1989 to avoid any possibility of contaminated salmon being sent to market. As a result, there were higher-than-usual numbers (i.e., overescapement) of spawning fish entering the Kenai River, Red and Akalura lakes on Kodiak Island, and other lakes on Afognak Island and the Alaska Peninsula. Initially these high escapements may have produced an overabundance of juvenile sockeye that consumed huge quantities of zooplankton, thus destroying planktonic food webs in the nursery lakes. Although the exact mechanism is unclear, the result was lost sockeye production as shown by declines in the returns of adults per spawning sockeye.

The effects of the 1989 overescapement have persisted in the Kenai River system through 1995. Although the overall escapement goal for that system was met in 1995, there is concern that the initial overescapement will continue to affect post-spill year-classes and that sockeye returns are yet not sufficient to fulfill the commercial, recreational, and subsistence demands on sockeye salmon in the Kenai River system.

Production of zooplankton in both Red and Akalura lakes on Kodiak Island has returned to normal. There continues to be some problem in the rate of production of sockeye fry in Red Lake, which may or may not be linked to the overescapement at the time of the oil spill. Continuing low adult escapements at Akalura Lake are more likely the result of a mixed stock fishery harvest in the Kodiak vicinity than a result of the earlier overescapement.

Sockeye salmon in Red Lake, Akalura Lake, and lakes in the Kenai River system declined in population because of adult overescapement in 1989. The Red Lake system may be recovering because the plankton has recovered and fry survival improved in 1993. However, Akalura Lake and the Kenai River lakes have not recovered: smolt production has continued to decline from these lakes. In the Kenai River lakes, for example, smolt production has declined from 30 million in 1989 to 6 million in 1990 and to less than 1 million in 1992 and 1993.

Recovery Objective

Sockeye salmon in the Kenai River system and Red and Akalura lakes will have recovered when adult returns per spawner are within normal bounds. affected lakes will have recovered when populations are able to support overwinter survival rates and smolt outmigrations comparable to pre-spill levels.

SUBTIDAL ORGANISMS

Injury and Recovery

Oil that was transported down to subtidal habitats apparently caused changes in the size and species composition of plant and animal populations below lower tides. Different habitats, including eelgrass beds, kelp beds, and deep water, were compared at oiled and unoled sites. The greatest effects were detected at oiled sites with sandy sea bottoms under eelgrass beds, at which there were reduced numbers and diversity of helmet crabs, amphipods, and other

crustaceans and mollusks. There also were sublethal effects on the eelgrass itself. Organisms living in sediment at depths of 3-20 meters were especially affected. Some opportunistic, such as *Musculus* mussels, a variety of polychaetes, and juvenile cod, apparently increased in numbers at oiled sites. Differences in oiled and unoiled sites were less evident by 1993.

Certain subtidal organisms, like eelgrass and some species of algae, appear to be recovering. Other subtidal organisms, like leather stars and helmet crabs, showed little signs of recovery through 1991.

Recovery Objective

Subtidal communities will have recovered when community composition in oiled areas, especially in association with eelgrass beds, is similar to that which would have prevailed in the absence of the spill. Indications of recovery are the return of keystone species, such as certain amphipods and other oil-sensitive crustaceans. Subtidal communities will have recovered when the community composition, age-class distribution, population abundance of component species, and ecosystem functions and services in each injured subtidal habitat have returned to levels that would have prevailed in the absence of the oil spill.

Services

COMMERCIAL FISHING

Injury and Recovery

Commercial fishing is a service that was injured through injury to commercial fish species (see individual resources) and also through fishing closures. In 1989, closures affected fisheries in Prince William Sound, lower Cook Inlet, upper Cook Inlet, Kodiak, and Chignik. These fisheries opened again in 1990. Since then, there have been no spill-related district-wide closures, except for the Prince William Sound herring fishery, which was closed in 1993 and has remained closed since then due to the collapse of the herring population. These closures, including the on-going closure of the herring fishery in Prince William Sound, harmed the livelihoods of persons who fish for a living and the communities in which they live. To the extent that the oil spill continues to be a factor that reduces opportunities to catch fish, there is on-going injury to commercial fishing as a service.

On this basis, the Trustee Council continues to make major investments in projects to understand and restore commercially important fish species that were injured by the oil spill. These projects include: supplementation work, such as fertilizing Coghill Lake to enhance its sockeye salmon run and construction of a barrier bypass at Little Waterfall Creek; development of tools that have almost immediate benefit for fisheries management, such as otolith mass marking of pink salmon in Prince William Sound and in-season genetic stock identification for sockeye salmon in Cook Inlet; and research such as the SEA Project and genetic mapping which will enhance the ability to predict and manage fisheries over the long-term.

~~Continuing injuries to commercial fishing may cause hardships for fishermen and related businesses. Each year that commercial fishing remains below prespill levels compounds the injury to the fishermen and, in many instances, the communities in which they live or work.~~

~~The Trustee Council recognizes the impact to communities and people of the Prince William Sound region resulting from the sharp decline in pink salmon and herring fisheries in past years. In 1994, the Trustee Council committed over six million dollars to help address these issues through the development of an ecosystem-based study for Prince William Sound. Some of the pink salmon and herring problems may be unrelated to the spill. However, the Council will continue to address these important problems.~~

Recovery Objective

Commercial fishing will have recovered when the commercially important fish species have recovered and opportunities to catch these species are not lost or reduced due to effects of the oil spill. population levels and distribution of injured or replacement fish used by the commercial fishing industry match conditions that would have existed had the spill not occurred. Because of the difficulty of separating spill-related effects from other changes in fish runs, the Trustee Council may use prespill conditions as a substitute measure for conditions that would have existed had the spill not occurred.

[NOTE: THE FOLLOWING HAS NOT BEEN REVISED.]

Restoration Strategy

The primary method for restoring commercial fishing is to restore the species that are fished commercially, such as pink salmon, Pacific herring, and sockeye salmon. These species are discussed elsewhere in this chapter. Three additional parts of the strategy for restoring commercial fishing are the following:

Promote recovery of commercial fishing as soon as possible. Many communities that rely on commercial fishing will be significantly harmed while waiting for commercial fish resources to recover through natural recovery alone. Therefore, an objective of restoration is to accelerate recovery of commercial fishing. This objective may be accomplished through increasing availability, reliability, or quality of commercial fish resources, depending on the nature of the injury. For resources that have sharply declined since the spill, such as pink salmon, and Pacific herring in Prince William Sound, this objective may take the form of increasing availability in the long run through improved fisheries management. Another example is providing replacement fish for harvest.

Protect commercial fish resources from further degradation. Further stress on commercial fish resources could impede recovery. Appropriate protection can take the form of habitat protection and acquisition if a resource faces loss of habitat. The Trustee Council can also contribute to the protection of commercial fish species by providing information needed to improve their management.

Monitor recovery. Monitoring the recovery of commercial fishing will track the progress of

recovery, detect major reversals, and identify problems with the resources and resource management that may affect the rate or degree of recovery. Inadequate information may require managers to unduly restrict use of the injured resources, compounding the injury to commercial fishing.

PASSIVE USE

Injury and Recovery

Passive use of resources includes the appreciation of the aesthetic and intrinsic values of undisturbed areas, the value derived from simply knowing that a resource exists, and other nonuse values. Injuries to passive uses are tied to public perceptions of injured resources.

[NOTE: THIS SAYS ALMOST NOTHING ABOUT INJURY. IS THERE ANYTHING TO SAY? PERHAPS A REFERENCE TO THE VALUATION SURVEYS DONE FOLLOWING THE SPILL?]

Recovery Objective

Passive uses will have recovered when people perceive that aesthetic and intrinsic values associated with the spill area are no longer diminished by the oil spill.

[NOTE: THE FOLLOWING HAS NOT BEEN REVISED.]

Restoration Strategy

Any restoration strategy that aids recovery of injured resources, or prevents further injuries, will assist recovery of passive use values. No strategies have been identified that benefit only passive uses, without also addressing injured resources. Since recovery of passive uses requires that people know when recovery has occurred, the availability to the public of the latest scientific information will continue to play an important role in the restoration of passive uses.

Recreation and Tourism

Injury and Recovery

The spill disrupted use of the spill area for recreation and tourism. Resources important for wildlife viewing and which are still injured by the spill include killer whale, sea otter, harbor seal, bald eagle, and various seabirds. Residual oil exists on some beaches with high value for recreation, and its presence may decrease the quality of recreational experiences and discourage recreational use of these beaches.

Closures of sport hunting and fishing also affected use of the spill area for recreation and tourism. Sport fishing resources include salmon, rockfish, Dolly Varden, and cutthroat trout. The Alaska Board of Fisheries restricted sport harvest of cutthroat trout in Prince William Sound in 1991 [?], and those restrictions remain in place. Harlequin ducks are hunted in the spill area. The Alaska Board of Game restricted sport harvest of harlequin ducks in Prince William Sound in 1991, and those restrictions remain in place.

Recreation was also affected by changes in human use in response to the spill. For example, displacement of use from oiled areas to unoiled areas increased management problems and facility use in unoiled areas. Some facilities, such as the Green Island cabin and the Fleming Spit camp area, were injured by clean-up workers.

In the years since the oil spill, there has been a general, marked increase in visitation to the spill area. There are still locations within the oil-spill area, however, avoided by recreational users because of the presence of residual oil.

Recovery Objective

Recreation and tourism will have recovered, in large part, when the fish and wildlife resources on which they depend have recovered, recreation use of oiled beaches is no longer impaired, and facilities and management capabilities can accommodate changes in human use.

[NOTE: THE FOLLOWING HAS NOT BEEN REVISED.]

Restoration Strategy

Preserve or improve the recreational and tourism values of the spill area. Habitat protection and acquisition are important means of preserving and enhancing the opportunities offered by the spill area. Facilities damaged during cleanup may be repaired if they are still needed. New facilities may restore or enhance opportunities for recreational use of natural resources. Improved or intensified public recreation management may be warranted in some circumstances. Projects that restore or enhance recreation and tourism would be considered only if they are consistent with the character and public uses of the area. However, all projects to preserve and improve recreation and tourism values must be related to an injured natural resource. See Policy 9 in Chapter 2.

Remove or reduce residual oil if treatment is cost effective and less harmful than leaving the oil in place. Removal of residual oil from beaches with high value for recreation and tourism may restore these services for some users. However, this benefit would have to be balanced against cost and the potential for further disruption to intertidal communities.

Monitor recovery. Monitor the recovery of resources used for recreation and tourism. Also monitor changes in recreation and tourism in the spill area.

SUBSISTENCE

Injury and Recovery

Before the oil spill, the Alaska Department of Fish and Game had documented 15 Native Alaskan communities (with about 2,200 people) in Prince William Sound, lower Cook Inlet, Kodiak, and the Alaska Peninsula that relied heavily on subsistence resources, such as fish, shellfish, seals, deer, and waterfowl. Per capita subsistence harvest ranged from nearly 200 pounds to more than 600 pounds per year. Subsistence harvests of fish and wildlife in most of these villages declined substantially following the oil spill. The reasons for these declines included reduced

availability of fish and wildlife to harvest, concern about possible health effects of eating contaminated or injured fish and wildlife, and disruption of lifestyles due to clean-up and other activities.

Subsistence foods were tested for evidence of hydrocarbon contamination during 1989-1994, and the results indicated that most resources contained no or very low concentrations of petroleum hydrocarbons. Eating foods with low levels of hydrocarbons posed no risk to human health, although subsistence users were advised not to eat shellfish from obviously contaminated areas. Samples of ducks from the Chenega Bay area in 1994 showed that exposure to crude oil had decreased significantly compared to the exposure levels documented since 1990.

Residual oil exists on some beaches near subsistence communities, and, in general, there continues to be concern or at least uncertainty about the safety of fish and wildlife resources. Uncertainty about the safety of resources reduces their use and value for subsistence.

Surveys by the Alaska Department of Fish and Game indicate that in some communities subsistence resources appear to be harvested at prespill levels based on total pounds-per-person. It is important to note, however, that the composition of many diets has shifted to include more fish and fewer seals. Diet composition continues to be a serious concern to subsistence users.

Subsistence users say that maintaining their subsistence culture depends on uninterrupted use of fish and wildlife resources. The more time users spend away from subsistence activities, the less likely that they will return to these practices. Continuing injury to natural resources used for subsistence may affect the way of life of entire communities. There is particular concern that the oil spill disrupted opportunities for young people to learn subsistence culture, and that this knowledge may be lost to them in the future.

Recovery Objective

Subsistence will have recovered when injured resources used for subsistence are healthy and productive and exist at prespill levels. In addition, there is recognition that people must be and when people are confident that the resources are safe to eat. One indication that recovery has occurred is when and that the cultural values provided by gathering, preparing, and sharing food need to be are reintegrated into community life.

[NOTE: THE FOLLOWING HAS NOT BEEN REVISED.]

Restoration Strategy

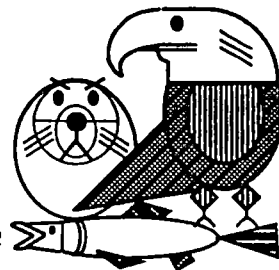
The primary way of restoring subsistence is to restore injured resources used for subsistence, such as clams, harbor seals, Pacific herring, pink salmon, sea otters, and sockeye salmon. These are discussed elsewhere in this chapter. Four additional parts of the strategy to restore subsistence are the following:

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



January 2, 1996

Jim Suchma
Financial Administrator
U.S. District Court for the Southern
District of Texas
P.O. Box 61010
Houston, Texas 77208

Dear Jim:

Traci Cramer, and I wanted to thank you and Kathleen for an excellent tour of the CRIS and Texas Commerce operations. It was very helpful to us in gaining a better understanding of what exactly happens to the Trust funds from the time of Exxon's deposit to their expenditure by various state and federal agencies.

I was pleased to hear Michael Milby say he would support our efforts to reduce fees and do wire transfer of funds. We'll be contacting him on that soon. In the meantime, the audit team is developing a management letter on these issues, and we will be discussing with the state and federal attorneys how best to proceed.

I'm sending under separate cover several of the Trustee Council posters for you and Kathleen, or your kids.

Thanks again, Jim.

Sincerely,

Molly McCammon
Executive Director

Trustee Agencies

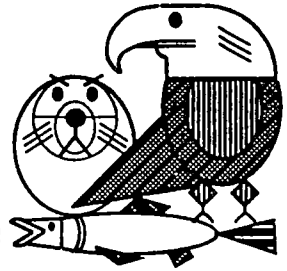
State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation
United States: National Oceanic and Atmospheric Administration, Departments of Agriculture and Interior

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



MEMORANDUM

To: Jeff Lawrence/OSPIC
From: Keri Hile
Date: January 3, 1995
Subj: EVOS Restoration Posters

Please mail three (3) posters in one tube to:

Jim Suchma, Financial Director
U.S. District Court for the Southern
District of Texas
P.O. Box 61010
Houston, Texas 77208

and two (2) posters in one tube to:

Daniel L. Austin, Vice President
Texas Commerce Bank, N.A.
Capital Markets
707 Travis Street - 9-TCBN-94
Houston, Texas 77002-8094

These are to be mailed complimentary from Molly on behalf of the Trustee Council.

Thanks.

Trustee Agencies

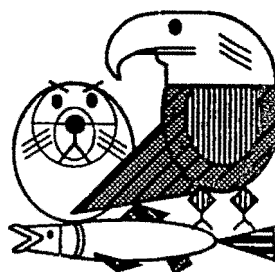
State of Alaska: Departments of Fish & Game, Law, and Environmental Conservation
United States: National Oceanic and Atmospheric Administration, Departments of Agriculture and Interior

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January 2, 1996

Daniel L. Austin
Vice President
Texas Commerce Bank
National Association
Capital Markets
707 Travis Street - 9-TCBN-94
Houston, Texas 77002-8094

Dear Dan:

Traci Cramer and I wanted to thank you for your hospitality during our recent visit to Houston. It was very helpful to see exactly how the bank made investments on behalf of the Court Registry Investment System. This helps us to understand much better how the money flows from Exxon through CRIS and then on to the state and federal accounts.

We appreciate all the time you took to meet with us, Dan. If we can return your hospitality here in Alaska, just let us know.

I'm sending under separate cover two of the Trustee Council's posters for you or your kids. I hope you enjoy them..

Sincerely,

Molly McCammon
Executive Director

Trustee Agencies

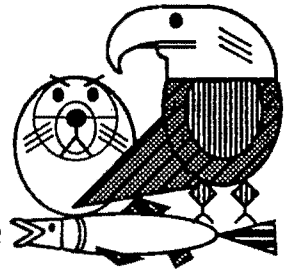
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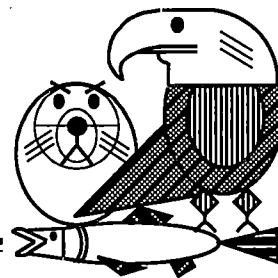
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Phone: (907) 278-8012 Fax: (907) 276-7178



MEMORANDUM

TO: Restoration Work Force
Coordinating Committee

FROM: Molly McCammon
Executive Director

RE: Upcoming Retreat -- Tuesday, January 9

DATE: January 2, 1996

Just a reminder that the Trustee Council staff retreat is scheduled for Tuesday, January 9, 1996. All members of the Restoration Work Force and the Coordinating Committee are encouraged to attend. I am also expecting the participation of one or two PAG members as well as central office staff.

A draft agenda is attached. The retreat will be held at the West Coast International Inn (3333 W. International Airport Road, Anchorage) beginning at 8:00 a.m. on the 9th. I expect the retreat to last all day, and to likely require further follow-up.

If you have questions about the retreat, or suggestions for additions or changes to the agenda, please give me a call.

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

Agenda

DRAFT

Restoration Retreat
Westcoast International Inn
3333 West International Airport Road
243-2233

Tuesday - January 9, 1996

8:00 AM - 12:00 PM Administrative Items

- Role of Restoration Office
 - Overall Restoration Program
 - Science Program
 - Habitat
 - OSPIC
- Role of Trustee Council Agencies
 - Liaisons
 - Program Management
 - Principal Investigators
- Agency Funding
 - Administrative Support Needs
 - Program Management
 - General Administration
 - Definitions of Direct/Indirect Costs
- FY 97 Detailed Project Descriptions
- FY 97 Budget Instructions

12:00 PM - 1:00 PM Lunch on your own

1:00 PM - 5:00 PM

- The restoration stories to be told
 - Resource injury, status, recovery
 - Restoration process
 - Ecosystem links
- How to tell the stories
 - Scientific Community
 - Scientific conferences
 - Articles in non-Trustee, peer-reviewed literature
 - National Research Council review
 - Research "fellowships"
 - Other

Page 2 - Agenda for Restoration Retreat
January 9, 1996

Public

- March 24th Anniversary
- Radio Programs
- OSPIC
- Newspapers and Other Printed Media
- Written Synthesis/Report
- Other

Traditional Knowledge, Integrated Approach Are Themes of 1996 Restoration Workshop

Incorporating local knowledge into the restoration program and forming links across different science disciplines are the major themes for the 1996 Exxon Valdez Oil Spill Restoration Workshop, to be held in Anchorage January 16 – 18. The workshop will bring together scientists, resource managers and members of the public for three days of intensive meetings to review the outcomes of last year's restoration work and help refine objectives for future restoration.

"This workshop has become an annual event because it promotes cooperation

among people working in different fields and linkages across studies of different species and ecosystems," said Molly McCammon, Executive Director for the Exxon Valdez Oil Spill Trustee Council. "The restoration process benefits tremendously when that happens."

The workshop is scheduled to begin Tuesday, January 16, at the Hotel Captain Cook, with registration at 8:00 AM. The workshop session begins at 9:00 AM and continues until 3 PM on Thursday, January 18. Anyone wishing to participate in the workshop should pre-register by contacting the Restoration Office at 907/278-8012. Workshop attendees will receive a special rate at the hotel; call 907/276-6000 to make reservations.

Keynote speakers at the workshop on Tuesday, January 16 will be Larry Merculieff and Thomas Albert on the topic of *Traditional Ecological Knowledge and Science: Successful Examples from Alaska*. Other presentations during the workshop will focus on ecosystem linkages; subsistence resources and archaeology; forage fish, salmon, and herring; marine mammals; birds and other topics related to restoration of resources injured by the 1989 Exxon Valdez oil spill.

For more information about the 1996 Restoration Workshop contact the Restoration Office at 907/278-8012.

Over 150 researchers, resource managers and members of the public participated in the 1995 Restoration Workshop, including this session with Dave Irons of the National Biological Service discussing long-term impacts of the oil spill on sea birds.
Photo by L.J. Evans



Upcoming Events

January 16-18, 1996

Annual Restoration Workshop at the Hotel Captain Cook in Anchorage. Contact: L.J. Evans 907/278-8012 for more information.

January 30*

Trustee Council meeting in Anchorage. Contact Rebecca Williams 907/278-8012 for the agenda and further details.

February 15

Invitation to Submit Restoration Projects for Fiscal Year 1997 scheduled for distribution. Contact Bob Loeffler at 278-8012 for additional information.

March 13-14*

Public Advisory Group meeting in Anchorage. Contact Cherri Womac at 278-8012 for further information.

April 15

FY 97 proposals due. For more information contact Bob Loeffler at 278-8012.

June 5-7

Public Advisory Group meeting in Anchorage. Contact Cherri Womac at 278-8012 for agenda and details of the meeting.

June 24

Draft Work Plan for Fiscal Year 1997 scheduled for distribution. Comment period continues until August 9. Contact Bob Loeffler at 278-8012 for more information.

*Tentative dates

The *Restoration Update* is published approximately six times a year by the *Exxon Valdez* Oil Spill Trustee Council. Its purpose is to update interested members of the public about actions, policies and plans of the Trustee Council to restore resources and services injured by the *Exxon Valdez* oil spill. For more information, mailing address correction, or to request articles on specific subjects, contact:

Executive Director • Molly McCammon

Director of Operations • Eric Myers

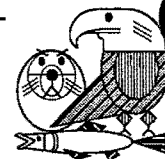
Editor • L.J. Evans

Exxon Valdez Oil Spill Trustee Council, 645 G Street, Suite 401, Anchorage, Alaska 99501-3451
Telephone: 907/278-8012, toll-free within Alaska at 800/478-7745, toll-free outside Alaska at 800/278-7745.

Milestones

- The final *FY1996 Work Plan* is available now by calling the Oil Spill Public Information Center at 907/278-8008, toll-free at 800-478-7745 within Alaska, 800-283-7745 from outside Alaska.
- The Trustee Council and the Kodiak Island Borough reached an agreement at the Trustees' December 11, 1995 meeting for protection of 26,665 acres of prime habitat on Shuyak Island, at the northern tip of the Kodiak archipelago, for \$42 million.

The Kodiak Island Borough agreed to commit \$6 million from the land sale to expansion of Kodiak's Fishery Industrial Technology Center. For additional information contact L.J. Evans at 907/278-8012.



Exxon Valdez Oil Spill Trustee Council
645 G St., Suite 401
Anchorage, AK 99501-3451

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