

13.08.01 – Reading File

September 2001

Exxon Valdez Oil Spill Trustee Council

645 G Street, Suite 401, Anchorage, AK 99501-3451 907/278-8012 fax:907/276-7178



MEMORANDUM

TO: Bill Hauser
ADF&G Liaison

FROM: Molly Moen
Executive Director

RE: Authorization -- Project 02612
Detecting and Understanding Marine-Terrestrial Linkages in the Kenai River Watershed

DATE: September 27, 2001

The purpose of this memorandum is to formally authorize work to proceed on Project 02612/Detecting and Understanding Marine-Terrestrial Linkages in the Kenai River Watershed. The work must be performed consistent with the revised Detailed Project Description dated June 20, 2001 and the budget submitted on April 15, 2001.

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MEMORANDUM

TO: Dede Bohn / DOI
Carol Fries / ADNR
Ken Holbrook / USFS
Celia Rozen / ADFG
Tom Turner / ADEC
Stacy Masters / NOAA

FROM: Sandra Schubert *Sandra*
Program Coordinator

RE: Project Status -- Quarterly Update
DUE FRIDAY, OCTOBER 26, 2001

DATE: September 27, 2001

Please find attached Project Status Update Forms for the quarter ending September 30, 2001. The forms and the instructions for filling them out are the same as they were last quarter. The quarterly report is an opportunity for you to contact each PI to discuss project progress and to report your findings to the Restoration Office. If a PI has an overdue report, please work with the PI to determine when it will be submitted. If other project tasks have been delayed or canceled, please get an explanation from the PI. Also use the update forms to report any issues or other interesting events that have arisen with particular projects.

Please return your completed update forms to me by Friday, October 26, 2001.
Thank you for your cooperation.

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September 21, 2001

Ms. Coowe Walker
Habitat Biologist
Kachemak Bay Research Reserve
2181 Kachemak Drive
Homer, Alaska 99603
907-235-4799 x5

Re: Comments on the KBRR Advisory Council Charter

Dear Ms. Walker:

I apologize for not being able to present these comments by 9/15/01 as you requested, and I hope that they may still be of some use.

The implementation of the Advisory Council as an organized structure for agency and community input to the Reserve is very positive and necessary step in the development of the Reserve. The Advisory Council should prove very useful to the Reserve as a means to implement an effective public involvement process.

The following comments are arranged in the order of the document.

The objectives and duties (Section III) leave the impression that the Council is more of an advocacy group (III.2 & III.6) to promote the Reserve with the local community (see IV.1) than a means to advise the Reserve on the views of agencies and the community regarding the Reserve. Suggest that the duty of providing advice (IV.2) be more clearly articulated. It seems unlikely that a consensus opinion (III.3) from a diverse eight (or nine? See IV.1) member council would be available on all issues, and the concept that a consensus view would reflect the views of individual council members (III.3) appears paradoxical. Suggest that the term, "consensus" be eliminated, and the process of how the body gives advice (letter from chair, memorandum signed by members, etc.) be clearly explained. The members should vote and, if unanimous, that should be indicated. Further regarding the use of "consensus," it is not clear that item III.3 is consistent with item IV.2 & council Operations and Administration #2).

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Although some ex-officio members of statewide agencies are anticipated (IV.1), the proposed geographic focus (III.6, V.3 para. 2) of the Council and its Research and Education Committees (III.7 and III.8) appears local. This leaves open the question of how communication and cooperation with programs at the regional state and national levels will be accomplished. Perhaps regional and national representatives could be on the Council? Taking III.5 and IV.1 together, it is not clear how issues that are not local but that are related to the Reserve's programs (e.g. PISCO and GEM) would enter the advisory process.

It is not clear if the role of the Research Committee (III.7) is to function as scientific advisors to the Reserve? Would the RC be composed of scientists, or persons with scientific backgrounds, or is it composed of non-scientists in order to gain a community-wide perspective on the research activities? Does the Reserve anticipate having an independent body of scientific advisors? Similar questions remain about the expertise envisioned for those who would serve on the Education Committee, the roles the EC would serve for the Reserve.

Why would ADF&G be an ex-officio member (IV.1) of a council that is advisory to an organization that answers to the Director of the Habitat Division of ADF&G? If "ADF&G" is meant to designate some division other than Habitat, it should be explicit stated. Also, the absence of NOAA (NOS), UAF (Kasitsna Bay Laboratory), and NGO's such as Cook Inlet Keeper seems problematic. The issue of the types of activities and organizations represented on the Council IV.1 bears directly on the geographic extent and degree of coordination and communication that the Council is supposed to enable.

The apparent lack of independence of the Council and of its Research and Education Committees from ADF&G and the Reserve may influence the appearance of integrity for both bodies. Suggest that the perception of independence would be enhanced by making it clear that members selected by the ADF&G Habitat Director (V.3 & Council Member Terms #7) and the Research and Education Committee members selected by the Council (IV.4), may only be removed for a limited number of highly specific reasons. The willingness of persons to volunteer for service on the three bodies may be influenced by public perception of the independence of the bodies.

Item V.1 appears more appropriate to a code of conduct for members or for operations of the Council than as part of the member selection process.

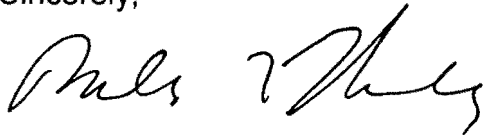
The concept of conflict of interest needs to be clarified. The concept of "conflict of interest" appears to be mixed with the concept of "bias" in Council Operations and Administration #9. In my experience, conflict of interest is appropriately applied to instances of financial gain for the member, or the relative, friend, professional colleague, or business associate of a member. Bias refers to the

opinion or decision of a member being influenced by family relationship, friendship, professional affiliation, education, and so forth. The Council needs to protect itself and its process against conflict of interest and the appearance of conflict of interest. Conflict of interest is what item #10 following should be addressing, not "impropriety" which is undefined elsewhere in the document. Elimination of bias is impossible, since the proposed structure of the Council (IV.1) is designed to empanel a wide diversity of "points of view" (biases).

Council Operations and Administration #19 defines the use of Council's advice by the Reserve, but this leaves open the question of the Council's and the Reserve's use of advice from the Research and Education Committees. With regard to the second bullet of item 19, is suggested that the Council be able to raise issues independently so long as they are germane to the objectives and duties as defined by its charter, and the purposes for which the Reserve was established. With regard to bullet number 3, the Council should provide all advice directly to the Reserve Manager, not to the Research and Education committee. In bullet number four, again recommend deleting use of "consensus" in favor of alternatives previously discussed. In bullet number six, suggest that the Reserve staff does not need to respond, since the Council is tendering advice, not prescriptions.

Thank you for the opportunity to comment.

Sincerely,

A handwritten signature in black ink, appearing to read "Phillip R. Mundy". The signature is fluid and cursive, with the first name "Phillip" and last name "Mundy" clearly distinguishable.

Phillip R. Mundy, Science Coordinator

Exxon Valdez Oil Spill Trustee Council

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MEMORANDUM

TO: Restoration Work Force

FROM: Sandra Schubert *Sandra*
Program Coordinator

RE: Binders of FY 02 DPDs and Budgets

DATE: September 25, 2001

The attached binders contain DPDs and detailed budgets for the FY 02 projects approved by the Trustee Council on August 6, 2001. Deferred projects will be taken up by the Council at a December meeting (tentatively scheduled for December 11). DPDs and budgets for any projects approved at that time will be provided as addenda to these binders.

Each binder contains an index of projects approved in August, as well as a list of projects that have been deferred.

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MEMORANDUM

TO: Stacy Masters
NOAA Contract Officer

FROM: Molly McCammon
Executive Director

RE: Further Extension of Due Date: Final Report
*Project 01551 / Checklist and Distributional Analysis of Marine Algal
Species Collected as Vouchers Under Project CH1A*

DATE: September 26, 2001

The purpose of this memo is to confirm an extended due date of October 31, 2001 for the final report on Project 01551/Checklist and Distributional Analysis of Marine Algal Species Collected as Vouchers Under Project CH1A. I understand that this additional time is needed in order to properly complete the report and manuscript.

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Memorandum

To: Frank Rue, Commissioner
Department of Fish and Game

From: Molly McCammon, Executive Director
Exxon Valdez Oil Spill Trustee Council

Date: September 24, 2001

Re: Southeast Salmon Coordination Panel

Thank you for contacting me regarding the *Exxon Valdez* Oil Spill Trustee Council's participation on the Science Coordination Panel. Dr. Phil Mundy will continue to represent the *Exxon Valdez* Oil Spill Trustee Council on the panel.

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MEMORANDUM

TO: Ken Holbrook
USFS Liaison

FROM: Molly McGammon
Executive Director

RE: Authorization -- Project 02256B
Sockeye Salmon Stocking at Solf Lake

DATE: September 21, 2001

The purpose of this memo is to formally authorize work to proceed on Project 02256B/Sockeye Salmon Stocking at Solf Lake. All work on the project must be performed consistent with the revised Detailed Project Description and budget submitted June 7, 2001.

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MEMORANDUM

TO: Jeep Rice
Acting NOAA Liaison

FROM: Molly McCammon
Executive Director

RE: Authorization -- Project 02492 / Were Pink Salmon Embryo Studies in PWS Biased?

DATE: September 21, 2001

The purpose of this memorandum is to formally authorize work to proceed on Project 02492/Were Pink Salmon Embryo Studies in PWS Biased? The work must be performed consistent with the Detailed Project Description and budget submitted April 2001.

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MEMORANDUM

TO: Jeep Rice
Acting NOAA Liaison

FROM: Molly McCammon
Executive Director

RE: Authorization -- Project 02396 / Alaska Salmon Shark Assessment

DATE: September 21, 2001

The purpose of this memorandum is to formally authorize work to proceed on Project 02396/Alaska Salmon Shark Assessment. All work must be performed consistent with the Detailed Project Description and budget submitted April 2001.

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MEMORANDUM

TO: Jeep Rice
Acting NOAA Liaison

FROM: Molly McGammon
Executive Director

RE: Authorization -- Project 02401 / Assessment of Spot Shrimp Abundance in
Prince William Sound

DATE: September 21, 2001

The purpose of this memorandum is to formally authorize work to proceed on Project 01401/Assessment of Spot Shrimp Abundance in Prince William Sound. The work must be performed consistent with the Detailed Project Description and budget submitted April 2001.

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MEMORANDUM

TO: Carol Fries
ADNR Liaison

FROM: Molly McCammon
Executive Director

RE: Authorization: *Project 02154 / Support Costs: Archaeological Repository, Display Facilities, and Exhibits*

DATE: September 21, 2001

The purpose of this memorandum is to authorize expenditure of the \$29,100 approved by the Trustee Council under Project 02154/Support Costs: Archaeological Repository, Display Facilities, and Exhibits. These funds are for additional support costs for the repository effort. The funds must be spent consistent with the July 27, 2001 memo to the Trustee Council from Molly McCammon (copy attached).

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TO: Trustee Council

FROM: Molly McCammon
Executive Director

RE: Project 99154 / Archaeological Repository, Local Display Facilities
and Traveling Exhibits - Prince William Sound and Lower Cook Inlet
Project 02154 / Support Costs

DATE: July 27, 2001

In a resolution dated January 22, 1999, the Trustee Council authorized \$2.8 million for a grant to Chugachmiut, Inc., to develop an archaeological repository for Prince William Sound and lower Cook Inlet, local display areas in seven communities in those regions, and traveling exhibits to display in the local facilities. The Trustee Council has allocated \$777,000 to an archaeological repository in Seward, \$1,823,000 to local display facilities in eight communities (Chenega Bay, Cordova, Nanwalek, Port Graham, Seldovia, Seward, Tatitlek and Valdez), and \$200,000 to the development of traveling exhibits. The purpose of this memo is to give you a status report on this project and request associated support costs.

Status Report

Repository: The regional repository will occupy part of the first floor of the Orca Building in Seward, on the northwest corner of Washington St. and Third Ave. Chugachmiut owns the entire building. Earlier this year, Chugachmiut received a grant from the Denali Commission to complete the unfinished space on the first floor. The unfinished space will serve as a dental clinic and offices. A 1,700-sf space on the first floor will be converted into a multi-purpose room that could accommodate meeting and exhibits.

Chugachmiut has contracted with the architectural firm of Livingston Slone to design the first floor of the Orca Building. The design should be completed by late August 2001. Chugachmiut projects that remodeling will be complete by the end of the calendar year.

Local Display Facilities: All eight communities have submitted proposals for local display facilities, which in most cases require funding from multiple sources. Chugachmiut has entered into contracts with Eyak and Port Graham for development of their facilities. Negotiations with the other six communities

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continue. The following is a brief description of the local display facilities proposed for each community:

- *Chenega Bay*: The Chenega Bay IRA Council plans to build a new 768-sf local display facility on land donated by the Chenega Corporation. The facility will include an exhibit gallery, a USFS kiosk, storage area, and mechanical room.
- *Eyak/Cordova*: The Native Village of Eyak (NVE) will include a local display facility on the first floor of the Mariner Building in Cordova. NVE owns the building. Construction begins this month. This is the first local display facility that I have approved for construction.
- *Port Graham*: The Port Graham Village Council plans to renovate a 625-sf space in the Port Graham Corporation building to serve as a display area. The corporation will donate the space and major maintenance. The Council has entered into a contract for design of the local display facility.
- *Nanwalek*: The Nanwalek IRA Council proposed a 500-sf exhibit gallery in a new community building. Design and construction of this building have been postponed while the IRA Council seeks funding for the entire project. The Council has submitted an application for a \$500,000 Indian Community Development Block Grant (ICDBG) and obtained a commitment from the English Bay Corporation to contribute funds to the project.
- *Seldovia*: The Seldovia Village Tribe plans to incorporate a local display facility into a new Maritime Mall. This project will be built on the site of an old cannery. The Tribe has recently received a \$2 million EDA grant for this project.
- *Seward*: The Qutekcak Native Tribe plans to locate an 840-sf local display facility in a new tribal building to be built on a vacant lot on Third Avenue in Seward. The site of the new building is 300 ft. north of the repository. The Qutekcak Native Tribe has arranged to use AVTEC student labor to help construct the building.
- *Tatitlek*: The Tatitlek IRA Council plans to renovate the existing Community Center to provide for an 800-sf local display facility. The Community Center formerly housed a small museum, but the museum was disbanded several years ago. The renovation will include upgrades to the heating system, electrical system, insulation and flooring.
- *Valdez*: The Valdez Native Tribe and the Valdez Museum and Historical Archive Association, Inc., submitted a joint proposal for a 4,000-sf expansion of the existing museum. The expansion will include a 500-sf local display area. The total cost of the expansion is \$1,030,000. Construction will take place in the summer of 2003.

Traveling Exhibits: The Trustee Council has authorized \$200,000 for development of exhibits relevant to the archaeological resources injured as a result of the spill. The grant agreement specifies that Chugachmiut will develop eight exhibits, one for each of the local display facilities. Planning and design of the exhibits will begin soon after the repository has begun operations and will be completed by September 30, 2002.

Support Costs

In the resolution authorizing this project, the Council stated its intent to provide a reasonable amount of funding for project management and general administration to be approved by the Trustee Council at each phase of project implementation. The table below summarizes support costs for this project.

I estimate support costs for FY 02 to be no more than \$29,100. These support costs will be allocated as follows: \$5,500 for up to one month of project management; \$3,800 for up to 0.5 months of oversight by Judy Bittner, the State Historic Preservation Officer; and \$19,800 for General Administration.

	Authorizations				Request	Total
	Sept. 1999	Feb. 2000	Aug. 2000	Dec. 2000	Aug. 2001	
Grant	89,000	180,000	869,000	742,000	920,000	2,800,000
Support Costs						
Business Plan Review	20,000					20,000
Project Management	7,300	7,300	11,000	5,500	5,500	36,600
Project Oversight (SHPO)	3,800	3,800	7,600	3,800	3,800	22,800
GA - contractual	7,630	10,650	17,380	14,840	18,400	68,900
GA - personnel	1,665	1,665	2,790	1,395	1,395	8,910
Subtotal support costs (computed):	40,395	23,415	38,770	25,535	29,095	157,210
Subtotal support costs (rounded):	40,400	23,500	38,800	25,500	29,100	157,300

Issue

By prior Trustee Council action, support costs will lapse on September 30, 2002. Although most of the work will be completed by that time, two tasks will continue into FY 03. The local display facility in Valdez will be constructed during the summer of 2003. Chugachmiut will plan the traveling exhibits during FY 02, but not build and install them until FY 03. These two tasks and any other work that may be delayed will require that support costs be expended in FY 03.

Executive Directors' Recommendation

1. Approve \$29,100 in additional support costs for the Alaska Department of Natural Resources for Project 02154. This recommendation will be included in the Work Plan motion.
2. Extend to September 30, 2003, the lapse date for support costs approved in prior years (\$128,200).

Exxon Valdez Oil Spill Trustee Council

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MEMORANDUM

TO: Bill Hauser
ADF&G Liaison

FROM: Molly McCann
Executive Director

RE: Authorization -- Project 02247
Kametlook River Coho Salmon Subsistence Project

DATE: September 24, 2001

The purpose of this memorandum is to formally authorize work to proceed on Project 02247/Kametlook River Coho Salmon Subsistence Project. The work must be performed consistent with the revised Detailed Project Description and budget dated July 21, 2001.

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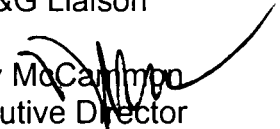
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MEMORANDUM

TO: Bill Hauser
ADF&G Liaison

FROM: Molly McCann 
Executive Director

RE: Authorization -- Project 02210
Youth Area Watch

DATE: September 24, 2001

The purpose of this memorandum is to formally authorize work to proceed on Project 02210/Youth Area Watch. The work must be performed consistent with the Detailed Project Description dated April 1, 2001 and the revised budget dated May 18, 2001.

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MEMORANDUM

TO: Bill Hauser
ADF&G Liaison

FROM: Molly McCann
Executive Director

RE: Authorization -- Project 02395
Workshop on Nearshore/Intertidal Monitoring

DATE: September 24, 2001

The purpose of this memorandum is to formally authorize work to proceed on Project 02395, Workshop on Nearshore/Intertidal Monitoring. The work must be performed consistent with the revised Detailed Project Description and budget dated September 14, 2001.

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MEMORANDUM

TO: Bill Hauser
ADF&G Liaison

FROM: Molly McCammon
Executive Director

RE: Authorization -- Project 02610
Kodiak Island Youth Area Watch

DATE: September 24, 2001

The purpose of this memorandum is to formally authorize work to proceed on Project 02610/Kodiak Island Youth Area Watch. The work must be performed consistent with the revised Detailed Project Description and budget dated July 6, 2001.

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MEMORANDUM

TO: Dede Bohn
DOI-USGS Liaison

FROM: Molly McCommon ✓
Executive Director

RE: Authorization -- Project 02423
*Patterns and Process of Population Change in Selected Nearshore
Vertebrate Predators*

DATE: September 24, 2001

The purpose of this memorandum is to formally authorize work to proceed on Project 02423/Patterns and Process of Population Change in Selected Nearshore Vertebrate Predators. The work must be performed consistent with the revised Detailed Project Description and budget dated July 3, 2001.

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MEMORANDUM

TO: Dede Bohn
DOI-USGS Liaison

FROM: Molly McCammon
Executive Director

RE: Authorization -- Project 02656
*Retrospective Analysis of Nearshore Marine Communities Based on
Analysis of Archaeological Material and Isotopes*

DATE: September 24, 2001

The purpose of this memorandum is to formally authorize work to proceed on Project 02656/Retrospective Analysis of Nearshore Marine Communities Based on Analysis of Archaeological Material and Isotopes. The work must be performed consistent with the revised Detailed Project Description and budget dated July 9, 2001.

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MEMORANDUM

TO: Tony DeGange
DOI-USFWS Liaison

FROM: Molly McCammon
Executive Director

RE: Authorization -- Project 02144
Common Murre Population Monitoring

DATE: September 24, 2001

The purpose of this memorandum is to formally authorize work to proceed on Project 02144/Common Murre Population Monitoring. The work must be performed consistent with the Detailed Project Description dated April 11, 2001 and the budget dated April 2, 2001.

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MEMORANDUM

TO: Tony DeGange
DOI-USFWS Liaison

FROM: Molly McCammon
Executive Director

RE: Authorization -- Project 02561
*Evaluating the Feasibility of Developing a Community-Based Forage Fish
Sampling Project for GEM*

DATE: September 24, 2001

The purpose of this memorandum is to formally authorize work to proceed on Project 02561/Evaluating the Feasibility of Developing a Community-Based Forage Fish Sampling Project for GEM. The work must be performed consistent with the Detailed Project Description and budget dated April 10, 2001.

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September 24, 2001

Dr. Alexander S. Bychkov, Executive Secretary
PICES Secretariat c/o Institute of Ocean Sciences
P.O. Box 6000
Sidney, BC
Canada V8L 4B2

Fax: (1-250) 363-6827

RE: Letter of support for North Pacific Ecosystem Status Report

Dear Dr. Bychkov:

We have reviewed your proposal outlining the contents and plans for implementation of the North Pacific Ecosystem Status Report (NPESR), and find that it is worthy of discussion regarding our participation and financial support for its production. The periodic production of NPESR is a timely and useful concept as an effective means of keeping the public informed about the condition of marine resources. The use of visiting scientists in the course of implementing NPESR is an innovative and effective approach for fostering cooperation among the diverse sources of marine information in the North Pacific region. The contents of the draft outline are consistent with the contents we envision for a report on the state of the Gulf of Alaska marine resources to be produced under our Gulf Ecosystem Monitoring and Research Program (GEM). We recommend the addition of a section on human uses and activities. The section would provide the opportunity to describe human population levels and trends in the North Pacific and describe the current state of human uses of marine resources such as commercial fishing, oil and gas development, marine transportation, etc. The timing and proposed contents are also consistent with another closely related effort, a report on the State of Alaska's Oceans now being planned by the Alaska Governor's Office for fall 2002.

As we understand the proposal, regional experts would contribute materials for the report according to the outline (attached). Regional experts would be solicited from among PICES members through the network of PICES scientific committees and work groups. The contributed materials would be organized and assembled with the participation of visiting scientists at the PICES Secretariat, which would be responsible for producing the report. PICES requires financial support for producing the report, and it is proposed that the funds be provided by interested organizations and programs, such as GEM.

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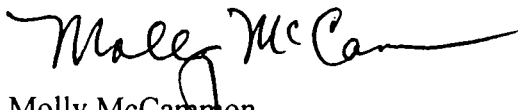
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Alaska Department of Law

The proposed process for report synthesis identified in the Study Group Report (page 2) seems reasonable; however, we suggest review and revision of the first draft (step 2 June 2002) under the direction of an editorial board composed of experts selected by interested organizations and programs. Production of a second draft should not be a lengthy process, and it would make the review work of the PICES Science Board (step 3) easier.

We look forward to working with you to define our participation in the North Pacific Ecosystem Status Report. If we are assured that our participation will result in a report that is an effective means of keeping the public informed about the condition of marine resources in the Gulf of Alaska, we would be prepared to recommend that the Trustee Council provide financial support to PICES (in an amount not to exceed US \$10,000 in U.S. federal FY 2002) for production of the report.

Sincerely,

A handwritten signature in black ink, reading "Molly McCammon". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Molly McCammon
Executive Director

cc: Dr. Phil Mundy

Attachment

PM:cw

Proposed Outline for North Pacific Ecosystem Status Report

- I. Introduction and Scope
 - A. Status of monitoring and databases
- II. Hydrography and Climate
 - A. Large scale features and indices (e.g., ENSO, PDO, NPI indices)
 - B. Regional features and indices (e.g., regional seas ice cover indices, annual air and ocean temperature anomalies, salinity anomalies, precipitation anomalies)
- III. Chemistry
 - A. CO₂ concentration
 - B. Dissolved oxygen levels
 - C. Nutrient levels and sources
 - D. Trace metals and organic pollutants: sources and levels in seawater, sediments and biota
- IV. Biology
 - A. Phytoplankton (chlorophyll, production, species composition and distribution, size composition, timing of spring bloom, harmful algal bloom number and extent)
 - B. Zooplankton (biomass, species composition and distribution, size composition, production)
 - C. Non-commercial benthos (biomass, species composition and distribution, size composition, summarized by feeding type)
 - D. Fish, shellfish and squid (catch (including bycatch and discards), mariculture activities, biomass, recruitment, species composition and distribution, size or age composition, mean weight at age, stock condition {number of stocks that are increasing, decreasing, stable}, rates of fish disease occurrence, diet, larval and egg stage abundance and distribution)
 - E. Marine mammals and birds (number, reproductive performance, diet)
 - F. Number and type of nonnative species
- V. Ecosystem Analysis and Predictions
 - A. Status of modeling
 - B. Identification of human and natural processes influencing ecosystem change (diagnostic models)
 - C. Prediction of future ecosystem status (prognostic models)
- VI. Outstanding scientific questions and recommendations

*** ACTIVITY REPORT ***

TRANSMISSION OK

TX/RX NO.	4927
CONNECTION TEL	12503636827
CONNECTION ID	PICES
START TIME	09/24 09:33
USAGE TIME	01'22
PAGES	3
RESULT	OK

Exxon Valdez Oil Spill Trustee Council

645 G Street, Suite 401, Anchorage, AK 99501-3451 907/278-8012 fax:907/276-7178



MEMORANDUM

TO: Ken Holbrook
US Forest Service

FROM: Molly McCammon
Executive Director

RE: Eyak Habitat Acquisition: 2001 Payment

DATE: September 20, 2001

I have advised the Trustee Council that the US Forest Service intends to exercise its discretion to make the scheduled October 1, 2001 payment to Eyak Corporation, as outlined in the attached memorandum (9/19/01 from M. McCammon to Trustee Council). I have also informed the Council that the US Forest Service has agreed to increase the land withholding for the Power Creek Hydroelectric Project from 25 acres to 32.6 acres.

There is no objection from any Trustee Council member to the US Forest Service proceeding with the 2001 payment and adjusting the acreage for the hydroelectric project. You are therefore authorized to proceed.

Attachment

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Exxon Valdez Oil Spill Trustee Council

645 G Street, Suite 401, Anchorage, AK 99501-3451 907/278-8012 fax:907/276-7178



MEMORANDUM

TO: Exxon Valdez Oil Spill Trustee Council

FROM: Molly McCammon
Executive Director

RE: Eyak Habitat Acquisition

DATE: September 19, 2001

The second to the last payment to the Eyak Corporation for purchase of 75,425 acres of land is due October 1, 2001. The purchase agreement between the US Forest Service (USFS) and Eyak Corporation authorized the USFS to withhold the 2001 payment if land temporarily withheld under the agreement for the Power Creek Hydroelectric Project was not conveyed to the USFS by September 30, 2001. The purpose of this memo is to inform you that, although the conveyance is not yet complete (the final plat is to be considered by the Cordova City Council today, September 19), the USFS intends to exercise its discretion to make the payment October 1 as scheduled, unless there is objection by the Trustee Council. The purchase agreement requires the USFS to withhold the 2002 payment if the conveyance is not completed by that date.

In addition, the USFS has agreed to increase the amount of the permanent withholding for the hydroelectric project from the 25 acres envisioned in the purchase agreement to 32.6 acres. This adjustment in acreage will require an amendment to the agreement.

More detail on the delay in conveying the land and the need for the increased acreage is provided in the attached letter from Brian Lettich, CEO of Eyak Corporation.

Please let me or Sandra Schubert of my staff know no later than noon Thursday, September 20 if you have any objection to the US Forest Service (1) making the payment on October 1 or (2) amending the purchase agreement to increase the acreage in the permanent withholding. I have reviewed and support both of these items, as do legal counsel from the Alaska Department of Law and the US Forest Service.

Attachment

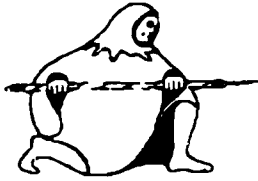
cc: Marty Rutherford, Alaska Department of Natural Resources
Alex Swiderski, Alaska Department of Law
Maria Lisowski, US Forest Service

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Alaska Department of Law



The Eyak Corporation

P.O. Box 340 Cordova, Alaska 99574
(907) 424-7161 Fax (907) 424-5161

September 18, 2001

Via Facsimile and U.S. Mail

(907) 276-7178
Molly McCammon
Executive Director
Exxon Valdez Oil Spill Trustee Council
645 G Street, Suite 401
Anchorage, AK 99501

(907) 271-3992
Dave Gibbons
Forest Supervisor
Chugach National Forest
U.S. Forest Service
U.S. Department of Agriculture
3301 C Street, Suite 300
Anchorage, AK 99503-3998

(907) 269-8918
Marty Rutherford
Deputy Commissioner
Department of Natural Resources
State of Alaska
550 West 7th Avenue, Suite 1400
Anchorage, AK 99501

Re: Power Creek Hydroelectric Power Site, Cordova, Alaska

Dear Ms. McCammon, Ms. Rutherford and Mr. Gibbons:

At the direction of Nancy Barnes, President of The Eyak Corporation (Eyak), I am providing to you a status report regarding the Hydroelectric Power Project at Power Creek in Cordova, Alaska as it relates to the conveyance of remaining Eyak lands under the Lands Agreement between Eyak, the United States and the State of Alaska, dated December 31, 1998. In addition, on behalf of and as directed by the President of Eyak, and as explained in greater detail later in this letter, I am requesting that --

- (1) the October 1, 2001 payment under the Lands Agreement be paid by the United States on schedule by October 1, 2001, even though the remaining acreage to be conveyed under the Agreement will not have been conveyed to the United States by that date; and
- (2) the Parties to the Lands Agreement amend the Agreement to include an additional 7.61 acres to the estimated 25-acre footprint size for the project site because of safety and land management reasons.

Molly McCammon
September 18, 2001
Page 2

Chronology of Events at Power Creek

As you know, in the Lands Agreement between this Corporation, the United States and the State of Alaska, the Parties to the Agreement recognized that this power project would not be completed prior to the closing on the Lands Agreement. In February of 1999, in an Amendment to the Lands Agreement, the Parties further recognized that because the project footprint could not be determined until later, the transfer of a portion of the lands owned by Eyak to the United States (other than the site footprint) would need to be completed *after* the power project was completed.

Since that time, much has happened with respect to this project. The Cordova Electric Cooperative ("CEC") for whom the project is being built projected originally that the Power Creek Project would be completed during August 2000. This did not happen because of several events beyond the reasonable control of Eyak or CEC . . . including acts of God.

An avalanche occurred on April 15, 1999, killing Gary Stone while he was working on the project. Because of this terrible accident, work on the project was shut down until an avalanche risk assessment could be made and until the project site could be deemed safe to re-enter. As a result, the work season was shortened during the remainder of 1999. CEC also found it necessary to move the entire powerhouse facility from its then currently constructed site to mitigate potential future avalanche damage. These events had the effect of pushing back the timeline for the project's completion to December 2000.

During the summer of 2000, CEC continued work to cut a tunnel through the hillside adjacent to Power Creek to place the penstock. Because they found the rock within the tunnel extensively fractured, the tunnel work took longer than they had initially estimated. After permits were finally issued, work on the upper intake structure began late in the year. Because of the winter avalanche danger, the extra work needed on the tunnel, and the delay in the work on the upper intake structure, the completion schedule for the project was changed to May 2001.

Because CEC had not finished its work on the upper end of the project site before work was ordered shut down because of avalanche dangers, the upper end of the tunnel was not sealed before CEC pulled its equipment out for the rest of the winter. An avalanche occurred during the beginning of 2001 that damned the waters of Power Creek. The impounded water breached the ice dam and flowed into the tunnel holding the newly installed penstock. The waters washed out the supports and further damaged the pipeline to the extent that during the spring of 2001 CEC had to replace the approximately 6000 feet of a 67 inch diameter pipeline it had just finished installing the previous work season. This again changed the timeline for completion back to August 2001.

Molly McCammon
September 18, 2001
Page 3

Work has continued through 2001 to repair the penstock and tunnel and to complete the project this year. CEC now expects to have the project operational on or about October 1, 2001.

Eyak was not able to begin the work to set survey monumentation for the project until CEC had established a site project footprint through actual construction. Because of these unforeseen and unpreventable delays, the survey work could not be undertaken until August of 2001. Eyak has, therefore, not been able to determine with precision the power creek site footprint until now.

Final Power Site Plat Needs to Factor in Avalanche Berms
and Unmanageable Land Parcels

The power site project is now almost completed. It has the potential to provide a more reliable source of power for the City of Cordova and its residents than has been the case in the past. The final plat has been determined and it will take approximately 32.61 acres rather than the 25-acres estimated originally. This relatively small increase beyond the 25 acres that was estimated in 1997 to be the likely footprint of this project is attributable to two reasons.

First, approximately 3.31 acres are needed to ensure that there is adequate space for avalanche berms and buffer areas. After the terrible and tragic avalanche incidents discussed above, it appears to be prudent to provide berms or buffer areas to help cope with the avalanche potential in the area. The actual footprint of the project site *can actually fit* within the original 25-acre original estimate. However, the recent avalanches dramatically showed the destructive power of such natural forces and the need to plan for those forces as best one can. The 3.31-acre addition to the project footprint helps to deal with that issue.

Second, approximately 4.3 acres are needed that represent lands that the Forest Service believes are "unmanageable" because they are just small slivers of land between the project and the road or between the project and Power Creek. Eyak is certainly prepared to convey those areas to the Forest Service but concurs with the Forest Service that it would be prudent to just leave those slivers of land as part of the footprint for the project rather than to try to manage them as Forest Service lands. It is a very small amount of land that is not very usable for other purposes.

We view that both of these small additions to the 25-acre estimate are for valid public safety and management purposes. The final plat will be considered for approval by the City Council on September 19, 2001. Once that is completed, Eyak will be ready to proceed to closing on the transfer of the remaining approximately 605 acres of lands in the vicinity of the Power Creek Power Site Project to the United States.

Molly McCammon
September 18, 2001
Page 4


In light of this, I request on behalf of The Eyak Corporation the following:

- (1) **that the United States utilize its discretion under paragraph 6.c. of the Amendment to the Lands Agreement to ensure that the October 1, 2001 payment to the Corporation under the Lands Agreement proceeds on schedule prior to the remaining 605 acres being conveyed to the United States.** (Explanation: Section 6.c. provides discretionary authority to the United States so that if Eyak fails to complete the conveyances of the remaining acres prior to September 30, 2001, the United States *may* withhold the 2001 payment and/or the 2002 payment. That discretion is conditioned subject "... only to causes beyond the reasonable control of Eyak or Cooperative, such as ... acts of God, which could not ... have been avoided." Eyak contends that the circumstances outlined above meet this condition. Also, since the 2002 payment is more than ample security for the conveyance of the remaining lands, we urge that the United States exercise its discretion to use the 2002 payment as security in this instance regarding the conveyances of remaining lands); and
- (2) **that, Eyak, the United States and the State of Alaska agree to an amendment to the Lands Agreement that would increase the acreage figure for the Power Creek Hydroelectric power site from 25 acres to 32.61 acres.** (Explanation: Paragraph 18 of the Lands Agreement, provides that "[i]n the event that circumstances occur beyond the reasonable control of a party that ... require modification to the rights and benefits provided to any of the Parties, then the Parties will negotiate, in good faith, such reasonable modifications of this Agreement as are necessary ... to carry out the intent of this Agreement.")

Thank you for your consideration of this request in furtherance of completing the Lands Agreement. We look forward to closing on this final 605-acre parcel of land as soon as that can be worked out with the United States and the State of Alaska.

Best wishes.

Sincerely,



Brian J. Lettich
CEO

Molly McCammon
September 18, 2001
Page 5

cc: Dave Gibbons, U.S. Forest Service (USFS)
Marty Rutherford, Alaska Department of Natural Resources
Molly McCammon, EVOS Trustee Council
Nancy Barnes, President, The Eyak Corporation
John Johnson, Chairman of the Board, The Eyak Corporation
Maria Lisowski, USFS
Alex Swiderski, Alaska Department of Law
Ken Holbrook, USFS
Roy Jones
Clare Doig

Exxon Valdez Oil Spill Trustee Council

645 G Street, Suite 401, Anchorage, AK 99501-3451 907/278-8012 fax:907/276-7178



MEMORANDUM

TO: Tom Taylor
ADFG, Procurement Specialist

FROM: Debbie Hennigh *dhennigh*
Special I Assistant

DATE: September 18, 2001

SUBJ: Computer Matrix Contract

.....

Enclosed are three signed copies of the Computer Matrix Contract.

Thanks for your assistance.

Enclosures

STATE OF ALASKA
AMENDMENT TO PROFESSIONAL SERVICES CONTRACT

1. Agency Contact Number IHP-99-021
2. ASPS Number
3. Optional Renewal? <input type="checkbox"/> Yes <input type="checkbox"/> No Years remaining <u>2</u>
4. Financial Coding 11921600-11921600-73270
5. Agency Assigned Encumbrance Number 1193276
6. Amendment No. Three

This agreement is between the State of Alaska,				
7. Department of Fish & Game, EVOS Trustee Council		Hereafter the State, and		
8. Contractor Computer Matrix		hereafter the Contractor		
Mailing Address 3522 West 27 th Avenue	Street or P.O. Box	City Anchorage	State AK	ZIP Code 99517
9. Original period of performance FROM: 10/1/98 TO: 9/30/99		10. Amended period of performance FROM: 10/1/2001 TO: 9/30/2002		
11. Previous amount of contract to date: \$17,000.00	12. Amount of this amendment: \$5,000.00	13. This amended contract shall not exceed a total of \$ <u>22,000.00</u>		

14. In accordance with the provisions of the above referenced contract, the parties to that contract agree that the services to be performed by the contractor under the contract are amended as follows: All other terms and conditions of the contract remain in effect. (Use reverse for continuation of amended provisions if necessary.)

Extend the contract for one year (10/1/2001 through 9/30/2002) and increase the total of the contract by \$5000.

In full consideration of the contractor's performance under and including this amendment, the State shall pay the contractor a new total not to exceed \$22,000.00.

The period of performance under this contract is increased/decreased by one year to 9/30/2002.

IN WITNESS WHEREOF the parties hereto have executed this amendment.

NOTICE! This amendment has no effect until signed by the head of the contracting agency, procurement officer or designee.

15. CONTRACTOR		17. CERTIFICATION: I certify that the facts herein and on supporting documents are correct, that this voucher constitutes a legal charge against funds and appropriations cited, that sufficient funds are encumbered to pay this obligation, or that there is a sufficient balance in the appropriation cited to cover this obligation. I am aware that to knowingly make or allow false entries or alternations on a public record, or knowingly destroy, mutilate, suppress, conceal, remove or otherwise impair the variety, legibility or availability of a public record constitutes tampering with public records punishable under AS 11.56.815-.820. Other disciplinary action may be taken up to and including dismissal.	
Name of Firm Computer Matrix			
Signature of Authorized Representative <i>Joseph Kolanski</i>	Date 9/18/01		
Typed or Printed Name of Authorized Representative Joseph Kolanski			
Title Owner			
16. CONTRACTING AGENCY		Signature of Head Contracting Agency or Designee	
Department/Division ADF&G/Oil Spill Trustee Council		Date	
Signature of Project Director <i>Sandra Schubert</i>		Typed or Printed Name of Authorizing Official John White	
Date 9-14-01		Title Procurement Officer	
Typed or Printed Name of Project Director McCammon		18. APPROVAL BY THE DEPARTMENT (if applicable)	
Title Executive Director			

Exxon Valdez Oil Spill Trustee Council

645 G Street, Suite 401, Anchorage, AK 99501-3451 907/278-8012 fax:907/276-7178



MEMORANDUM

TO: Dede Bohn
DOI-USGS Liaison

FROM: Molly McCammon *Schubert for*
Executive Director

RE: Additional Authorization -- Project 01163
*APEX: Alaska Predator Ecosystem Experiment in Prince William Sound
and the Gulf of Alaska*

DATE: September 18, 2001

The purpose of this memorandum is to formally authorize work to proceed on the Subproject M component of 01163/APEX. This component was funded contingent on submittal of the principal investigator's (Dr. John Piatt) chapter of the Project 00163 final report. That chapter has not yet been submitted, due in part to the PI's lengthy absence from work because of illness. However, substantial progress on the chapter has been made and the PI has assured us that it will be submitted no later than October 30, 2001.

All work on Subproject M must be performed consistent with the revised Detailed Project Description submitted September 11, 2000 and the revised budget dated August 28, 2000.

The balance of funding for Project 01163 was authorized on February 21, 2001.

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645 G Street, Suite 401, Anchorage, AK 99501-3451 907/278-8012 fax:907/276-7178



MEMORANDUM

TO: Vicki Friesen, Project 00169 PI
Queen's University

FROM: Molly McCammon *Submitted for*
Executive Director

RE: Extension of Due Date: FY 00 Final Report
*Project 00169 / A Genetic Study to Aid in Restoration of Murres,
Guillemots, and Murrelets in the Gulf of Alaska*

DATE: September 18, 2001

The purpose of this memo is to confirm an extended due date of March 31, 2002, for the final report on Project 00169/A Genetic Study to Aid in Restoration of Murres, Guillemots, and Murrelets in the Gulf of Alaska. I understand this additional extension is needed because of staff turnover and the development of new analytical methods for the data collected.

cc: Dede Bohn, DOI-USGS Liaison

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MEMORANDUM

TO: Trustee Council

THROUGH: Molly McCann
Executive Director

FROM: Debbie Hennigh
Special Assistant

DATE: September 19, 2001

RE: Quarterly Report for the Period Ending June 30, 2001

The attached reports consolidate the financial information submitted by the agencies for the quarter ending June 30, 2001.

The first report is a summary of activity by restoration category. This report reflects the total adjusted authorization and the total expended/obligated by Work Plan year and restoration category.

The second report displays the financial information by Fiscal Year. This report is used to determine what portion of the unexpended/unobligated balance or lapse is available to off set future court requests. Included are adjustments to reflect unreported interest and other revenue. It is estimated that \$6,144,100 is available to off set future court requests. This estimate includes lapse associated with Fiscal Years 1992 through 2000 and unobligated funds associated with other authorizations for which the purpose has been accomplished.

The third report is a summary of financial information associated with the 2001 Work Plan.

If you have any questions regarding the information provided, please call .

Attachments

Cc: Agency Liaisons
Bob Baldauf

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Exxon Valdez C I Trustee Council
Quarterly Financial Report As of June 30, 2001
Category

Category	92' Work Plan			93' Work Plan			94' Work Plan			95' Work Plan		
	Adjusted Authorization	Expended/Obligated	Percent Obligated	Adjusted Authorization	Expended/Obligated	Percent Obligated	Adjusted Authorization	Expended/Obligated	Percent Obligated	Adjusted Authorization	Expended/Obligated	Percent Obligated
General Restoration	4,103,070	3,793,459	92.45%	3,126,013	2,172,316	69.49%	5,248,300	3,169,392	60.39%	5,232,695	4,436,734	84.79%
Monitoring							2,883,118	2,571,396	89.19%	3,080,926	2,460,924	79.88%
Research							8,640,710	8,085,273	93.57%	10,726,431	10,107,500	94.23%
Monitoring and Research	2,237,788	2,206,587	98.61%	4,204,925	3,626,649	86.25%	417,200	335,717	80.47%			
Damage Assessment	7,807,100	5,740,168	73.52%	1,991,807	1,570,900	78.87%	0	0	0.00%	0	0	0.00%
sub-total	14,147,958	11,740,215	82.98%	9,322,745	7,369,866	79.05%	17,189,328	14,161,778	82.39%	19,040,052	17,005,158	89.31%
Habitat Protection	0	0	0.00%	486,200	156,760	32.24%	3,747,292	1,656,323	44.20%	2,757,322	2,231,447	80.93%
Administration	5,076,100	4,291,788	84.55%	4,136,052	2,647,818	64.02%	4,813,880	4,008,303	83.27%	4,207,026	3,171,447	75.38%
Total	19,224,058	16,032,003	83.40%	13,944,997	10,174,444	72.96%	25,750,500	19,826,404	76.99%	26,004,400	22,408,052	86.17%

Category	96' Work Plan			97' Work Plan			98' Work Plan			99' Work Plan		
	Adjusted Authorization	Expended/Obligated	Percent Obligated	Adjusted Authorization	Expended/Obligated	Percent Obligated	Adjusted Authorization	Expended/Obligated	Percent Obligated	Adjusted Authorization	Expended/Obligated	Percent Obligated
General Restoration	4,133,410	3,739,517	90.47%	3,812,538	3,575,827	93.79%	2,413,185	2,249,944	93.24%	2,396,789	2,298,679	95.91%
Monitoring	1,496,871	1,447,703	96.72%	985,022	950,137	96.46%	930,911	893,146	95.94%	1,282,829	1,218,342	94.97%
Research	13,208,019	12,735,656	96.42%	11,430,632	11,183,953	97.84%	10,781,704	10,363,124	96.12%	7,966,482	7,721,742	96.93%
sub-total	18,838,300	17,922,876	95.14%	16,228,193	15,709,917	96.81%	14,125,800	13,506,214	95.61%	11,646,100	11,238,763	96.50%
Habitat Protection	3,304,100	2,045,292	61.90%	1,260,600	819,070	64.97%	851,400	596,353	70.04%	770,400	601,716	78.10%
Administration	3,418,500	2,979,622	87.16%	2,938,207	2,662,617	90.62%	2,796,300	2,531,047	90.51%	2,495,700	2,323,967	93.12%
Total	25,560,900	22,947,790	89.78%	20,427,000	19,191,604	93.95%	17,773,500	16,633,614	93.59%	14,912,200	14,164,446	94.99%

Category	00' Work Plan			01' Work Plan		
	Adjusted Authorization	Expended/Obligated	Percent Obligated	Adjusted Authorization	Expended/Obligated	Percent Obligated
General Restoration	938,139	801,568	85.44%	985,524	837,282	84.96%
Monitoring	1,397,074	1,254,475	89.79%	1,335,666	1,074,732	80.46%
Research	6,073,487	5,720,708	94.19%	3,624,510	2,921,617	80.61%
sub-total	8,408,700	7,776,751	92.48%	5,945,700	4,833,631	81.30%
Habitat Protection	405,800	362,875	89.42%	268,100	147,551	55.04%
Administration	2,033,900	1,820,201	89.49%	1,500,100	1,050,552	70.03%
Total	10,848,400	9,959,827	91.81%	7,713,900	6,031,734	78.19%

Exxon Valdez C Trustee Council
Quarterly Report as of June 30, 2001
Summary

DRAFT

WORK PLAN AND ASSOCIATED PROJECTS										
Fiscal Year	Authorized	Adjustments	Adjusted Authorization	EVOS Expenditures	RSA Expenditures	Obligations	Unobligated Balance	EVOS Lapse	Federal Lapse	State Lapse
1992	19,211,000	13,058	19,224,058	13,311,903	2,720,100	0	5,912,155	5,912,155	2,292,119	3,620,036
1993	13,963,000	-18,003	13,944,997	10,174,444		0	3,770,553	3,770,553	1,752,480	2,018,073
1994	25,750,500	0	25,750,500	19,826,404		0	5,924,096	3,712,996	1,336,041	2,376,955
1995	26,004,400	0	26,004,400	22,408,052		0	3,596,348	3,596,348	880,818	2,715,530
1996	25,560,900	0	25,560,900	22,947,790		0	2,613,110	2,613,110	921,208	1,691,902
1997	19,827,600	-5,379	19,822,221	18,605,195		0	1,217,026	1,217,026	536,176	680,850
1998	17,281,600	0	17,281,600	16,250,176		0	1,031,424	1,031,424	377,369	654,055
1999	14,591,200	0	14,591,200	13,869,472		0	721,728	726,422	320,528	405,894
Deobligations									216,740	2,567,359
2000	10,816,100	32,300	10,848,400	9,108,478		851,349	888,573	888,573	62,912	825,661
2001	7,702,200	11,700	7,713,900	4,826,343		1,205,391				
TOTAL	180,708,500	33,676	180,742,176	151,328,257	2,720,100	2,056,740	25,675,013	23,468,607	8,696,391	17,556,315
OTHER AUTHORIZATIONS			371,734,143	304,846,995		4,059,948	62,827,200	680,715	307,364	373,351
Total Reported Lapse (Through Court Request #45 & Court Notice 7)								25,472,814	8,605,989	16,866,825
Unreported Lapse (1992 through 2000)								1,460,607	397,766	1,062,841
Unreported Interest (as of 6/30/01)								4,683,493	673,829	4,009,664
Other Revenue (Posters/Symposium Receipts)								33,592	0	0
Total Available to Offset Future Court Requests								6,144,100	1,071,595	5,072,505
Footnote: The Unobligated Balances have been adjusted to reflect the carry forward of projects. This includes \$2,211,100 in FY 94'.										
Federal Lapse includes lapse money that has not been received by the NRDAR account as not all agencies have returned lapsed funds.										
Other Authorizations: Includes all large and small parcel acquisitions, the Alutiiq Repository, Prince William Sound and Lower Cook Inlet Archaeological Repository (99154), Construction of the Alaska SeaLife Center, Implementation of the Sound Waste Mgt. Plan (97115), Kenai Habitat Restoration & Recreation (97180, 98180, 99180), Alaska SeaLife Center Fish Pass (97179), Chenega-Area Residual Oiling (96291, 97291, 98291), Kodiak Waste Mgt. Plan (99304), Port Graham Hatchery Reconstruction (99405).										

Exxon Valdez Oil Spill
For the Period Ending June 30, 2001
Fiscal Year 2001

Project Number	Category	Project Description	Authorized	Adjustments	Adjusted Authorization	As of 3/31/01 Expenditures	As of 3/31/01 Obligations	Expended/ Obligated	Unobligated Balance
01012	M	Photographic and Acoustic Monitoring of Killer Whales in Prince William Sound and Kenai Fjords	74,500	0	74,500	69,600	0	69,600	4,900
01052	G	Community Involvement/Traditional Ecological Knowledge	201,900	0	201,900	99,847	96,840	196,687	5,213
01064	M	Monitoring, Habitat Use, and Trophic Interactions of Harbor Seals in Prince William Sound	22,600	0	22,600	0	15,000	15,000	7,600
01100	A	Public Information, Science Management and Administration	1,500,100	0	1,500,100	874,503	176,049	1,050,552	449,548
01126	H	Habitat Protection and Acquisition Support	256,400	11,700	268,100	141,333	6,218	147,551	120,549
01131	G	Chugach Native Region Clam Restoration	10,500	0	10,500	0	9,900	9,900	600
01144	M	Common Murre Population Monitoring	46,500	0	46,500	2,673	0	2,673	43,827
01159	M	Surveys to Monitor Marine Bird Abundance in Prince William Sound during Winter and Summer 2000	25,000	0	25,000	25,729	0	25,729	-729
01163	R	Alaska Predator Ecosystem Experiment in Prince William Sound and the Gulf of Alaska (APEX)	199,600	0	199,600	133,377	0	133,377	66,223
01190	R	Construction of a Linkage Map for the Pink Salmon Genome	400,900	0	400,900	146,737	229,370	376,107	24,793
01195	R	Pristane Monitoring in Mussels	55,000	0	55,000	53,000	0	53,000	2,000
01210	G	Youth Area Watch	107,000	0	107,000	52,950	51,345	104,295	2,705
01245	G	Community-Based Harbor Seal Management and Biological Sampling	40,000	0	40,000	18,803	9,448	28,251	11,749
01247	G	Kametolook River Coho Salmon Subsistence Project	22,700	0	22,700	9,422	5,887	15,309	7,391
01250		Project Management	284,300	0	284,300	200,555	1,247	201,802	82,498
01256B	G	Sockeye Salmon Stocking at Solf Lake	24,400	0	24,400	10,455	0	10,455	13,945
01273	R	Surf Scoter Life History and Ecology	50,100	0	50,100	22,396	624	23,020	27,080
01290	R	Hydrocarbon Database and Interpretation Service	35,000	0	35,000	26,000	0	26,000	9,000
01327	R	Pigeon Guillemot Restoration Research at the Alaska SeaLife Center	86,900	0	86,900	81,200	0	81,200	5,700
01338	R	Survival of Adult Murres and Kittiwakes in Relation to Forage Fish Abundance	47,200	0	47,200	36,494	0	36,494	10,706
01340	M	Toward Long-Term Oceanographic Monitoring of the Gulf of Alaska Ecosystem	72,000	0	72,000	19,958	49,063	69,021	2,979
01341	R	Harbor Seal Recovery: Controlled Studies of Health and Diet	82,200	0	82,200	40,609	39,471	80,080	2,120

For the Period Ending June 30, 2001 Fiscal Year 2001									
Project Number	Category	Project Description	Authorized	Adjustments	Adjusted Authorization	As of 3/31/01 Expenditures	As of 3/31/01 Obligations	Expended/ Obligated	Unobligated Balance
01360	M	The <i>Exxon Valdez</i> Oil Spill: Guidance for Future Research Activities	241,600	0	241,600	225,800	0	225,800	15,800
01366	R	Improved Salmon Escapement Enumeration Using Remote Video and Time-Lapse Recording Technology	11,300	0	11,300	10,361	0	10,361	939
01371	R	Effects of Harbor Seal Metabolism on Stable Isotope Ratio Tracers	92,900	0	92,900	29,628	59,734	89,362	3,538
01385	G	Modeling Biodiversity in Kachemak Bay	11,000	0	11,000	10,404	208	10,612	388
01389	R	3-D Ocean State Simulations for Ecosystem Applications from 1985-98 in Prince William Sound	142,500	0	142,500	60,370	36,869	97,239	45,261
01391	M	CIIMMS: Cook Inlet Information/Monitoring System	239,000	0	239,000	135,963	15,036	150,999	88,001
01393	R	Prince William Sound Food Webs: Structure and Change	119,000	0	119,000	111,200	0	111,200	7,800
01396	R	Alaska Salmon Shark Assessment	85,000	0	85,000	79,600	0	79,600	5,400
01401	G	Assessment of Spot Shrimp Abundance in Prince William Sound	94,400	0	94,400	90,800	0	90,800	3,600
01404	R	Archival Tags for Tracking King Salmon at Sea: Migrations, Biology, and Oceanographic Preferences in Prince William Sound	75,000	0	75,000	65,796	0	65,796	9,204
01407	M	Harlequin Duck Population Dynamics	67,600	0	67,600	48,735	832	49,567	18,033
01423	R	Patterns and Processes of Population Changes in Selected Nearshore Vertebrate Predators	505,400	0	505,400	431,104	1,040	432,144	73,256
01441	R	Harbor Seal Recovery: Effects of Diet on Lipid Metabolism and Health	93,500	0	93,500	41,345	49,383	90,728	2,772
01452	R	Assessing Prey & Competitor/Predators of Pink Salmon Fry	57,600	0	57,600	53,800	0	53,800	3,800
01454	R	Evidence and Consequences of Persistent Oil Contamination in Pink Salmon Natal Habitats	103,200	0	103,200	91,400	0	91,400	11,800
01455	R	Gulf Ecosystem Monitoring & Research Program Data System	35,700	0	35,700	0	0	0	35,700
01462	R	Effects of Disease on Pacific Herring Population Recovery in Prince William Sound	86,000	0	86,000	35,703	37,974	73,677	12,323
01468	M	FEATS: Fundamental Estimations of Acoustic Target Strength	5,800	0	5,800	5,400	0	5,400	400
01476	R	Effects of Oiled Incubation Substrate on Pink Salmon Reproduction	94,200	0	94,200	70,100	0	70,100	24,100

For the Period Ending June 30, 2001 Fiscal Year 2001									
Project Number	Category	Project Description	Authorized	Adjustments	Adjusted Authorization	As of 3/31/01 Expenditures	As of 3/31/01 Obligations	Expended/ Obligated	Unobligated Balance
01478	R	Testing Satellite Tags as a Tool for Identifying Critical Habitat (bench fees)	26,800	0	26,800	23,517	208	23,725	3,075
01479	R	Effects of Food Stress on Survival and Reproductive Performance of Seabirds	129,600	0	129,600	0	0	0	129,600
01481	G	Documentary Film on the Oil Spill Impacts on Subsistence Use of Intertidal Resources	111,800	0	111,800	34,156	56,043	90,199	21,601
01492	R	Were Pink Salmon Embryo Studies in Prince William Sound Biased?	62,100	0	62,100	46,100	0	46,100	16,000
01513	G	EVOS Exhibit: The Continuing Legacy	50,300	0	50,300	28,383	20,889	49,272	1,028
01534	R	P4501A Induction Comparison of Cytochromein Blood and Liver Cells of Sea Otters	19,900	0	19,900	10,749	0	10,749	9,151
01535	G	EVOS TC Restoration Program Final Report	73,500	0	73,500	71,901	1,040	72,941	559
01538	R	Northwest Gulf of Alaska Herring Stock Identification	10,100	0	10,100	1,864	0	1,864	8,236
01543	M	Evaluation of Oil Remaining in the Intertidal from the Exxon Valdez Oil Spill	477,200	0	477,200	390,300	25,773	416,073	61,127
01550		Alaska Resources Library and Information Services Checklist and Distributional Analysis of Marine Algal Species Collected as Vouchers Under CH1A	129,100	0	129,100	61,048	1,247	62,295	66,805
01551	R	Exchange Between Prince William Sound and the Gulf of Alaska	65,800	0	65,800	61,500	0	61,500	4,300
01552	R	Can Stress Hormones Be Used as an Indication of Food Availability and Reproductive Performance?	105,700	0	105,700	98,900	0	98,900	6,800
01555	R	An Experimental Approach	18,900	0	18,900	16,112	0	16,112	2,788
01558	R	Harbor Seal Recovery (includes bench fees)	280,200	0	280,200	144,320	113,997	258,317	21,883
01599	R	Evaluation of Yakataga Oil Seeps as Regional Background Hydrocarbon Sources in Benthic Sediments of the Spill Area	10,500	0	10,500	3,800	0	3,800	6,700
01610	G	Kodiak island Youth Area Watch	61,800	0	61,800	47,300	14,010	61,310	490
01630	R	Planning for Long-term Research and Monitoring Program	263,400	0	263,400	123,243	80,646	203,889	59,511
		Total	7,702,200	11,700	7,713,900	4,826,343	1,205,391	6,031,734	1,682,166

Exxon Valdez Oil Spill Trustee Council

645 G Street, Suite 401, Anchorage, AK 99501-3451 907/278-8012 fax:907/276-7178



Memorandum

TO: Bob De La Vergne
ADFG, Personnel Assistant

FROM: *Subject for*
Molly McCommon
Executive Director

DATE: September 13, 2001

SUBJ: Non-Perm Temporary Position
.....

We need a non-permanent employee to assist with projects, from October 1, 2001 through December 31, 2001.

The Administrative Clerk I will be a range 7, step A, which pays \$10.94 per hour. The funding source is collocation code 11926309 and the ledger code is 11926309.

cc: Maritt Miller

Federal Trustees

U.S. Department of the Interior
U.S. Department of Agriculture
National Oceanic and Atmospheric Administration

State Trustees

Alaska Department of Fish and Game
Alaska Department of Environmental Conservation
Alaska Department of Law

Exxon Valdez Oil Spill Trustee Council

645 G Street, Suite 401, Anchorage, AK 99501-3451 907/278-8012 fax:907/276-7178



MEMORANDUM

TO: Trustee Council

THROUGH: Molly McGammon
Executive Director

FROM: Debbie Hennigh *Debbie Hennigh*
Special Assistant

DATE: September 11, 2000

RE: Financial Report as of July 31, 2000

Attached is the Statement of Revenue, Disbursements and Fees, and accompanying notes for the *Exxon Valdez* Joint Trust Fund for the settlement period ending September 30, 2002, as of July 31, 2000. The following is a summary of the information incorporated in the notes and contained on the statement.

Liquidity Account Balance	\$59,705,383	
Plus: Other Adjustments (Note 5)	11,455,206	
Less: Restoration Reserve Adjustment (Note 6)	<u>-59,297,844</u>	
Liquidity Fund Balance		\$11,862,745
 Restoration Reserve Accrued Value	 \$39,985,626	
Plus: Liquidity Fund Adjustment (Note 6)	<u>59,297,844</u>	
Restoration Reserve Balance		\$99,283,470
 Joint Trust Fund as of July 31, 2000		 \$111,146,215
 Plus: Future Exxon Payments (Note 1)	 \$140,000,000	
Less: Reimbursements (Note 3)	-7,500,000	
Less: Commitments (Note 7)	<u>-79,862,567</u>	
Uncommitted Balance		\$52,637,433
 Joint Trust Fund as of September 30, 2002		 \$163,783,648

Attachments

cc: Agency Liaisons
Bob Baldauf

NOTES TO THE STATEMENT OF REVENUE, DISBURSEMENTS AND FEES
FOR THE *EXXON VALDEZ* JOINT TRUST FUND
FOR THE SETTLEMENT PERIOD ENDING SEPTEMBER 30, 2002
As of July 31, 2000

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

Received to Date	\$760,000,000
Future Payments	\$140,000,000

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 \$263,537.
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 represent that amount due the State of Alaska.
4. Fees – CRIS charges a fee of 5% of earnings for cash management services. Total paid since the last report is \$13,177.
5. Other 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 estimated lapse is summarized below.

	Interest	Lapse
United States	\$903,811	\$3,128,914
State of Alaska	\$2,417,995	\$5,004,486

6. Restoration Reserve/Liquidity Fund Adjustment – Includes the \$12,000,000 transfer approved for Fiscal Year 1998, plus \$1,725,000 in interest accrued since September 15, 1997, the \$12,000,000 transfer approved for Fiscal Year 1999, plus \$1,125,000 in interest accrued since September 15, 1998, and \$12,000,000 transfer approved for Fiscal Year 2000, plus \$525,000 in interest accrued since September 15, 1999. The proceeds from the securities that matured on November 15, 1998 and November 15, 1999 were deposited to the Liquidity Fund have also been included. This includes \$18,627,865, plus \$1,075,796 in interest, less \$64,904 in fees. Also included is \$284,088 for fees that were assessed against the Restoration Reserve prematurely and deposited in the Liquidity Fund.
7. Commitments - Includes \$2,531,000 for the Archaeological Repository and the following land payments.

<u>Seller</u>	<u>Amount</u>	<u>Due</u>
Afognak Joint Venture	\$23,025,833	October 2000
Eyak	\$18,000,000	September 2000 through 2002
Shuyak	\$8,000,000	October 2000 through 2001
Shuyak	\$11,805,734	October 2002
Koniag, Incorporated	\$16,500,000	September 2002

STATEMENT OF REVENUE, DISBURSEMENT, AND FEES
EXXON VALDEZ OIL SPILL JOINT TRUST FUND
As of July 31, 2000

	<u>1997</u>	<u>1998</u>	<u>1999</u>	<u>To Date 2000</u>	<u>Cumulative Total</u>
REVENUE:					
Contributions: (Note 1)					
Contributions from Exxon Corporation	70,000,000	70,000,000	70,000,000	0	760,000,000
Less: Credit to Exxon Corporation for Deposit of Maturing Securities			9,095,002	9,532,863	(39,913,688)
Total Contributions	<u>70,000,000</u>	<u>70,000,000</u>	<u>79,095,002</u>	<u>9,532,863</u>	<u>738,714,177</u>
Interest Income: (Note 2)					
Exxon Corporation escrow account					831,233
Joint Trust Fund Account	2,971,070	2,673,585	2,124,921	2,510,354	25,659,670
Total Interest	<u>2,971,070</u>	<u>2,673,585</u>	<u>2,124,921</u>	<u>2,510,354</u>	<u>26,490,903</u>
Total Revenue	<u>72,971,070</u>	<u>72,673,585</u>	<u>81,219,923</u>	<u>12,043,217</u>	<u>765,205,080</u>
DISBURSEMENTS:					
Reimbursement of Past Costs: (Note 3)					
State of Alaska	5,000,000	3,750,000	3,750,000	0	99,059,288
United States	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>69,812,045</u>
Total Reimbursements	<u>5,000,000</u>	<u>3,750,000</u>	<u>3,750,000</u>	<u>0</u>	<u>168,871,333</u>
Disbursements from Liquidity Account:					
State of Alaska	17,846,130	15,686,600	62,457,990	1,502,800	252,438,718
United States	60,101,802	39,468,461	32,676,850	639,854	233,389,487
Transfer to the Restoration Reserve	<u>12,449,552</u>				<u>48,445,783</u>
Total Disbursements	<u>90,397,484</u>	<u>55,155,061</u>	<u>95,134,840</u>	<u>2,142,654</u>	<u>534,273,988</u>
FEES:					
U.S. Court Fees - Liquidity Account (Note 1)	<u>254,221</u>	<u>199,946</u>	<u>250,528</u>	<u>125,518</u>	<u>2,354,377</u>
Total Disbursements and Fees	<u>95,651,705</u>	<u>59,105,007</u>	<u>99,135,368</u>	<u>2,268,172</u>	<u>705,499,698</u>
Increase (decrease) in Liquidity Account	<u>(22,680,635)</u>	<u>13,568,578</u>	<u>(17,915,445)</u>	<u>9,775,046</u>	<u>59,705,382</u>
Liquidity Account Balance, beginning balance	76,957,839	54,277,204	67,845,782	49,930,337	
Liquidity Account Balance, end of period	54,277,204	67,845,782	49,930,337	59,705,382	
Other Adjustments: (Note 5)					11,455,207
Restoration Reserve Adjustment: (Note 6)					(59,297,844)
Liquidity Fund Balance					11,862,745
Restoration Reserve Balance					99,283,470
Joint Trust Fund as of July 31, 2000					<u>111,146,215</u>
Future Exxon Payments (Note 1)					140,000,000
Reimbursements (Note 3)					(7,500,000)
Commitments: (Note 7)					(79,862,567)
Joint Trust Fund as of September 30, 2002					<u>163,783,648</u>

Exxon Valdez Oil Spill Trustee Council

645 G Street, Suite 401, Anchorage, AK 99501-3451 907/278-8012 fax:907/276-7178



MEMORANDUM

TO: Robert Baldauf

FROM: Molly McCammon *Submitted for*
Executive Director

DATE: September 10, 2001

RE: Disbursement of Funds for the FY 02 Work Plan and Eyak Land Payment & FY 01 Supplemental Funding

FY 02 Funds

Per the attached, the U.S. District Court was notified on August 31, 2001 of the upcoming disbursement of \$7,594,100 to the United States government for the FY 02 Work Plan and the Eyak land payment.

Please disburse \$6,000,000 to the U.S. Forest Service for the Eyak land payment.

Please disburse the remaining \$1,594,100 to the EVOS agencies according to your regular process as detailed on the attached work plan spreadsheet.

FY 01 Supplemental Funding

Please disburse \$11,800 to USGS for Project 01100.

If you have any questions, please call me.

Federal Trustees

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DEPARTMENT OF LAW
OFFICE OF THE ATTORNEY GENERAL
ANCHORAGE BRANCH
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ANCHORAGE, ALASKA 99501
PHONE: (907) 269-5100

BRUCE M. BOTELHO
ATTORNEY GENERAL

CRAIG J. TILLERY
Assistant Attorney General
State of Alaska
Department of Law
1031 West Fourth Avenue, Suite 200
Anchorage, Alaska 99501-1994
Telephone: (907) 269-5274
Facsimile: (907) 278-7022

Attorneys for the State of Alaska

RECEIVED

SEP 07 1991

EXXON VALDEZ OIL SPILL
TRUSTEE COUNCIL

UNITED STATES DISTRICT COURT
DISTRICT OF ALASKA

STATE OF ALASKA,

Plaintiff,

v.

EXXON CORPORATION, and EXXON
SHIPPING COMPANY,

Defendants.

No. A91-083 CIV (HRH)

**FIRST JOINT NOTICE OF
EXPENDITURES FROM
INVESTMENT FUND**

The State of Alaska and the United States (the "Governments") jointly provide notice of the expenditure of \$15,785,700 from the EXXON VALDEZ Oil Spill Investment Fund ("Investment Fund"). The Governments' natural resource trustee agencies will use these funds for purposes consistent with the Memorandum of Agreement and Consent Decree entered by this Court in

ACE 30397449

1 *United States v. State of Alaska*, No. A91-081 CIV (D. Alaska) on August 28,
2 1991 ("MOA").

3 On September 25, 1991 the State of Alaska and the United States
4 settled their claims against the Exxon Corporation, Exxon Shipping Company,
5 Exxon Pipeline Company, and the T/V EXXON VALDEZ arising from the
6 EXXON VALDEZ oil spill. All funds resulting from these settlements were
7 subsequently ordered by this Court to be placed in an interest-bearing account in
8 the Court Registry Investment System ("CRIS") administered through the United
9 States District Court for the Southern District of Texas.
10

11 On June 7, 2000 this Court entered its Third Amended Order for
12 Deposit and Transfer of Settlement Proceeds ("Third Amended Order"). The
13 Third Amended Order allows the Governments the option of investing the money
14 in an account outside the United States Treasury. On September 29, 2000, upon
15 application by the Governments, the Court entered an Order Re: Transfer of
16 Funds from the Exxon Valdez Liquidity Account and the Reserve Fund to an
17 Investment Fund Within the Alaska Department of Revenue, Division of
18 Treasury, authorizing transfer of settlement proceeds to an account within the
19 State. On October 5, 2000 all funds and securities were transferred from the
20 CRIS to the Investment Fund.
21

22 Paragraph 27 of the Third Amended Order provides that "funds in
23 an Investment Fund shall remain on deposit in that Fund until such time as the
24 Exxon Valdez Oil Spill Trustee Council unanimously resolve to expend all or
25

1 part of the funds." The funds may then be expended, for purposes consistent with
2 the MOA, upon the joint notification of the Governments to the Investment Fund
3 and the Court.¹ The notification is to inform the Court of the proposed uses of
4 the funds in the same manner and to the same extent as was the Governments'
5 practice when the funds were in the registry of the court.
6

7 The Governments provide notice of this first expenditure from the
8 Investment Fund to fund: (1) the third of four installment payments associated
9 with the acquisition of lands from the Eyak Corporation in accordance with the
10 resolutions of the Trustee Council dated July 2, 1997 and August 13, September
11 4, and November 30, 1998;² (2) the seventh of eight installment payments
12 associated with the acquisition of lands from the Kodiak Island Borough in
13 accordance with the resolution of the Trustee Council dated December 11, 1995;³
14 (3) necessary natural resource damage assessment and restoration activities
15 during federal fiscal year 2002;⁴ (4) moving costs for the restoration office during
16
17
18

19
20 ¹ A copy of the notice provided to the Investment Fund pursuant to paragraph 27 of the
21 Third Amended Order for Deposit and Transfer of Settlement Proceeds is appended to
22 this Notice as Attachment A, pp. 1 - 2.

23 ² These resolutions appeared as part of Attachment A of our Joint Application for
24 Thirty-Seventh Disbursement From Settlement Account. This \$6,000,000 payment is
25 due on October 1, 2001.

26 ³ This resolution was appended to the Joint Application For Twentieth Disbursement
From Settlement Account as Attachment A. This \$4,000,000 payment is due October 1,
2001.

⁴ The resolution of the Trustee Council documenting its unanimous agreement to
expend \$4,804,500 for implementation of the FY 2002 Work Plan and describing the
purpose of those expenditures is appended to this notice at Attachment A, pp. 3 - 7.

1 federal fiscal year 2002;⁵ and (5) grant costs for the Archaeological Repository
2 project.⁶

3 The Governments give notice that they will expend an additional
4 \$37,600 to pay for restoration office moving expenses in FY 2001.⁷ The amounts
5 of lapsed funds and accrued interest on monies held by the Governments exceed
6 the amount needed for this purpose and accordingly the Governments will not
7 expend these monies from the Investment Fund. The Governments further give
8 notice that \$18,400 will be transferred from the Alaska Department of Fish and
9 Game ("ADF&G") project 01455 to ADF&G project 01535 and that \$10,700 will
10 be transferred from ADF&G project 01455 to Alaska Department of Natural
11 Resources project 01630.⁸ Neither of these transfers will involve the expenditure
12 of monies other than those already disbursed.
13
14
15
16
17

18 ⁵ The lease on the current Trustee Council office space expires this fall and the new
19 owners of the building have declined to renew the lease. The certification of the
20 Executive Director evidencing the unanimous agreement of the Trustee Council to
21 expend \$61,200 for the costs of moving the Restoration Office in FY 2002 is appended
22 to this notice at Attachment A, p. 8.

23 ⁶ The Resolution of the Trustee Council documenting its unanimous agreement to
24 expend \$920,000 for the archeology repository project is appended to this notice at
25 Attachment A, pp. 9 - 12. The certification of the Executive Director evidencing the
26 that the conditions in the Trustee Council resolution have been met is attached at
Attachment A, p. 13.

⁷ The certification of the Executive Director evidencing the unanimous agreement of
the Trustee Council to expend these funds is attached at Attachment A, p. 8.

⁸ The certifications of the Executive Director evidencing the unanimous agreement of
the Trustee Council to transfer these funds are attached at Attachment A, pp. 14 - 15.

1 A complete summary of the Council's activities since approval of
2 the settlement was appended to our Second Application, filed January 19, 1993,
3 as Attachment B, and interim updates of activities appeared as Attachments to
4 each of the Governments' Third, Fourth, Fifth, Sixth, Eighth, Ninth, Tenth,
5 Eleventh, Twelfth, Fifteenth, Nineteenth, Twenty-First, Twenty-Second, Twenty-
6 Fourth through Twenty-Ninth, Thirty-First, and Thirty-Third through Forty-Fifth
7 applications for disbursement and the Fifth through Seventh Joint Notices of
8 Expenditure From Settlement Account Monies Previously Disbursed. Since the
9 last summary provided to the Court, the Trustee Council has met on one
10 occasion. Appended to this application as Attachment B are the meeting notes
11 for this meeting.
12
13
14

15 RESPECTFULLY SUBMITTED this 31st day of August, 2001 at
16 Anchorage, Alaska.

17 FOR THE STATE OF ALASKA
18 BRUCE M. BOTELHO
19 ATTORNEY GENERAL

20 By:

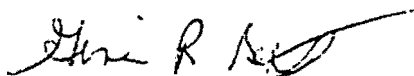
Craig J. Tillery
21 CRAIG J. TILLERY
22 Assistant Attorney General
23 State of Alaska
24 Department of Law
25 1031 West Fourth Avenue, Suite 200
26 Anchorage, Alaska 99501-1994
Telephone: (907) 269-5274
Facsimile: (907) 278-7022

DEPARTMENT OF LAW
OFFICE OF THE ATTORNEY GENERAL
ANCHORAGE BRANCH
1031 W. FOURTH AVENUE, SUITE 200
ANCHORAGE, ALASKA 99501
PHONE: (907) 269-5100

FOR THE UNITED STATES OF AMERICA
JOHN C. CRUDEN
Acting Assistant Attorney General
Environment & Natural Resources
Division

WILLIAM D. BRIGHTON, Asst. Chief
Environmental Enforcement Section
Environment & Natural Resources
Division
U.S. Department of Justice
Washington, D.C. 20530

By:

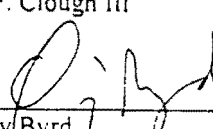


REGINA R. BELT
Environmental Enforcement Section
Environment & Natural Resources
Division
U.S. Department of Justice
801 B Street, Suite 504
Anchorage, Alaska 99501-3657
(907) 271-3456

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 31st day of
August, 2001, a copy of the foregoing
document, attachments, and proposed order
was served by U.S. mail, first class,
postage prepaid, to the following:

Regina R. Belt
James F. Neal
Douglas J. Serdahely
Patrick Lynch
John F. Clough III


Quincy Byrd
Law Office Assistant

8/31/01
Date

STATE OF ALASKA

TONY KNOWLES, GOVERNOR

DEPARTMENT OF LAW
OFFICE OF THE ATTORNEY GENERAL

1031 WEST 4TH AVENUE, SUITE 200
ANCHORAGE, ALASKA 99501-1994
PHONE: (907) 269-5274
FAX: (907) 278-7022

August 31, 2001

John Jenks
Chief Investment Officer
Treasury Division, Dept. of Revenue
P.O. Box 110405
Juneau, AK 99811-0405

Re: Exxon Valdez Oil Spill Investment Fund

Dear Mr. Jenks:

The Exxon Valdez Trustee Council has unanimously determined to expend \$15,785,700 in joint trust funds for restoration purposes consistent with the terms of the Memorandum of Agreement and Consent Decree entered by the federal district court in *United States v. State of Alaska*, No. A91-081 CIV (D. Alaska) on August 28, 1991. These joint trust funds are currently held by the State of Alaska in the Exxon Valdez Oil Spill Investment Fund and invested by the Treasury Division, Alaska Department of Revenue. Under the terms of the Reimbursable Services Agreement between the Alaska Department of Fish and Game and the Alaska Department of Revenue, please transfer the following amounts from cash held in the Exxon Valdez Oil Spill Investment Fund to the accounts described below:

State of Alaska

Amount: \$8,191,600
Account: State of Alaska
Exxon Valdez Settlement Account
GeFONSI 33070
Account 22177

United States

Amount: \$7,594,100

ACE 30397455

ATTACHMENT A

PAGE 1 OF 15

Beneficiary

account: 14X5198
name: Natural Resource Damage Assessment and
Restoration Fund (NRDAR)

Beneficiary

account: 14010001
name: Department of the Interior
Financial Management Services National
Business Center

Beneficiary Bank

account: 021030004
name: Treasury, NYC

OBI Text

Natural Resource Damage Assessment Restoration Fund
14X5198 EVOS Exxon Valdez, Civil Settlement, FY02 Joint
Funds

Beneficiary Reference

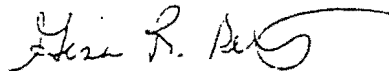
A91-082Civil

The transfer should take place on Wednesday, September 5, 2001 or as soon
thereafter as possible. If you have any questions, please call Craig Tillery at
(907) 269-5274.

Sincerely,



Craig J. Tillery
Assistant Attorney General
State of Alaska



Regina R. Belt
Environmental Enforcement Section
Environment & Natural Resources
Division
U.S. Department of Justice
United States of America

EXXON VALDEZ OIL TRUSTEE COUNCIL
2002 Federal Fiscal Year Project Budget
October 1, 2001 - September 30, 2002

Agency	Cooperating Agency(s)	Project Number	Project Title	First FY 02 Court Notification	Total
ADEC	All	02100	Public Information, Science Management and Administration	23.0	23.0
	All	02250	Project Management	10.3	10.3
		02667	Effectiveness of Citizens' Environmental Monitoring	16.7	16.7
			ADEC Total	50.0	50.0
ADF&G	All	02052	Community Involvement Planning for GEM	45.0	45.0
		02100	Public Information, Science Management and Administration	970.5	970.5
		02190	Construction of a Linkage Map for the Pink Salmon Genome	43.1	43.1
		02210	Youth Area Watch	106.1	106.1
		02245	Community-Based Harbor Seal Management and Biological Sampling	26.8	26.8
	All	02247	Kametolook River Coho Salmon Subsistence Project	30.8	30.8
		02250	Project Management	60.6	60.6
		02340	Toward Long-Term Oceanographic Monitoring of the Gulf of Alaska Ecosystem	77.8	77.8
		02395	Workshop on Nearshore/Intertidal Monitoring	63.6	63.6
		02407	Harlequin Duck Population Dynamics	68.7	68.7
	DOI-FWS/USGS	02423	Patterns and Processes of Population Change in Selected Nearshore Vertebrate Predators (Bench Fees Only)	128.7	128.7
		02441-CLO	Harbor Seal Recovery: Effects of Diet on Lipid Metabolism and Health	20.2	20.2
		02455	Gulf Ecosystem Monitoring and Research Program Data System	105.0	105.0
		02462-CLO	Effect of Disease on Pacific Herring Population Recovery in Prince William Sound	77.4	77.4
		02535	EVOS Trustee Council Restoration Program Final Report	52.4	52.4
	NOAA	02538	Evaluation of Two Methods to Discriminate Pacific Herring Stocks along the Northern Gulf of Alaska	22.7	22.7
		02550	Alaska Resources Library and Information Services	93.4	93.4
		02558	Harbor Seal Recovery: Application of New Technologies for Monitoring Health (including Bench Fees)	292.3	292.3
		02593	River Otter Synthesis	32.4	32.4
		02608	Archiving of Nearshore & Deep Benthic Specimens	61.6	61.6
	ADNR	02610	Kodiak Archipelago Youth Area Watch	61.8	61.8
		02612	Marine-Terrestrial Linkages in Kenai River Watershed	44.6	44.6
		02614	Monitoring Program for Near-Surface Temperature, Salinity, and Fluorescence in the Northern Pacific Ocean	38.2	38.2
		02630	Planning for Long-Term Research and Monitoring Program	21.0	21.0
		02649	Reconstructing Sockeye Populations in the Gulf of Alaska over the Last Several Thousand Years	88.1	88.1
		02671-BAA	Coordinating Volunteer Vessels of Opportunity to Collect Oceanographic Data in Kachemak Bay and Lower Cook Inlet	34.8	34.8

EXXON VALDEZ OIL TRUSTEE COUNCIL
2002 Federal Fiscal Year Project Budget
October 1, 2001 - September 30, 2002

Agency	Cooperating Agency(s)	Project Number	Project Title	First FY 02 Court Notification	Total
	NOAA	02674-BAA	Continuing Decline of Pigeon Guillemots in the Oiled Portion of Prince William Sound (Bench Fees Only)	17.8	17.8
			ADF&G Total	2,685.4	2,685.4
ADNR	All	02100	Public Information, Science Management and Administration	307.6	307.6
	USFWS	02126	Habitat Protection and Acquisition Support	86.9	86.9
		02154	Archaeological Repository & Local Display Facilities, and Exhibits for Prince William Sound and Lower Cook Inlet	29.1	29.1
	All	02250	Project Management	8.6	8.6
	ADFG	02630	Planning for Long-Term Research and Monitoring Program	42.8	42.8
			ADNR Total	475.0	475.0
USFS	All	02100	Public Information, Science Management and Administration	20.0	20.0
	All	02250	Project Management	8.7	8.7
		02256B	Sockeye Salmon Stocking at Solf Lake	15.5	15.5
			USFS Total	44.2	44.2
DOI-FWS	ADNR	02126	Habitat Protection and Acquisition Support	74.9	74.9
		02144	Common Murre Population Monitoring	14.8	14.8
	DOI-USGS/ADFG	02423	Patterns and Processes of Population Change in Selected Nearshore Vertebrate Predators	12.1	12.1
		02561	Evaluating the Feasibility of Developing a Community-Based Forage Fish Sampling Project for GEM	54.3	54.3
			DOI-FWS Subtotal	156.1	156.1
DOI-USGS		02100	Public Information, Science Management and Administration	112.5	112.5
		02163M	Alaska Predator Ecosystem Experiment in Prince William Sound and the Gulf of Alaska (APEX)	50.0	50.0
	All	02250	Project Management	36.2	36.2
		02404	Archival Tags for Tracking King Salmon at Sea: Migrations, Biology, and Oceanographic Preferences in Prince William Sound	104.6	104.6
	DOI-FWS/ADFG	02423	Patterns and Processes of Population Change in Selected Nearshore Vertebrate Predators	317.6	317.6
		02479	Effects of Food Stress on Survival and Reproductive Performance of Seabirds	55.0	55.0
	DOI-NPS	02656	Retrospective Analysis of Nearshore Marine Communities Based on Analysis of Archaeological Material and Isotopes	105.1	105.1
			DOI-USGS Subtotal	781.0	781.0

EXXON VALDEZ OIL SPILL TRUSTEE COUNCIL
2002 Federal Fiscal Year Project Budget
October 1, 2001 - September 30, 2002

Agency	Cooperating Agency(s)	Project Number	Project Title	First FY 02 Court Notification	Total
DOI-NPS	USGS	02656	Retrospective Analysis of Nearshore Marine Communities Based on Analysis of Archaeological Material and Isotopes	4.8	4.8
			DOI-NPS Subtotal	4.8	4.8
DOI-O/S	All	02100	Public Information, Science Management and Administration	43.8	43.8
			DOI-O/S Subtotal	43.8	43.8
			DOI Total	985.7	985.7
NOAA	All	02012-BAA	Photographic and Acoustic Monitoring of Killer Whales in Prince William Sound and Kenai Fjords	35.2	35.2
		02100	Public Information, Science Management and Administration	22.6	22.6
		02195	Pristane Monitoring in Mussels	20.0	20.0
		02250	Project Management	57.3	57.3
		02290	Hydrocarbon Database and Interpretation Service	35.0	35.0
	ADFG	02360-BAA	The <i>Exxon Valdez</i> Oil Spill: Guidance for Future Research Activities	90.1	90.1
		02396	Alaska Salmon Shark Assessment	28.8	28.8
		02401	Assessment of Spot Shrimp Abundance in Prince William Sound	25.5	25.5
		02476	Effects of Oiled Incubation Substrate on Pink Salmon Reproduction	39.8	39.8
		02492	Were Pink Salmon Embryo Studies in Prince William Sound Biased?	24.0	24.0
	ADFG	02538	Evaluation of Two Methods to Discriminate Pacific Herring Stocks along the Northern Gulf of Alaska	30.2	30.2
		02543	Evaluation of Oil Remaining in the Intertidal from the <i>Exxon Valdez</i> Oil Spill	113.1	113.1
		02674	Continuing Decline of Pigeon Guillemots in the Oiled Portion of Prince William Sound	42.6	42.6
			NOAA Total	564.2	564.2
			Total	4,804.5	4,804.5

Exxon Valdez Oil Spill Trustee Council

645 G Street, Suite 401, Anchorage, AK 99501-3451 907/278-8012 fax:907/276-7178



MEMORANDUM

TO: Bill Hauser
ADF&G Project Manager

FROM: Molly McCammon *for Schubert*
Executive Director

RE: Extension of Due Date: Final Report
Project 00371 / Effects of Harbor Seal Metabolism on Stable Isotope Ratio Tracers

DATE: September 10, 2001

This memo is to confirm an extended due date of November 15, 2001 for the annual report on Project 00371/Effects of Harbor Seal Metabolism on Stable Isotope Ratio Tracers. I understand this additional time is needed to complete analysis of the data collected under the project.

PLEASE NOTE THIS LETTER SUPERSEDES A SIMILAR LETTER DATED SEPTEMBER 5, 2001 WHICH CONTAINED AN INCORRECT DUE DATE.

Federal Trustees

U.S. Department of the Interior
U.S. Department of Agriculture

State Trustees

Alaska Department of Fish and Game
Alaska Department of Environmental Conservation

Exxon Valdez Oil Spill Trustee Council

645 G Street, Suite 401, Anchorage, AK 99501-3451 907/278-8012 fax:907/276-7178



Memorandum

TO: Divina Pelayo
ADFG, Accountant

FROM: Debbie Hennigh
Special Assistant

DATE: September 10, 2001

SUBJ: FY 01 Supplemental Budget and Changes

Attached is the Court Notice which documents the Trustee Council's approval of budget changes and supplemental funding for fiscal year 2001. On page 4 of the attachment, please note the following:

1. An additional \$37,600 to pay for restoration office moving expenses in FY 2001 (Project 01100). Of this amount, \$25,800 went to the State and the remaining \$11,800 went to the United States government.
2. From Project 01455, \$18,400 was approved for transfer to Project 01535 (within ADFG).
3. From Project 01455, \$10,700 was approved for transfer from ADFG to Project 01630 at ADNR.

If you have any questions or need additional documentation, please call me. Thanks for your assistance.

Federal Trustees

U.S. Department of the Interior
U.S. Department of Agriculture
National Oceanic and Atmospheric Administration

State Trustees

Alaska Department of Fish and Game
Alaska Department of Environmental Conservation
Alaska Department of Law

Exxon Valdez Oil Spill Trustee Council

645 G Street, Suite 401, Anchorage, AK 99501-3451 907/278-8012 fax:907/276-7178



MEMORANDUM

TO: Trustee Council

THROUGH: Molly McGammon
Executive Director

FROM: *Debbie Hennigh*
Debbie Hennigh
Special Assistant

DATE: September 8, 2000

RE: Quarterly Report for the period ending June 30, 2000

The attached reports consolidate the financial information submitted by the agencies for the quarter ending June 30, 2000.

The first report is a summary of activity by restoration category. This report reflects the total adjusted authorization and the total expended/obligated by Work Plan year and restoration category.

The second report displays the financial information by Fiscal Year. This report is used to determine what portion of the unexpended/unobligated balance or lapse, is available to offset future court requests. Included are adjustments to reflect unreported interest and other revenue. It is estimated that \$11,602,900 is available to offset future court requests. This estimate includes lapse associated with Fiscal Years 1992 through 1999, and unobligated funds associated with other authorizations for which the purpose has been accomplished.

The third report is a summary of financial information associated with the FY 2000 Work Plan.

If you have any questions regarding the information provided, please do not hesitate to contact me at 278-8012.

Attachments

Cc: Agency Liaisons
Bob Baldauf

Exxon Valdez C I Trustee Council
Quarterly Financial Report As of June 30, 2000
Category

	92' Work Plan			93' Work Plan			94' Work Plan			95' Work Plan		
	Adjusted	Expended/	Percent	Adjusted	Expended/	Percent	Adjusted	Expended/	Percent	Adjusted	Expended/	Percent
Category	Authorization	Obligated	Obligated	Authorization	Obligated	Obligated	Authorization	Obligated	Obligated	Authorization	Obligated	Obligated
General Restoration	4,103,070	3,793,459	92.45%	3,126,013	2,172,316	69.49%	5,248,300	3,169,392	60.39%	5,232,695	4,436,734	84.79%
Monitoring							2,883,118	2,571,396	89.19%	3,080,926	2,460,924	79.88%
Research							8,640,710	8,085,273	93.57%	10,726,431	10,107,500	94.23%
Monitoring and Research	2,237,788	2,206,587	98.61%	4,204,925	3,626,649	86.25%	417,200	335,717	80.47%			
Damage Assessment	7,807,100	5,740,168	73.52%	1,991,807	1,570,900	78.87%	0	0	0.00%	0	0	0.00%
sub-total	14,147,958	11,740,215	82.98%	9,322,745	7,369,866	79.05%	17,189,328	14,161,778	82.39%	19,040,052	17,005,158	89.31%
Habitat Protection	0	0	0.00%	486,200	156,760	32.24%	3,747,292	1,656,323	44.20%	2,757,322	2,231,447	80.93%
Administration	5,076,100	4,291,788	84.55%	4,136,052	2,647,818	64.02%	4,813,880	4,008,303	83.27%	4,207,026	3,171,447	75.38%
Total	19,224,058	16,032,003	83.40%	13,944,997	10,174,444	72.96%	25,750,500	19,826,404	76.99%	26,004,400	22,408,052	86.17%
	96' Work Plan			97' Work Plan			98' Work Plan			99' Work Plan		
	Adjusted	Expended/	Percent	Adjusted	Expended/	Percent	Adjusted	Expended/	Percent	Adjusted	Expended/	Percent
Category	Authorization	Obligated	Obligated	Authorization	Obligated	Obligated	Authorization	Obligated	Obligated	Authorization	Obligated	Obligated
General Restoration	4,133,410	3,739,517	90.47%	3,812,538	3,575,827	93.79%	2,413,185	2,237,866	92.73%	2,396,789	2,293,505	95.69%
Monitoring	1,496,871	1,447,703	96.72%	985,022	950,137	96.46%	930,911	893,170	95.95%	1,282,829	1,218,362	94.97%
Research	13,208,019	12,735,656	96.42%	11,430,632	11,183,953	97.84%	10,781,704	10,363,404	96.12%	7,966,482	7,722,188	96.93%
sub-total	18,838,300	17,922,876	95.14%	16,228,193	15,709,917	96.81%	14,125,800	13,494,440	95.53%	11,646,100	11,234,054	96.46%
Habitat Protection	3,304,100	2,045,292	61.90%	1,260,600	819,070	64.97%	851,400	596,353	70.04%	770,400	601,716	78.10%
Administration	3,418,500	2,979,622	87.16%	2,938,207	2,662,617	90.62%	2,796,300	2,531,047	90.51%	2,495,700	2,327,980	93.28%
Total	25,560,900	22,947,790	89.78%	20,427,000	19,191,604	93.95%	17,773,500	16,621,840	93.52%	14,912,200	14,163,750	94.98%
	00' Work Plan											
	Adjusted	Expended/	Percent									
Category	Authorization	Obligated	Obligated									
General Restoration	938,139	731,692	77.99%									
Monitoring	1,397,074	843,479	60.37%									
Research	6,073,487	5,212,431	85.82%									
sub-total	8,408,700	6,787,602	80.72%									
Habitat Protection	373,500	254,766	68.21%									
Administration	2,033,900	1,464,469	72.00%									
Total	10,816,100	8,506,837	78.65%									

Work Plan Time Periods:

92' Work Plan - Oil Year 4 or March 1, 1992 through February 28, 1993
93' Work Plan - Oil Year 5 or March 1, 1993 through September 30, 1993 (Seven Month Transition)
94' Work Plan - October 1, 1993 through September 30, 1994
95' Work Plan - October 1, 1994 through September 30, 1995
96' Work Plan - October 1, 1995 through September 30, 1996
97' Work Plan - October 1, 1996 through September 30, 1997
98' Work Plan - October 1, 1997 through September 30, 1998
99' Work Plan - October 1, 1998 through September 30, 1999
00' Work Plan - October 1, 1999 through September 30, 2000

Exxon Valdez (), II Trustee Council
Quarterly Report as of June 30, 2000
Summary

DRAFT

WORK PLAN AND ASSOCIATED PROJECTS										
Fiscal Year	Authorized	Adjustments	Adjusted Authorization	EVOS Expenditures	RSA Expenditures	Obligations	Unobligated Balance	EVOS Lapse	Federal Lapse	State Lapse
1992	19,211,000	13,058	19,224,058	13,311,903	2,720,100	0	5,912,155	5,912,155	2,292,119	3,620,036
1993	13,963,000	-18,003	13,944,997	10,174,444		0	3,770,553	3,770,553	1,752,480	2,018,073
1994	25,750,500	0	25,750,500	19,826,404		0	5,924,096	3,712,996	1,336,041	2,376,955
1995	26,004,400	0	26,004,400	22,408,052		0	3,596,348	3,596,348	880,818	2,715,530
1996	25,560,900	0	25,560,900	22,947,790		0	2,613,110	2,613,110	921,208	1,691,902
1997	19,827,600	-5,379	19,822,221	18,605,195		0	1,217,026	1,217,026	536,176	680,850
1998	17,281,600	0	17,281,600	16,250,176		0	1,031,424	1,031,424	377,369	654,055
1999	14,591,200	0	14,591,200	13,869,472		0	721,728	721,728	320,528	401,200
Deobligations									216,740	2,567,359
2000	10,816,100	0	10,816,100	7,179,668		1,327,169	2,309,263	0		
TOTAL	173,006,300	-10,324	172,995,976	144,573,104	2,720,100	1,327,169	27,095,703	22,575,340	8,633,479	16,725,960
OTHER AUTHORIZATIONS			337,527,008	277,228,655		2,408,530	57,889,823	680,715	307,364	373,351
Total Reported Lapse (Through Court Request #29)								17,684,114	5,595,189	12,088,925
Unreported Lapse (1992 through 1999)								8,356,040	3,345,654	5,010,386
Unreported Interest (as of 6/30/00)								3,246,860	903,812	2,343,048
Other Revenue (Posters/Symposium Receipts)								33,592	0	0
Total Available to Offset Future Court Requests								11,602,900	4,249,466	7,353,434
Footnote: The Unobligated Balances have been adjusted to reflect the carry forward of projects. This includes \$2,211,100 in FY 94'.										
Other Authorizations: Includes all large and small parcel acquisitions, the Alutiiq Repository, Prince William Sound and Lower Cook Inlet Archaeological Repository (99154), Construction of the Alaska SeaLife Center, Implementation of the Sound Waste Mgt. Plan (97115), Kenai Habitat Restoration & Recreation (97180, 98180, 99180), Alaska SeaLife Center Fish Pass (97179), Chenega-Area Residual Oiling (96291, 97291, 98291), Kodiak Waste Mgt. Plan (99304), Port Graham Hatchery Reconstruction (99405).										

Exxon Valdez Oil Spill									
For the Period Ending June 30, 2000									
Fiscal Year 2000									
Project Number	Category	Description	Authorized	Adjustments	Adjusted Authorization	Expenditures	Obligations	Expended/Obligated	Unobligated Balance
00007A	M	Archaeological Index Site Monitoring	90,200	0	90,200	60,619	3,118	63,737	26,463
00012A-BAA	M	Comprehensive Killer Whale Investigation in Prince William Sound	82,900	0	82,900	77,500	0	77,500	5,400
00025	R	Mechanisms of Impact and Potential Recovery of Nearshore Vertebrate Predators (NVP)	196,000	0	196,000	170,185	3,206	173,391	22,609
00048-BAA	R	Publication: Historical Analysis of Sockeye Growth Among Populations Affected by the Oil Spill and Large Spawning Escapements	10,300	0	10,300	9,600	0	9,600	700
00052	G	Community Involvement/Traditional Ecological Knowledge	201,500	0	201,500	88,104	106,001	194,105	7,395
00064-CLO	R	Monitoring, Habitat Use, and Trophic Interactions of Harbor Seals in Prince William	129,400	0	129,400	47,700	13,308	61,008	68,392
00090-CLO	M	Monitoring of Oiled Mussel Beds in Prince William Sound	64,000	0	64,000	59,500	0	59,500	4,500
00100	A	Public Information, Science Management and Administration	2,033,900	0	2,033,900	1,299,697	164,772	1,464,469	569,431
00126	H	Habitat Protection and Acquisition Support	373,500	0	373,500	226,347	28,419	254,766	118,734
00127	G	Tatitlek Coho Salmon Release	11,400	0	11,400	0	10,700	10,700	700
00139A2	G	Port Dick Creek Tributary and Development Project	46,600	0	46,600	29,611	7,873	37,484	9,116
00144A	M	Common Murre Population Monitoring	15,400	0	15,400	5,929	0	5,929	9,471
00159	M	Surveys to Monitor Marine Bird Abundance in Prince William Sound during Winter and Summer 2000	233,600	0	233,600	124,923	0	124,923	108,677
00163A	R	APEX: Forage Fish Assessment	113,500	0	113,500	101,000	0	101,000	12,500
00163B	R	APEX: Seabird Interactions	90,000	0	90,000	75,813	0	75,813	14,187
00163E	R	APEX: Kittiwakes	92,000	0	92,000	73,892	0	73,892	18,108
00163F	R	APEX: Guillemots	83,100	0	83,100	68,437	0	68,437	14,663
00163G	R	APEX: Seabird Energetics	86,200	0	86,200	80,600	0	80,600	5,600
00163I	R	APEX: Project Management	42,600	0	42,600	39,800	0	39,800	2,800
00163J	R	APEX: Barren Islands Seabird Studies	73,800	0	73,800	26,789	0	26,789	47,011
00163K	R	APEX: Large Fish as Samplers	17,600	0	17,600	8,810	0	8,810	8,790
00163L	R	APEX: Historical Data Review	48,600	0	48,600	37,980	0	37,980	10,620
00163M	R	APEX: Response of Seabirds to Forage Fish Density	181,900	0	181,900	122,699	0	122,699	59,201
00163O	R	APEX: Statistical Review	29,700	0	29,700	27,800	0	27,800	1,900
00163Q	R	APEX: Modeling	92,100	0	92,100	86,100	0	86,100	6,000
00163R	R	APEX: Marbled Murrelet Productivity	92,800	0	92,800	63,801	0	63,801	28,999
00163S	R	APEX: Jellyfish as Competitors and Predators of Fishes	95,200	0	95,200	89,000	0	89,000	6,200
00163T	R	APEX: Aerial Surveys	91,000	0	91,000	0	85,000	85,000	6,000
00169-CLO	R	A Genetic Study to Aid in Restoration of Murres, Guillemots and Murrelets in the Gulf of Alaska	19,200	0	19,200	17,900	0	17,900	1,300
00180-CLO	G	Kenai Habitat Restoration & Recreation Enhancement	10,700	0	10,700	100	0	100	10,600
00190	R	Construction of a Linkage Map for the Pink Salmon Genome	331,000	0	331,000	134,993	173,450	308,443	22,557
00195	R	Pristane Monitoring in Mussels	54,900	0	54,900	47,000	0	47,000	7,900
00210	G	Youth Area Watch	122,000	0	122,000	72,018	46,721	118,739	3,261
00225	G	Port Graham Pink Salmon Subsistence Project	75,000	0	75,000	13,193	57,784	70,977	4,023
00245	G	Community-Based Harbor Seal Management and Biological Sampling	56,500	0	56,500	47,135	7,654	54,789	1,711
00247	G	Kametolook River Coho Salmon Subsistence Project	23,200	0	23,200	8,516	3,309	11,825	11,375
00250		Project Management	401,900	0	401,900	228,876	3,662	232,538	169,362
00256B	G	Sockeye Salmon Stocking at Solf Lake	159,500	0	159,500	66,961	14	66,975	92,525

Exxon Valdez Oil Spill									
For the Period Ending June 30, 2000									
Fiscal Year 2000									
Project						Adjusted			
Number	Category	Description	Authorized	Adjustments	Authorization	Expenditures	Obligations	Expended/ Obligated	Unobligated Balance
00263	G	Assessment, Protection and Enhancement of Salmon Streams in Lower Cook Inlet	23,400	0	23,400	6,062	16,242	22,304	1,096
00273	R	Surf Scoter Life History and Ecology	205,400	0	205,400	153,873	86	153,959	51,441
00278	M	Development of an Ecological Characterization and Site Profile for Kachemak Bay/Lower Cook Inlet	44,100	0	44,100	20,705	14	20,719	23,381
00287-BAA	R	Seabird-Oceanographic Relationships in Northern Gulf of Alaska: Integration with NSF/NOAA Study GLOBEC	151,300	0	151,300	141,400	0	141,400	9,900
00290	R	Hydrocarbon Data Analysis, Interpretation, and Database Maintenance	55,500	0	55,500	49,400	0	49,400	6,100
00306	R	Ecology and Demographics of Pacific Sand Lance in Lower Cook Inlet	20,000	0	20,000	18,700	0	18,700	1,300
00320-BAA	R	SEA: Publishing the Integrated Final Report and a Program Synthesis	120,000	0	120,000	102,100	0	102,100	17,900
00327	R	Pigeon Guillemot Restoration Research at the Alaska SeaLife Center	192,800	0	192,800	179,493	7	179,500	13,300
00330-BAA	R	Mass-Balance Model of Trophic Fluxes in Prince William Sound	25,300	0	25,300	23,600	0	23,600	1,700
00338	R	Survival of Adult Murres and Kittiwakes in Relation to Forage Fish Abundance	59,700	0	59,700	37,976	0	37,976	21,724
00339	R	Prince William Sound Human Use and Wildlife Disturbance Model	14,000	0	14,000	14,777	0	14,777	-777
00340	M	Toward Long-Term Oceanographic Monitoring of the Gulf of Alaska Ecosystem	65,900	0	65,900	15,430	47,293	62,723	3,177
00341	R	Harbor Seal Recovery: Controlled Studies of Health and Diet	216,100	0	216,100	124,981	76,411	201,392	14,708
00347-CLO	R	Fatty Acid Profile and Lipid Class Analysis for Estimating Diet Composition and Quality at Different Trophic Levels	35,500	0	35,500	31,600	0	31,600	3,900
00348-CLO	R	Responses of River Otters to Oil Contamination: A Controlled Study of Biological Stress Markers and Foraging Success	50,600	0	50,600	37,200	12,541	49,741	859
00360-BAA	R	The Exxon Valdez Oil Spill: Guidance for Future Research Activities	304,800	0	304,800	286,600	0	286,600	18,200
00366	G	Improved Salmon Escapement Enumeration Using Remote Video and Time-Lapse Recording Technology	46,500	0	46,500	26,453	14	26,467	20,033
00371	R	Effects of Harbor Seal Metabolism on Stable Isotope Ratio Tracers	163,100	0	163,100	91,374	61,614	152,988	10,112
00374	R	Coordination and Planning for Herring Research	35,500	0	35,500	19,420	15,057	34,477	1,023
00375	R	Effects of Herring Egg Distribution and Ecology on Year-Class Strength and Adult Distribution	48,000	0	48,000	22,148	24,208	46,356	1,644
00379-CLO	R	Assessment of Risk Caused by Residual Oil in Prince William Sound Using P450 Activity in Fishes	32,100	0	32,100	8,241	19,405	27,646	4,454
00389	R	3-D Ocean State Simulations for Ecosystem Applications from 19985-98 in Prince William Sound	125,300	0	125,300	8,590	109,099	117,689	7,611
00391	M	CIIMMS: Cook Inlet Information/Monitoring System	361,000	0	361,000	73,492	82,623	156,115	204,885
00393-BAA	R	Prince William Sound Food Webs: Structure and Change	153,700	0	153,700	143,700	0	143,700	10,000
00396	R	Population Change in Nearshore Vertebrate Predators	86,000	0	86,000	74,800	0	74,800	11,200
00401	M	Assessment of Spot Shrimp Abundance in Prince William Sound	88,700	0	88,700	82,400	0	82,400	6,300
00407	R	Harlequin Duck Population Dynamics	63,800	0	63,800	48,235	21	48,256	15,544
00414	G	Development of Web-Based Systems for Communication Ecosystem Research Results to the Public	26,800	0	26,800	25,000	0	25,000	1,800
00423	R	Pattern and Processes of Population Changes in Selected Nearshore Vertebrate Predators	200,200	0	200,200	111,322	7	111,329	88,871
00441	R	Harbor Seal Recovery: Effects of Diet on Lipid Metabolism and Health	191,600	0	191,600	112,654	68,240	180,894	10,706
00454	R	Evidence and Consequences of Persistent Oil Contamination in Pink Salmon Natal Habitats	334,100	0	334,100	259,400	0	259,400	74,700
00455-BAA	R	An evaluation of the Data System for the EVOS Long-Term Monitoring Program	89,000	0	89,000	83,200	0	83,200	5,800

Exxon Valdez Oil Spill									
For the Period Ending June 30, 2000									
Fiscal Year 2000									
Project					Adjusted			Expended/	Unobligated
Number	Category	Description	Authorized	Adjustments	Authorization	Expenditures	Obligations	Obligated	Balance
00459	M	Residual Oiling of Armored Beaches and Mussel Beds in the Gulf of Alaska	40,000	0	40,000	4,694	0	4,694	35,306
00462	R	Effects of Disease on Pacific Herring Population Recovery in Prince William Sound	74,600	0	74,600	37,641	26,414	64,055	10,545
00466-CLO	M	Recovery Status of Barrow's Goldeneyes	14,800	0	14,800	10,689	0	10,689	4,111
00476	R	Effects of Oiled Incubation Substrate on Pink Salmon Reproduction	74,800	0	74,800	19,700	0	19,700	55,100
00478	R	Testing Satellite Tags as a Tool for Identifying Critical Habitat	106,100	0	106,100	26,194	7	26,201	79,899
00479	R	Effects of Food Stress on Survival and Reproductive Performance of Seabirds	125,200	0	125,200	114,766	0	114,766	10,434
00481	G	Documentary Film on the Oil Spill Impacts on Subsistence Use of Intertidal Resources	8,600	0	8,600	0	0	0	8,600
00482-BAA	R	Development and Field Testing Rapid Diagnostic Test Kits for Paralytic Shellfish Poisoning and Amnesic Shellfish Poisoning	55,600	0	55,600	52,000	0	52,000	3,600
00493	M	Statistically-Based Sampling Strategies for Gulf of Alaska Ecosystem Trawl Survey Monitoring	34,500	0	34,500	30,300	0	30,300	4,200
00501	M	Protocols for Long-Term Monitoring of Seabird Ecology in the Gulf of Alaska	39,900	0	39,900	24,763	0	24,763	15,137
00509	M	Long-Term Monitoring of Harbor Seal Populations: Development of an Experimental Design	51,800	0	51,800	13,606	8,298	21,904	29,896
00510-BAA	M	Recovery of Intertidal Communities and Recommendations for Future Monitoring	48,800	0	48,800	37,783	7,862	45,645	3,155
00516-BAA	R	Publication: Comparative Habitat Use by Kittlitz's and Marbled Murrelets	21,000	0	21,000	19,600	0	19,600	1,400
00530	R	Lessons Learned: Evaluating Scientific Sampling of Oil Spill Effects	78,400	0	78,400	56,817	3,362	60,179	18,221
00541-BAA	R	Publication: Prince William Sound Isotope Ecology	15,000	0	15,000	14,000	0	14,000	1,000
00552-BAA	R	Exchange Between Prince William Sound and the Gulf of Alaska	114,400	0	114,400	106,900	0	106,900	7,500
00567	M	Monitoring Environmental Contaminants in the Northern Gulf of Alaska	54,700	0	54,700	18,541	4,500	23,041	31,659
00598	R	Publication: Resolution of Mixtures Containing Exxon Valdez Oil and Regional Background Hydrocarbons in Subtidal Sediments	13,500	0	13,500	13,700	0	13,700	-200
00599	R	Evaluation of Yakataga Oil Seeps as Regional Background Hydrocarbon Sources in Benthic Sediments of the Spill Area	75,600	0	75,600	46,509	0	46,509	29,091
00605	G	Information Transfer to Resource Managers, Stakeholders, and the General Public	19,800	0	19,800	6,000	0	6,000	13,800
00610	G	Kodiak Island Youth Area Watch	61,800	0	61,800	51,142	10,018	61,160	640
00630	R	Planning for Long-Term Research and Monitoring Program	84,700	0	84,700	49,515	18,835	68,350	16,350
	R	Unbilled GA	0	0	0	251,554	0	251,554	-251,554
		Total	10,816,100	0	10,816,100	7,179,668	1,327,169	8,506,837	2,309,263
	Agency	Continuing Projects	Authorized			Expended	Obligations	Expended/ Obligated	Unob. Balance
97115	ADEC	Implementation of the Sound Waste Management Plan (Audited)	1,167,900		1,167,900	1,167,732	0	1,167,732	168
99154	ADNR	Prince William Sound and Lower Cook Inlet Archaeological Repository	269,000		269,000	89,000	180,000	269,000	0
99155	ADNR	Prince William Sound and Lower Cook Inlet Archaeological Repository: Support costs	63,800		63,800	28,811	13,274	42,085	21,715
97180	ADF&G	Kenai Habitat Restoration & Recreation Enhancement Project (Audited)	183,500		183,500	165,130	0	165,130	18,370
97180	ADNR	Kenai Habitat Restoration & Recreation Enhancement Project (Audited)	336,279		336,279	336,279	0	336,279	0
97180	USFS	Kenai Habitat Restoration & Recreation Enhancement Project (Audited)	85,000		85,000	85,000	0	85,000	0

Exxon Valdez Oil Spill									
For the Period Ending June 30, 2000									
Fiscal Year 2000									
Project					Adjusted			Expended/	Unobligated
Number	Category	Description	Authorized	Adjustments	Authorization	Expenditures	Obligations	Obligated	Balance
98180	ADF&G	Kenai Habitat Restoration & Recreation Enhancement Project (Audited)	139,800		139,800	101,364	0	101,364	38,436
98180	ADNR	Kenai Habitat Restoration & Recreation Enhancement Project (Audited)	262,300		262,300	237,661	12,865	250,526	11,774
98180	USFS	Kenai Habitat Restoration & Recreation Enhancement Project (Audited)	68,400		68,400	19,774	0	19,774	48,626
99179	USFS	Kenai Habitat Restoration & Recreation Enhancement Project	21,400		21,400	18,400	3,000	21,400	0
99180	ADNR	Kenai Habitat Restoration & Recreation Enhancement Project	199,600		199,600	194,206	0	194,206	5,394
99180	USFS	Kenai Habitat Restoration & Recreation Enhancement Project	100,000		100,000	78,672	0	78,672	21,328
97197	ADF&G	Alaska SeaLife Center Fish Pass (Audited)	545,600		545,600	539,765	2,580	542,345	3,255
96/97291	ADEC	Chenega-Area Residual Oiling Reduction (Audited)	1,732,000		1,732,000	1,526,104	0	1,526,104	205,896
96/97291	USFS	Chenega-Area Residual Oiling Reduction (Audited)	16,800		16,800	17,792	0	17,792	-992
96/97/98291	NOAA	Chenega-Area Residual Oiling Reduction (Audited)	326,200		326,200	299,144	0	299,144	27,056
99304	ADEC	Kodiak Island Borough Master Waste Management Plan	1,857,100		1,857,100	0	1,585,800	1,585,800	271,300
99405	ADF&G	Port Graham Salmon Hatchery Reconstruction	777,500		777,500	695,000	75,000	770,000	7,500
99405	USFS	Port Graham Salmon Hatchery Reconstruction	3,800		3,800	0	0	0	3,800
	ADEC	Alutiiq Archaeological Repository	1,500,000		1,500,000	1,500,000	0	1,500,000	0
	ADF&G	Alaska SeaLife Center (Audited)	25,680,000		25,680,000	25,604,074	63,821	25,667,895	12,105

Exxon Valdez Oil Spill Trustee Council

645 G Street, Suite 401, Anchorage, AK 99501-3451 907/278-8012 fax:907/276-7178



September 7, 2001

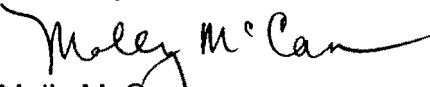
Dave Allen
US Fish and Wildlife Service
1011 E. Tudor Rd.
Anchorage, AK 99503

Dear Dave,

Thank you for your September 4, 2001 letter regarding project 02621. I appreciate your comments on the benefits of this project. I do not believe that I ever said that the U.S. Fish and Wildlife Service did not support this project. Rather, I noted newspaper reports of concerns that U.S. Fish and Wildlife Service had with the Kenai River Bridge Access Pathway, and said any similar issues with this project need to be addressed prior to Trustee Council action.

Again, thank you for your letter.

Sincerely,


Molly McCammon

Federal Trustees

U.S. Department of the Interior
U.S. Department of Agriculture
National Oceanic and Atmospheric Administration

State Trustees

Alaska Department of Fish and Game
Alaska Department of Environmental Conservation
Alaska Department of Law

Exxon Valdez Oil Spill Trustee Council

645 G Street, Suite 401, Anchorage, AK 99501-3451 907/278-8012 fax:907/276-7178



September 6, 2001

Ms. Drue Pearce
Senior Advisor to the Secretary for Alaska Affairs
U.S. Department of the Interior
1849 C Street, N.W., Room 6214
Washington, DC 20240

Dear Ms. Pearce:

Attached is a draft report that must be submitted to Congress by September 30, 2001. I am asking for your help in obtaining clearance from the Administration necessary to send this forward to Congress within the statutory time deadline.

The statute specifically requires the report from the "Trustees". Under the 1992 Memorandum of Understanding entered into by the federal and State Trustees and establishing the Trustee Council, such decision making has been delegated to the Trustee Council. In view of the deadline for this report and my understanding of the willingness of the Department of the Interior, I recommend that the report be signed by the individual Trustee Council members and be transmitted to Congress by the Secretary of the Interior on behalf of all of the Trustees.

I appreciate your willingness to help us with this matter.

Sincerely,

Molly McCammon
Executive Director

Federal Trustees

U.S. Department of the Interior
U.S. Department of Agriculture
National Oceanic and Atmospheric Administration

State Trustees

Alaska Department of Fish and Game
Alaska Department of Environmental Conservation
Alaska Department of Law

DRAFT

September 6, 2001

Representative Dennis Hastert
Speaker of the House
United States House of Representatives
Washington DC 20515

Dear Speaker Hastert:

In accordance with the requirements of P.L. 106-113, and on behalf of the federal and State of Alaska Trustees for the natural resources injured by the 1989 *Exxon Valdez* Oil Spill, I am submitting the attached report to Congress.

Gale A. Norton
Secretary of the Interior

Attachment

DRAFT

September 6, 2001

The Honorable Richard B. Cheney
Vice President of the United States of America
President of the Senate
Office of the Vice President
Eisenhower Executive Office
Washington, DC 20510

Dear Vice President Cheney:

In accordance with the requirements of P.L. 106-113, and on behalf of the federal and State of Alaska Trustees for the natural resources injured by the 1989 *Exxon Valdez* Oil Spill, I am submitting the attached report to Congress.

Gale A. Norton
Secretary of the Interior

Attachment

Exxon Valdez Oil Spill Trustee Council

645 G Street, Suite 401, Anchorage, AK 99501-3451 907/278-8012 fax:907/276-7178



Report to Congress

In November 1999, Congress provided new authority (App. C, Section 350, Public Law No. 106-113, 113 STAT. 1501A-207-8, Attached), permitting the United States and the State of Alaska to invest the joint federal-State *Exxon Valdez* oil spill settlement funds outside the U.S. Treasury. Subsection (7) of this provision conditions the continuation of this authority beyond September 30, 2002 upon submittal of a report to Congress by September 30, 2001 recommending "a structure the Trustees believe would be most effective and appropriate for the administration and expenditure of remaining funds and interest received."

Background

The Memorandum of Agreement and Consent Decree in United States v. Alaska, A91-081 CV (August 28, 1991) ("MOA") provides that the United States and the State of Alaska ("the Governments") shall establish a joint trust fund to receive, hold, disburse and manage all natural resource damage recoveries obtained by the Governments under the Clean Water Act arising out of the *Exxon Valdez* oil spill. Under the MOA, the joint trust fund is to be established in the Registry of the United States District Court for the District of Alaska "or as otherwise determined by stipulation of the governments and order of the court." MOA at 10. Pursuant to a series of orders entered by the District Court for the District of Alaska, the joint trust fund monies were held in the Court Registry Investment System in Houston, Texas. Monies held in the CRIS were limited to investments in Treasury securities and incurred high fees.

In 1997, the Trustee Council sought federal legislation to provide more latitude in their investment choices available and the opportunity to reduce fees. In 1999 Congress enacted Section 350 allowing the EVOS joint trust funds to be deposited in a federal account within the Department of the Interior or in other accounts outside the United States Treasury.

In 2000, the Trustee Council carefully evaluated whether to use this statutory authority, and after careful deliberation and adoption of a set of Investment Policies, with the approval of the United States District Court for Alaska, decided to deposit the funds with the State of Alaska for investment by the Department of Revenue, Treasury Division. That deposit was made in October 2000.

Federal Trustees

U.S. Department of the Interior
U.S. Department of Agriculture
National Oceanic and Atmospheric Administration

State Trustees

Alaska Department of Fish and Game
Alaska Department of Environmental Conservation
Alaska Department of Law

Trustee Council

Under the terms of the MOA, the federal and State governments are co-Trustees for the injured natural resources. The Governments' Memorandum of Agreement and Consent Decree, August 29, 1991, serves as the guiding document for the use of the settlement funds and assigns the task of restoration to three federal and three State Trustees:

State

Commissioner

Department of Fish and Game

Commissioner

Department of Environmental
Conservation

Attorney General

Department of Law

Federal

Secretary

Department of the Interior

Administrator

National Oceanic and
Atmospheric Administration

Secretary

Department of Agriculture

Subsequently, the Trustees established the *Exxon Valdez* Oil Spill Trustee Council as the authority responsible for implementation of the restoration of the spill region. The federal trustees have designated officials primarily based in Alaska to represent them on the Trustee Council.

Restoration Reserve

As part of its Restoration Plan adopted in November 1994, the Trustee Council established a Restoration Reserve and has annually placed a portion of the annual payments received from Exxon into that account. Those payments, plus interest and additional unspent funds, are expected to total approximately \$150 million in October 2002. The Reserve will be used to fund a long-term monitoring and research program for the spill-affected region, as well as a small habitat protection program.

Public comment

In 1998 and 1999 the Trustee Council asked the public to comment on how best to use the Restoration Reserve funds in the future. More than 2400 responses were received, and most addressed the issue of future use of the funds. The public was also asked about future governance of the funds, and whether the Trustee Council should stay in existence or whether some new entity should assume management of the trust funds. Out of more than 2400 responses, only 265 commented on governance. Of those, about half recommended keeping the current Trustee Council and about half suggested a new board.

The Trustee Council's 17-member Public Advisory Group was also asked to comment on this issue. Although they took no formal action, the general consensus was to support the current Trustee Council makeup for the immediate future, and consider a new entity at some later date.

Recommendation

At this time, the Trustee Council recommends keeping the current Trustee Council for management and administration of the settlement funds at least until September 2006. There are a number of reasons for this:

- The investment authority and current investment management are still very new. The authority has only been used since October 2000, less than a year. It will be important to maintain management continuity until these authorities have been fully tested.
- The Trustee Council's long-term monitoring and research program (the Gulf Ecosystem Monitoring or "GEM" Program) is still under review by the National Research Council. Full development and implementation of this program will take at least four to five years.
- The spill-affected region is still seeing the effects of lingering oil spill injury. A team of scientists from the National Marine Fisheries Service has been in Prince William Sound during the summer of 2001 attempting to assess and quantify remaining surface and sub-surface oiling. They are finding more oil than anticipated, and much of it is still toxic. Sea otters, harlequin ducks and pigeon guillemots are just some of the species that are still experiencing localized, chronic effects resulting from exposure to oil. It will be important for the Trustee Council to continue its restoration program until full recovery is achieved, or until it is no longer possible to distinguish an oil spill effect from some other perturbation.
- The current habitat and science programs require a number of coordinated efforts for implementation. The Trustee Council has worked diligently to coordinate its efforts with those of other existing state, federal, Alaska Native, and private non-profit entities. Maintaining these relationships is essential in order to maximize the benefits of the settlement funds to the region.

Recommended reconsideration

Although the Trustee Council recommends that the current council continue as the administrators of the settlement funds, we do believe this issue should be reconsidered in 2006, or, possibly, earlier if the Trustee Council decides that some of the above reasons are no longer applicable.

We appreciate the opportunity to provide this information to the Congress. Additional information concerning the matters in this report or the *Exxon Valdez* Oil Spill restoration program may be obtained the Trustee Council's Executive Director, Molly McCammon, at (907) 278-8012.

Adopted by the Trustee Council as the duly authorized representatives of the *Exxon Valdez* Oil Spill Trustees.

DAVE GIBBONS
Alaska Region
USDA Forest Service

CRAIG TILLERY
Assistant Attorney General
State of Alaska

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

JAMES BALSIGER
Director, Alaska Region
National Marine Fisheries Service

FRANK RUE
Commissioner
Alaska Department of
Fish and Game

MICHELE BROWN
Commissioner
Alaska Department of
Environmental Conservation

Attachment

cc: Senator Ted Stevens
Senator Frank Murkowski
Congressman Don Young
Governor Tony Knowles

APPENDIX—H.R. 3423

H. R. 3423

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending September 30, 2000, and for other purposes, namely:

TITLE I—DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

MANAGEMENT OF LANDS AND RESOURCES

For expenses necessary for protection, use, improvement, development, disposal, cadastral surveying, classification, acquisition of easements and other interests in lands, and performance of other functions, including maintenance of facilities, as authorized by law, in the management of lands and their resources under the jurisdiction of the Bureau of Land Management, including the general administration of the Bureau, and assessment of mineral potential of public lands pursuant to Public Law 96–487 (16 U.S.C. 3150(a)), \$646,218,000, to remain available until expended, of which \$2,147,000 shall be available for assessment of the mineral potential of public lands in Alaska pursuant to section 1010 of Public Law 96–487 (16 U.S.C. 3150); and of which not to exceed \$1,000,000 shall be derived from the special receipt account established by the Land and Water Conservation Act of 1965, as amended (16 U.S.C. 460l–6a(i)); and of which \$2,500,000 shall be available in fiscal year 2000 subject to a match by at least an equal amount by the National Fish and Wildlife Foundation, to such Foundation for cost-shared projects supporting conservation of Bureau lands and such funds shall be advanced to the Foundation as a lump sum grant without regard to when expenses are incurred; in addition, \$33,529,000 for Mining Law Administration program operations, including the cost of administering the mining claim fee program; to remain available until expended, to be reduced by amounts collected by the Bureau and credited to this appropriation from annual mining claim fees so as to result in a final appropriation estimated at not more than \$646,218,000, and \$2,000,000, to remain available until expended, from communication site rental fees established by the Bureau for the cost of administering communication site activities, and of which \$2,500,000, to remain available until expended, is for coalbed methane Applications for Permits to Drill in the Powder River Basin: *Provided*, That unless there is a written agreement in place between the coal mining operator and a gas producer, the funds available herein shall not be used to process or approve coalbed methane Applications for Permits to Drill for well sites that are located within an area, which as of the date of the coalbed methane Application for Permit to Drill, are covered by: (1) a coal lease; (2) a coal mining permit; or (3) an application for a coal mining lease: *Provided further*, That appropriations herein made shall not be available for the destruction of healthy, unadopted, wild horses and burros in the care of the Bureau or its contractors.

WILDLAND FIRE MANAGEMENT

For necessary expenses for fire preparedness, suppression operations, emergency rehabilitation and hazardous fuels reduction by the Department of the Interior, \$292,282,000, to remain available

113 STAT. 1537–131

Fund Act of 1965 (16 U.S.C. 4601-9), the boundary of the Snoqualmie National Forest, as adjusted by subsection (a), shall be considered to be the boundary of the Forest as of January 1, 1965.

SEC. 348. Section 1770(d) of the Food Security Act of 1985 (7 U.S.C. 2276(d)) is amended by redesignating paragraph (10) as paragraph (11) and by inserting after paragraph (9) the following new paragraph:

“(10) section 3(e) of the Forest and Rangeland Renewable Resources Research Act of 1978 (16 U.S.C. 1642(e));”.

SEC. 349. None of the funds appropriated or otherwise made available by this Act may be used to implement or enforce any provision in Presidential Executive Order No. 13123 regarding the Federal Energy Management Program which circumvents or contradicts any statutes relevant to Federal energy use and the measurement thereof.

SEC. 350. INVESTMENT OF EXXON VALDEZ OIL SPILL COURT RECOVERY IN HIGH YIELD INVESTMENTS AND IN MARINE RESEARCH. (1) Notwithstanding any other provision of law and subject to the provisions of paragraphs (5) and (7), upon the joint motion of the United States and the State of Alaska and the issuance of an appropriate order by the United States District Court for the District of Alaska, the joint trust funds, or any portion thereof, including any interest accrued thereon, previously received or to be received by the United States and the State of Alaska pursuant to the Agreement and Consent Decree issued in *United States v. Exxon Corporation, et al.* (No. A91-082 CIV) and *State of Alaska v. Exxon Corporation, et al.* (No. A91-083 CIV) (hereafter referred to as the “Consent Decree”), may be deposited in—

(A) the Natural Resource Damage Assessment and Restoration Fund (hereafter referred to as the “Fund”) established in title I of the Department of the Interior and Related Agencies Appropriations Act, 1992 (Public Law 102-154; 43 U.S.C. 1474b);

(B) accounts outside the United States Treasury (hereafter referred to as “outside accounts”); or

(C) both.

Any funds deposited in an outside account may be invested only in income-producing obligations and other instruments or securities that have been determined unanimously by the Federal and State natural resource trustees for the Exxon Valdez oil spill (“trustees”) to have a high degree of reliability and security.

(2) Joint trust funds deposited in the Fund or an outside account that have been approved unanimously by the Trustees for expenditure by or through a State or Federal agency shall be transferred promptly from the Fund or the outside account to the State of Alaska or United States upon the joint request of the governments.

(3) The transfer of joint trust funds outside the Court Registry shall not affect the supervisory jurisdiction of the district court under the Consent Decree or the Memorandum of Agreement and Consent Decree in *United States v. State of Alaska* (No. A91-081-CIV) over all expenditures of the joint trust funds.

(4) Nothing herein shall affect the requirement of section 207 of the dire emergency supplemental appropriations and transfers for relief from the effects of natural disasters, for other urgent needs, and for the incremental cost of “Operation Desert Shield/

Desert Storm” Act of 1992 (Public Law 102-229; 42 U.S.C. 1474b note) that amounts received by the United States and designated by the trustees for the expenditure by or through a Federal agency must be deposited into the Fund.

(5) All remaining settlement funds are eligible for the investment authority granted under this section so long as they are managed and allocated consistent with the Resolution of the Trustees adopted March 1, 1999, concerning the Restoration Reserve, as follows:

(A) \$55 million of the funds remaining on October 1, 2002, and the associated earnings thereafter shall be managed and allocated for habitat protection programs including small parcel habitat acquisitions. Such sums shall be reduced by—

(i) the amount of any payments made after the date of enactment of this Act from the Joint Trust Funds pursuant to an agreement between the Trustee Council and Koniag, Inc., which includes those lands which are presently subject to the Koniag Non-Development Easement, including, but not limited to, the continuation or modification of such Easement; and

(ii) payments in excess of \$6.32 million for any habitat acquisition or protection from the joint trust funds after the date of enactment of this Act and prior to October 1, 2002, other than payments for which the Council is currently obligated through purchase agreements with the Kodiak Island Borough, Afognak Joint Venture and the Eyak Corporation.

(B) All other funds remaining on October 1, 2002, and the associated earnings shall be used to fund a program, consisting of—

(i) marine research, including applied fisheries research;

(ii) monitoring; and

(iii) restoration, other than habitat acquisition, which may include community and economic restoration projects and facilities (including projects proposed by the communities of the EVOS Region or the fishing industry), consistent with the Consent Decree.

(6) The Federal trustees and the State trustees, to the extent authorized by State law, are authorized to issue grants as needed to implement this program.

(7) The authority provided in this section shall expire on September 30, 2002, unless by September 30, 2001, the Trustees have submitted to the Congress a report recommending a structure the Trustees believe would be most effective and appropriate for the administration and expenditure of remaining funds and interest received. Upon the expiration of the authorities granted in this section all monies in the Fund or outside accounts shall be returned to the Court Registry or other account permitted by law.

SEC. 351. YOUTH CONSERVATION CORPS AND RELATED PARTNERSHIPS.

(a) Notwithstanding any other provision of this Act, there shall be available for high priority projects which shall be carried out by the Youth Conservation Corps as authorized by Public Law 91-378, or related partnerships with non-Federal youth conservation corps or entities such as the Student Conservation Association, up to \$1,000,000 of the funds available to the Bureau of Land Management under this Act, in order to increase the number of

Exxon Valdez Oil Spill Trustee Council

645 G Street, Suite 401, Anchorage, AK 99501-3451 907/278-8012 fax: 907/276-7178



September 7, 2001

Ms. Penelope Dalton
Vice President and Technical Director
CORE
1755 Massachusetts Ave., NW
Suite 800
Washington, DC 20036-2012

Dear Ms. Dalton:

On behalf of the *Exxon Valdez* Oil Spill (EVOS) Trustee Council, I am requesting that the Trustee Council be considered for admission as an associate member of CORE. In March 1999, the Trustee Council established a long-term endowment to fund monitoring and research in the north Gulf of Alaska (GOA) marine ecosystem. This program named the Gulf of Alaska Ecosystem Monitoring and Research Program – or “GEM”, will be funded from the earnings generated by the funds remaining from the United States and State of Alaska governments’ settlement with Exxon Corporation for damages resulting from the 1989 *Exxon Valdez* oil spill. Achieving GEM’s mission of understanding environmental change in the GOA will require a large reliance on developing partnerships with other marine and oceanographic institutes. For that reason, I believe it is appropriate that the EVOS Trustee Council become a member of CORE.

Please consider this an official request for associate membership, with myself as the designated point of contact. If you have any additional questions, please don’t hesitate to contact me at (907) 278-8012.

Sincerely,

Molly McCammon
Executive Director

Federal Trustees

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U.S. Department of Agriculture
National Oceanic and Atmospheric Administration

State Trustees

Alaska Department of Fish and Game
Alaska Department of Environmental Conservation
Alaska Department of Law

CORE Membership Information

Thank you for your interest in joining the Consortium for Oceanographic Research and Education. CORE's primary goal is to become a central and dynamic voice to sustain oceanographic research and educational issues. Current CORE membership reflects the variety of organizations sharing this common goal. Members range from academic oceanographic institutions, university consortia, and non-profit research institutes to Federal research laboratories and private aquaria. All of these organizations share the common goal of enhancing the visibility and effectiveness of ocean research and education.

Membership Levels

There are two types of CORE Membership: Governing and Associate. Consortia may be formed by mutual agreement of several institutions and receive the same benefits as Full Members.

Governing Membership:

- Participate on the Board of Governors and Committees of the Board
- Voting privileges at Board of Governors Meetings
- Involvement in regular one-on-one discussions with Federal agency leaders in Washington, DC
- Coordinate with the Board on meetings with other policy makers whose roles and influences are vital to the sustainability and growth of the oceanographic community
- Develop position papers on a range of issues affecting the oceanographic community including infrastructure, fleet plans and educational initiatives, which are used extensively in CORE public speeches and discussions with Federal agencies and the Congress

Associate Membership:

- Receive the CORE Weekly Report of current news important to the ocean community
- Participate in the CORE Annual Meeting

Dues

Associate Membership dues are \$1,500 per year, with an initiation fee of \$1,500. Governing Membership and Consortia dues are \$11,500 per year and a \$5,000 initiation fee. (For a Consortium of six or more members, each member will pay \$2,000 for annual dues.) The annual dues are prorated quarterly for new Members, based on a 1 October fiscal year.

How to Apply for Membership

Membership application requires an official institutional letter of request directed to CORE, indicating the desire to join, the level of membership requested, and the designated point of contact for the institution. Requests for membership are presented to the CORE Board of Governors for official approval. This process usually takes two to three weeks.



~~MISSION STATEMENT~~

To promote, encourage, develop and support efforts to advance knowledge and learning in the science of oceanography and to disseminate such knowledge to the scientific community and to the public.

To facilitate the formulation of goals, policies and objectives and provide advice and management for educational and research programs and facilities in oceanography and related fields.

To promote the exchange of information and knowledge to create, foster and encourage cooperative efforts among members of CORE and other U.S. scientists and federal, state and local agencies.

~~ GOALS ~~

Enhance the visibility and appreciation of the oceans and oceanographic issues by the American public.

Foster an environment wherein oceanographic science and education are recognized by the American public as integral to U.S. policy goals in national security, economic development, quality of life and education.

Increase and strengthen the links between oceanographic science, technology, research and development in academia, federal labs, and industry.

Establish CORE as a focus for community-wide oceanographic issues.

~~ APPROACH ~~

Foster membership by the U.S. academic institutions actively involved in research and education in oceanographic science and technology.

Obtain grants from government and private sources to support the development of partnerships in oceanographic research and education.

Involve the private sector in an advisory and participatory role for CORE as a critical linkage between the government agencies, academia and the marine industries.

Actively work with policy setters and decision makers on oceanographic research and education issues.

CORE Institutions

Institutions of the Board of Governors

University of Alaska Fairbanks
University of California, San Diego
University of California, Santa Barbara
University of California, Santa Cruz
California State University, Monterey Bay
NOAA's Center for Coastal Environmental Health
and Biomolecular Research
College of Charleston
Columbia University
University of Delaware
Florida Atlantic University
Harbor Branch Oceanographic Institution
University of Hawaii
University System of Maryland
University of Massachusetts Dartmouth
Massachusetts Institute of Technology
Medical University of South Carolina
University of Miami
Mississippi State University
Monterey Bay Aquarium
Monterey Bay Aquarium Research Institute

Moss Landing Marine Laboratories
Naval Postgraduate School
North Carolina State University
University of North Carolina at Chapel Hill
University of North Carolina at Wilmington
Old Dominion University
Oregon State University
University of Rhode Island
Rutgers, The State University of New Jersey
University of South Carolina
South Carolina Dept. of Natural Resources
South Carolina Sea Grant Consortium
University of Southern California
The University of Southern Mississippi
State University of New York at Stony Brook
The University of Texas at Austin
Texas A&M University
University of Washington
College of William and Mary
Woods Hole Oceanographic Institution

Associate Members

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Bigelow Laboratory for Ocean Sciences
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University of Connecticut
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Florida State University
University System of Georgia
Louisiana Universities Marine Consortium
University of Maine
The University of Michigan
Mystic Aquarium & Institute for Exploration

National Aquarium in Baltimore
National Centers for Coastal Ocean Science
NOAA Fisheries Science Centers
National Sea Grant College Program
Naval Oceanographic Office
Naval Surface Warfare Center, Carderock Division
New England Aquarium
University of New Hampshire
OAR Environmental Research Laboratories
University of South Florida
The Research Centers of the U.S. Geological Survey

CORE

1755 Massachusetts Ave., NW, Suite 800
Washington, DC 20036-2102 USA
Tel. (202) 332-0063
Fax (202) 332-8887
E-mail: core@brook.edu
Website: <http://www.COREocean.org>

Exxon Valdez Oil Spill Trustee Council

645 G Street, Suite 401, Anchorage, AK 99501-3451 907/278-8012 fax:907/276-7178



September 6, 2001

Bud Perrine
PO Box 1141
Cordova, AK 99574

Dear Bud:

It has come to my attention that you recently moved from Cordova to Washington to pursue other career interests. Are you still interested in remaining on the Public Advisory Group (PAG) representing the aquaculture interest? If so, we only have money in the budget for travel expenses based on Cordova residency. If you are not interested in serving on the PAG, please submit a letter of resignation either by mail (address listed above), fax (907/276-7178), or email (restoration@oilspill.state.ak.us). If you are interested, please send your new contact information so we can update our records and keep you informed of the Trustee Council's activities.

Good luck on this new phase in your career.

Sincerely,

Molly McCammon
Executive Director

P 377 964 070



Receipt for Certified Mail

No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

Sent to BUD PERRINE	
Street and No. PO BOX 1141	
P.O., State and ZIP Code CORDOVA AK 99574	
Postage	\$.34
Certified Fee	2.10
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, and Addressee's Address	1.50
TOTAL Postage & Fees	\$ 3.94
Postmark or Date	

PS Form 3800, June 1991

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**STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE,
CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES (see front).**

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address leaving the receipt attached and present the article at a post office service window or hand it to your rural carrier (no extra charge).
2. If you do not want this receipt postmarked, stick the gummed stub to the right of the return address of the article, date, detach and retain the receipt, and mail the article.
3. If you want a return receipt, write the certified mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number.
4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.
5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of Form 3811.
6. Save this receipt and present it if you make inquiry.

☆ U.S. GPO: 1991-302-916

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FAX COVER SHEET

To: Doug Number: _____

From: Cherri Date: Sept 6, 2001

Comments: _____ Total Pages: 2 with cover.

FYI & file

I sent this to Bud certified, return receipt. I'll let you know the out come.

FAX COMPLETE

HARD COPY TO FOLLOW NO

Document Sent By: [Signature]

3-16-99

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*** ACTIVITY REPORT ***

TRANSMISSION OK

TX/RX NO.	4783	
CONNECTION TEL		2714102
CONNECTION ID	DOUG MUTTER	
START TIME	09/06 09:41	
USAGE TIME	00'49	
PAGES	2	
RESULT	OK	

Phyllis Day

To: cherrie_womac@oillspill.state.ak.us
Subject: EVOS PAG Seat Question

RECEIVED

AUG 28 2001

August 28, 2001
11:25am

Dear Cherrie:

Last fall Lloyd Bud Perrine was assigned to the 2 year term aquaculture seat. Bud has left Cordova on 08/01/01 to pursue a new career since his resignation from PWSAC on 04/03/01.

As I understand it, Bud's term was October 2000-2002. Has the Trustee Council been advised of Bud's departure? Since Bud was appointed to the aquaculture seat through his long experience with aquaculture and because he was affiliated with PWSAC - is it PWSAC's responsibility to find a replacement to fill the remainder of this term?

Or has the Trustee Council taken other steps to fill that seat?

We are having a general board meeting on 09/15/01, and it would be helpful to pass on to the board the status on this.

Thanks for your assistance,

Phyllis M. Day
Executive Secretary
Prince William Sound Aquaculture Corporation

Phyllis

(FV#)
Copy to
Cherrie
8/28/01
12:30pm
PB

Cherrie -

Please Respond:

~~Bud Perrine was selected to represent aquaculture interests on the Public Advisory Group. Following his resignation from PWSAC, he was asked if he still felt he could represent those interests on the PAG. He replied ~~in the~~ that he could, therefore he still on the PAG. Thank you for your interest in our program.~~

Molly McC

Exxon Valdez Oil Spill Trustee Council

645 G Street, Suite 401, Anchorage, AK 99501-3451 907/278-8012 fax:907/276-7178



MEMORANDUM

TO: Community Involvement Facilitators

FROM: Sandra Schubert *Sandra*
Program Coordinator

RE: Maps Depicting Environmentally Sensitive Areas in Prince William Sound

DATE: September 5, 2001

Enclosed for your information are maps depicting environmentally sensitive areas in Prince William Sound. These maps were prepared by NOAA (National Oceanic and Atmospheric Administration) with funds provided by the Trustee Council. The maps -- one for each season -- compile information for coastal shoreline sensitivity, biological resources, and human use resources. The maps integrate and depict information generated through the EVOS damage assessment and restoration programs, and are designed to aid synthesis and application of this information for restoration and spill response purposes.

All community facilitators will receive this set of poster maps. The four facilitators in Prince William Sound communities will also receive, under separate cover, a folded version of the maps for field use and two CD-ROMs that contains the maps in electronic form.

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645 G Street, Suite 401, Anchorage, AK 99501-3451 907/278-8012 fax:907/276-7178



TO: Community Facilitators

FROM: Molly McCammon
Executive Director

RE: GEM Program Document
Gulf of Alaska Ecosystem Monitoring and Research Program

DATE: September 5, 2001

Please find enclosed a copy of Volume I of the latest draft of the GEM Program Document. This volume describes a long-term plan for monitoring and research in the Gulf of Alaska.

Volume II is also available upon request. That volume contains the scientific supporting documents for the GEM plan, including the conceptual foundation for the plan and a description of the scientific background. Volume II is about 300 pages in length.

Both volumes of the GEM Program Document have recently been sent to the National Research Council (NRC) for review. We should receive the NRC's review comments by March 1, 2002. We will then revise the document, if necessary, before presenting it to the Trustee Council for approval. Trustee Council action on GEM is likely to occur in late spring/early summer 2002.

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MEMORANDUM

TO: Bill Hauser
ADF&G Project Manager

FROM: Molly McCammon
Executive Director

RE: Extension of Due Date: Final Report
Project 00371 / Effects of Harbor Seal Metabolism on Stable Isotope Ratio Tracers

DATE: September 5, 2001

This memo is to confirm an extended due date of May 15, 2001 for the annual report on Project 00371/Effects of Harbor Seal Metabolism on Stable Isotope Ratio Tracers. I understand this additional time is needed to complete analysis of the data collected under the project.

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